EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-17-22

WHEREAS on July 30, 2022, I proclaimed a State of Emergency to exist in Siskiyou County due to the McKinney, China 2, and Evans wildfires; and

WHEREAS on September 2, 2022, I proclaimed a State of Emergency to exist in Siskiyou County due to the Mill Fire; and

WHEREAS these wildfires have collectively burned more than 64,000 acres of land, destroyed over a hundred homes and other structures, and the Mill Fire destroyed the historically Black neighborhood of Lincoln Heights in the City of Weed; and

WHEREAS the wildfires created a substantial amount of ash, burnt vegetation, and other such debris over large areas within communities of Siskiyou County; and

WHEREAS widespread hazardous structural debris, which may contain dangerous toxins including heavy metals such as arsenic, cadmium, copper, lead, and asbestos, must be cautiously and expeditiously removed and properly disposed of; 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 these fires or to address other impacts associated with that debris, for implementing any restoration plan, or conducting other fire recovery activities.

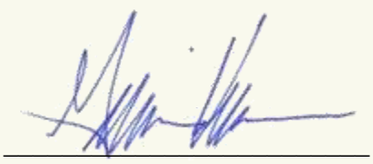
2. Individuals who desire to conduct activities under this suspension of statutes, rules, regulations, and requirements shall first request that the appropriate Agency Secretary, or the Secretary's designee, make a determination that the proposed activities are eligible to be conducted under this suspension. 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 wildfire 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