

**RESOLUTION OF THE LAKE COUNTY BOARD OF SUPERVISORS  
RATIFYING THE LOCAL HEALTH EMERGENCY AND ORDER  
PROHIBITING THE ENDANGERMENT OF THE COMMUNITY THROUGH  
THE UNSAFE REMOVAL, TRANSPORT, AND DISPOSAL OF FIRE DEBRIS  
FOR THE LNU COMPLEX WILDFIRE**

**WHEREAS**, California Health and Safety Code section 101040 authorizes the local health officer to take any preventive measures that may be necessary to protect and preserve public health from any public hazard during an emergency; and

**WHEREAS**, Section 101080 of the California Health and Safety Code provides that the local health officer may declare a local emergency in the jurisdiction or areas thereof affected by release or escape of hazardous waste which is an imminent threat to the public health or imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent; and

**WHEREAS**, the potential for toxic exposures and threats to public health and the environment exists in the aftermath of a major wildfire disaster, and debris and ash from residential structure fires contain hazardous substances that can result in adverse health impacts to the public; and

**WHEREAS**, exposure to hazardous substances may lead to acute and chronic health effects and may cause long-term public health and environmental impacts; uncontrolled hazardous substances and debris pose significant threats to public health through inhalation of dust particles and contamination of drinking water supplies; and improper handling can expose workers to toxic materials, and improper transport and disposal of fire debris can spread hazardous substances throughout the community; and

**WHEREAS**, Section 101080 of the California Health and Safety Code empowers the Local Health Officer to proclaim the existence or threatened existence of a local health emergency when the Local Health Officer reasonably determines that the waste is a hazardous waste or medical waste, or that it may become a hazardous waste or medical, subject to ratification by the Board of Supervisors within seven days and reaffirmation every thirty days thereafter until such health emergency is terminated; and

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3       **WHEREAS**, the Health Officer of Lake County finds that the wildfire (known as  
4 the LNU Lightning Complex Fire) that started in Napa County on August 18, 2020, and  
5 spread to neighboring four counties which including Lake County in following days. The total  
6 acreage burned across five counties to date is 375,209. In Lake County nine (9) structure have  
7 been destroyed and to date a total acreage of 85,000 in Lake County. Concurrent fire events have  
8 created an imminent threat to public health in Lake County in the form of severely compromised  
9 air quality, potential risk to drinking water supply, and potential for contaminated debris from  
10 household hazardous waste and materials and structural debris resulting from the potential  
11 destruction of structures; and

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13       **WHEREAS**, areas of the county have been evacuated due to fire threat, areas that have  
14 been closed to reentry by residents and the public for safety reasons; and

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16       **WHEREAS**, fire, smoke, and extreme heat is causing risk to the public's health,  
17 especially vulnerable people, who have medical conditions (such as asthma, COPD, cardiac  
18 disease), are elderly/frail, and those who are homeless and do not have indoor shelter; and

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20       **WHEREAS**, the LNU Lightning Complex Fire has led to the decompression of one local  
21 hospital, increased the surge in the use of healthcare for the one other small hospital which has  
22 not been evacuated, and made increased need for transport and continuity of care; and

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24       **WHEREAS**, hazardous air quality from smoke, disruption of serpentine soils, and  
25 mercury mines create exposure to harmful toxins and particulates; and

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27       **WHEREAS**, this hazardous waste debris poses a substantial present or potential hazard  
28 to human health and the environment unless its removal and disposal is performed in a manner  
that will protect the public health and safety; and

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30       **WHEREAS**, on August 18, 2020, the Governor of the State of California proclaimed  
31 a State of Emergency existed in Lake County; and on August 23, 2020, President Trump  
32 approved a disaster declaration in California including the LNU Lightning Complex Fire which  
33 included the COUNTY OF LAKE; and

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35       **WHEREAS**, on September 9, 2020, the Lake County Health Officer issued a Declaration  
36 of Local Health Emergency; and

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38       **WHEREAS**, California Health and Safety Code section 101080 provides authority for  
the local Health Officer to issue a declaration of local health emergency; and

Resolution No. \_\_\_\_\_

**WHEREAS**, the declaration by the Health Officer must be ratified by the Board of Supervisors within seven (7) days.

**NOW, THEREFORE BE IT RESOLVED** that the Lake County Board of Supervisors hereby ratifies the local Health Officer’s Declaration of Local Health Emergency made on September 9, 2020.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Lake, State of California, at a regular meeting thereof on \_\_\_\_\_, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSENT OR NOT VOTING:**

**CAROL J. HUCHINGSON**  
Clerk of the Board of Supervisors


**COUNTY OF LAKE**

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Chair Board of Supervisors

APPROVED AS TO FORM:

**ANITA L. GRANT**

By:   
Anita Grant (Sep 9, 2020 11:03 PDT)  
County Counsel