

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-18-22

WHEREAS on July 23, 2022, I proclaimed a State of Emergency to exist in Mariposa County due to the Oak Fire; and

WHEREAS the Oak Fire has destroyed over a hundred homes and other structures, damaged and destroyed critical infrastructure, burned more than 19,000 acres of land, and created a substantial amount of ash, burnt vegetation, and other such debris over large areas of communities; and

WHEREAS the Oak Fire has resulted in widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, which must be cautiously and expeditiously removed and properly disposed of; and

WHEREAS Mariposa County is leading debris removal operations in response to the Oak Fire, with technical assistance and guidance from the State; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of these wildfires.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, and in particular, Government Code sections 8567, 8571, and 8627 do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. State statutes, rules, regulations, and requirements that fall within the jurisdiction of boards, departments, and offices within the California Environmental Protection Agency and the California Natural Resources Agency are hereby suspended to the extent necessary for expediting the removal and cleanup of debris from the Oak Fire or to address other impacts associated with that debris, for implementing any restoration plan, or conducting other wildfire recovery activities.
2. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and requirements shall first request that the appropriate Agency Secretary, or the Secretary's designee, make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary of the California Environmental Protection Agency and the Secretary of the California Natural Resources Agency shall use sound discretion in applying this Order to ensure that the suspension serves the purpose of accelerating cleanup and recovery, while at the same time protecting public health and the environment.
3. Any activities performed under this suspension of statutes, rules, regulations, and requirements shall be in accordance with the State

Environmental Protection Plan, or a comparable plan describing how such actions will balance expeditious fire recovery and environmental protection.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 16th day
of September 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State