

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-4-25

WHEREAS on January 7, 2025, I proclaimed a State of Emergency to exist in Los Angeles and Ventura Counties due to fire and windstorm conditions that have now caused multiple fires, including the Palisades, Eaton, Hurst, Lidia, Sunset, and Woodley Fires; and

WHEREAS on January 8, 2025, and January 10, 2025, I issued Executive Orders to bolster the emergency response to the rapid spread of these fires throughout Los Angeles and Ventura Counties; and

WHEREAS these fires have collectively burned over 39,000 acres, and these fires and windstorm conditions have devastated communities across the Greater Los Angeles Area and destroyed or damaged more than 12,000 structures, including homes and businesses, with initial estimates placing this emergency among the most destructive in California history; and

WHEREAS Los Angeles County is home to over 9.6 million people and constitutes one of the most vibrant and productive regions in the United States; and

WHEREAS the Los Angeles region has some of the highest housing costs in the country, with recent studies finding that a majority of Los Angeles County renters are burdened by paying more than 30 percent of their income on rent; and

WHEREAS the destruction of homes by the fires burning in Los Angeles and Ventura Counties will reduce the available housing in the region, which is likely to further increase the cost of housing and the related crisis of homelessness if housing is not expeditiously rebuilt; and

WHEREAS I am committed to helping families and individuals who have lost their homes and businesses rebuild and recover without facing unnecessary costs and delay; and

WHEREAS the State can expedite recovery from this disaster by eliminating barriers that unduly delay the rapid rebuilding of homes and other facilities destroyed or damaged by the extreme windstorm conditions and resulting fires; and

WHEREAS efforts to rebuild should include measures to increase community resilience, harden homes, and ensure defensible space to build resilience to future wildfires, to the greatest extent practicable; and

WHEREAS current law provides for certain waivers of state permitting and building codes, but additional streamlining is necessary to facilitate a rapid and resilient rebuild; and

WHEREAS under Proposition 13, and the Revenue and Taxation Code, the base year value of property that is substantially damaged or destroyed by a disaster, as proclaimed by the Governor, may be transferred to rebuilt property; and

WHEREAS my January 7, 2025, Proclamation of a State of Emergency triggered a California law that automatically restricts price gouging for building materials, housing and storage services, emergency supplies, and repair,

reconstruction, and emergency clean-up services when a state of emergency is proclaimed, but those protections expire after 30 to 180 days, depending on the good or service, and rebuilding efforts in the areas devastated by these fires will extend beyond that time; and

WHEREAS under the provisions of Government Code sections 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 fires and windstorm conditions.

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 sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. With respect to projects to repair, restore, demolish, or replace property or facilities substantially damaged or destroyed as a result of this emergency, and that satisfy the requirements provided in Paragraph 2, the following are suspended to the extent they would otherwise apply:

- a. The California Environmental Quality Act (Division 13 of the Public Resources Code, commencing with section 21000), and regulations adopted pursuant to that division; and
- b. Any requirement to obtain a permit under the California Coastal Act (Division 20 of the Public Resources Code, commencing with section 30000).

2. Paragraph 1 shall apply only to properties and facilities that are in substantially the same location as, and do not exceed 110% of the footprint and height of, properties and facilities that were legally established and existed immediately before this emergency.

3. The provisions of Penal Code section 396, subdivisions (b) and (c), prohibiting price gouging in times of emergency, shall remain in effect until January 7, 2026, for Los Angeles County. The time limitations under those subdivisions are hereby suspended.

4. The Department of Housing and Community Development (HCD), the Office of Land Use and Climate Innovation, the Office of Emergency Services, and the Department of General Services (DGS) shall, within 30 days, provide a report to me identifying other state permitting requirements that may unduly impede efforts to rebuild properties or facilities destroyed as a result of this emergency that should be considered for suspension, and shall update that report every 60 days, as appropriate and as recovery and rebuilding efforts proceed, to identify any additional permitting requirements that are posing barriers to rebuilding and that should be considered for suspension.

5. HCD, in consultation with DGS, the Office of the State Fire Marshal, and the California Energy Commission, shall, within 60 days, review and provide a report to me with recommendations regarding any provision of the Building Standards Code, Title 24 of the California Code of Regulations, that should be suspended for projects described in Paragraphs 1 and 2 in order to facilitate rapid, safe, and cost-effective rebuilding and recovery.

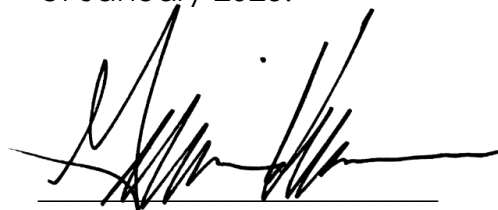
6. HCD shall coordinate with local governments to identify and recommend procedures, including but not limited to exploring the use of pre-approved plans and waivers of certain permitting requirements, to establish rapid permitting and approval processes to expedite the reconstruction or replacement of residential properties destroyed or damaged by fire. The recommended procedures shall have the ultimate goal of issuing all necessary permits and approvals within 30 days. HCD shall, within 60 days, provide a report to me identifying recommended updates to local government procedures that achieve these goals, and shall update that report every 60 days, as appropriate, to identify any additional permitting and approval requirements that are barriers to recovery and rebuilding efforts that should be removed.

7. My Administration shall collaborate with the Legislature to identify and propose statutory amendments that durably address barriers impeding rapid rebuilding efforts in the areas affected by this emergency, including potential legislation to incentivize the incorporation of additional fire hardening measures into rebuilding efforts and enhancements of fire mitigation and fire response capacity within rebuilt areas, and potential legislation based on any suspensions of statutes and regulations in this Order, or any subsequent order, or reports required under Paragraphs 4 through 6.

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 12th day
of January 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 WEBER, PH. D
Secretary of State