

1 **AMENDED DECLARATION OF A LOCAL HEALTH EMERGENCY AND ORDER**
2 **PROHIBITING THE ENDANGERMENT OF THE COMMUNITY THROUGH THE**
3 **UNSAFE REMOVAL, TRANSPORT, AND DISPOSAL OF FIRE DEBRIS**

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

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

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

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

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

26 **WHEREAS**, the Health Officer of Lake County finds that the wildfire (known as the
27 Mendocino Complex Fire) that started in Mendocino County on July 27, 2018, and spread to Lake County
28 on July 28, 2018, and concurrent fire events have created an imminent threat to public health in Lake County
in the form of severely compromised air quality, potential risk to drinking water supply, and potential for
contaminated debris from household hazardous waste and materials and structural debris resulting from the
potential destruction of structures.

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

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

WHEREAS, on July 28, 2018, the Governor of the State of California proclaimed a State of
Emergency existed in Lake County; and

1 **NOW, THEREFORE, A LOCAL HEALTH EMERGENCY IS HEREBY DECLARED** in Lake
2 County in those areas of the county affected by the Mendocino Complex Fire and concurrent fires.

3 

4 Erin Gustafson, M.D.
5 Lake County Interim Health Officer

Dated: 1/30/19

6 Confirmed this _____ day of _____ 2019 by the Lake County Board of
7 Supervisors.

8 **AYES:**

9 **NOES:**

10 **ABSENT OR NOT VOTING:**

11
12 **CAROL J. HUCHINGSON**

COUNTY OF LAKE

13 Clerk of the Board of Supervisors

14
15 By: _____

16 Deputy

Chair Board of Supervisors

17 **APPROVED AS TO FORM:**

18 **ANITA L. GRANT**

19
20
21 By: _____

County Counsel