

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-38-25

WHEREAS on March 1, 2025, I proclaimed a State of Emergency due to catastrophic wildfire risks created by accumulation of fuels in the State's forests and directed the suspension of certain state laws that slow wildfire safety projects for projects that are initiated during the 2025 calendar year; and

WHEREAS since that time, the California Natural Resources Agency (CNRA) and the California Environmental Protection Agency (CalEPA) have developed a streamlined review process to effectively fast-track qualifying projects while maintaining environmental protections and have approved 218 projects to date, including community defensible space, strategic fuel breaks, roadside vegetation clearance and larger thinning treatments, and prescribed burns; and

WHEREAS in that Proclamation, I also directed the Secretary for Environmental Protection and the Secretary of the Natural Resources Agency to make recommendations for increasing the pace and scale of beneficial fire in California—practices that enable many types of landscapes to benefit from low-intensity fire to protect public safety and safeguard natural and cultural resources; and

WHEREAS on October 29, 2025, I issued Executive Order N-35-25 directing the California Department of Forestry and Fire Protection (CAL FIRE) to expedite and expand beneficial fire projects, where appropriate, to enable practitioners to more effectively implement safe and effective beneficial fire projects, particularly as we now enter beneficial fire season, and directing CNRA and CalEPA to establish process to fast-track beneficial fire projects beyond the end of the current State of Emergency; and

WHEREAS, since Executive Order N-35-25, CNRA, CalEPA, and their constituent entities have accelerated and streamlined processes for prescribed and cultural burning, and have completed a series of beneficial fire projects that mitigate dangerous fire conditions; and

WHEREAS, beneficial fire can be most safely managed during seasons with increased moisture in the environment, and extending the suspensions of statutes included in my March 1, 2025, Proclamation will facilitate completion of beneficial fire projects in the early part of calendar year 2026, when fuels should retain a relatively higher moisture content; and

WHEREAS, in light of the critical forest conditions and risk of catastrophic fires that supported my proclamation of a state of emergency, and which continue to persist, it is critical that the State take more actions to further expedite and expand beneficial fire and fuels reduction projects through the end of the upcoming beneficial fire season; 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 use of beneficial fire to limit dangerous wildfire conditions that threaten life and property.

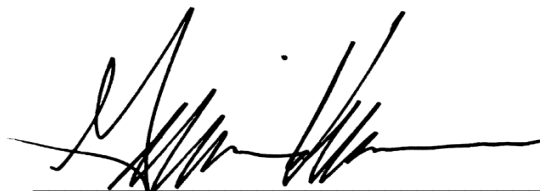
NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8567, 8571, and 8627, do hereby issue the following Order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

IT IS HEREBY ORDERED THAT the suspension of statutes in Paragraph 2 of my March 1, 2025, Proclamation shall apply to any project initiated by May 1, 2026, that meets the requirements of Paragraphs 4 and 5 of that Proclamation and is approved pursuant to Paragraph 3 of that Proclamation.

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 31st day of December 2025.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', is written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, Ph.D.
Secretary of State