



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution 16-226 ratifying and the Declaration of a Local Health Emergency for the Soberanes Fire Incident as Declared by Dr. Edward Moreno, Monterey County Health Officer.

PASSED AND ADOPTED on this 30th day of August 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on August 30, 2016.

Dated: September 1, 2016
File ID: RES 16-050

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 16-226

Ratify the Declaration of a Local Health Emergency)
for the Soberanes Fire Incident as Declared by Dr.)
Edward Moreno, Monterey County Health Officer.....)

WHEREAS, Section 101080 of the California Health and Safety Code empowers the County Health Officer to declare a local health emergency if he or she reasonably determines that conditions of exposure to hazardous waste exist that pose an immediate threat to the public health, such declaration to expire after seven days unless ratified by the Board of Supervisors and reviewed thereafter every fourteen days; and

WHEREAS, the County Board of Supervisors does hereby find as follows:

1. On July 22, 2016, a wildfire swept through the Soberanes area of unincorporated Monterey County ("Soberanes Fire"), which has caused severe damage to the surrounding area within Monterey County, including areas around Soberanes Creek, Garrapata State Park, Palo Colorado, north of Big Sur; and
2. As of August 23, 2016, the Soberanes Fire had affected 87,316 acres, is 60 percent contained, and continues to burn; and
3. The Soberanes Fire has caused structural damage to several private buildings or the complete destruction of private buildings; and
4. The destruction of private buildings has resulted in the accumulation of ash debris, much of which has been determined to be contaminated with heavy metals and/or asbestos; and
5. The circumstances of the accumulation of this contaminated debris as a result of this wildfire, by reason of the magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single local government and will require the combined forces of a mutual aid region or regions to abate; and
6. Dr. Edward Moreno is the Health Officer of the County of Monterey; and
7. Under the provisions of section 101080 of the California Health and Safety Code, Dr. Moreno finds that conditions of exposure to hazardous waste and an immediate threat to the health and safety of the public exist in the areas burned by the Soberanes Fire; and
8. Under the provisions of section 101085 of the California Health and Safety Code, Monterey County needs other political subdivisions and State agencies to provide mutual aid, including personnel, equipment and other available resources; and
9. On August 22 and 29, 2016, Dr. Edward Moreno, Health Officer of the County of Monterey, in accordance with the authority vested in him by section 101080 of the California Health and Safety Code, issued a Declaration of Local Health Emergency for the affected areas of the County of Monterey due to the Soberanes Fire; and
10. In accordance with the powers and duties of the local health officer vested by sections 101085 and 101310 of the California Health and Safety Code, the Health Officer has ordered that all assisting state agencies, in particular the State Department of Toxics Substance Control, Office of

Emergencies Services (OES), the California Department of Resources Recycling and Recovery, and all appropriate County agencies, in particular the Environmental Health Bureau of the Monterey County Health Department, utilize and employ personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Incident Commander for the Soberanes Fire Incident; and

11. The Health Officer has further ordered that all persons are to heed the directions of emergency officials with regard to this emergency in order to protect their health and safety. This may include temporary or extended evacuations of identified dwelling units during hazardous waste demolition and removal efforts, further and/or expanded access restrictions on property owners and the public into areas identified to be contaminated, and the removal of contaminants and debris of those parcels of which an agreement as to the remediation efforts has not been determined or identified by the respective property owners; and

10. Emergency conditions continue to exist, necessitating ratification and continuation of the Declaration of Local Health Emergency.

WHEREAS, the earliest meeting at which ratification of the Declaration of Local Health Emergency could be scheduled for consideration by the Board of Supervisors is its regular meeting on August 30, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey as follows:

1. The above recitals are true and correct.
2. The actions of the Health Officer of the County of Monterey in response to the local health emergency, including the Declaration of Local Health Emergency issued by the Health Officer and orders pursuant thereto, are hereby ratified by the Board of Supervisors of the County of Monterey.
3. Pursuant to section 101080 of the California Health and Safety Code, the Board of Supervisors shall review the need for continuing the local health emergency at least once every 14 days and shall proclaim the termination of the local health emergency at the earliest possible date that conditions warrant the termination.

PASSED AND ADOPTED upon motion of Supervisor Potter, seconded by Supervisor Armenta carried this 30th day of August 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
 NOES: None
 ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on August 30, 2016.

Dated: September 1, 2016
 File Number: RES 16-050

Gail T. Borkowski, Clerk of the Board of Supervisors
 County of Monterey, State of California

By *Dennis Hancock*
 Deputy



MONTEREY COUNTY

DEPARTMENT OF HEALTH Elsa Jimenez, Director of Health

ADMINISTRATION
EMERGENCY MEDICAL SERVICES

BEHAVIORAL HEALTH
ENVIRONMENTAL HEALTH/ANIMAL SERVICES
PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN

CLINIC SERVICES
PUBLIC HEALTH



A DECLARATION OF A LOCAL HEALTH EMERGENCY FOR THE SOBERANES FIRE INCIDENT

WHEREAS on July 22, 2016, a wildfire swept through the Soberanes area of unincorporated Monterey County ("Soberanes Fire"), which has caused severe damage to the surrounding area within Monterey County, including areas around Soberanes Creek, Garrapata State Park, Palo Colorado, north of Big Sur; and

WHEREAS as of August 29, 2016, the Soberanes Fire has affected 91,802 acres, is 60 percent contained, and continues to burn; and

WHEREAS the Soberanes Fire has caused structural damage to several private buildings or the complete destruction of private buildings; and

WHEREAS the destruction of private buildings has resulted in the accumulation of ash debris, much of which has been determined to be contaminated with heavy metals and/or asbestos; and

WHEREAS the circumstances of the accumulation of this contaminated debris as a result of this wildfire, by reason of the magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single local government and will require the combined forces of a mutual aid region or regions to abate; and

WHEREAS Dr. Edward Moreno is the Health Officer of the County of Monterey; and

WHEREAS under the provisions of section 101080 of the California Health and Safety Code, I find that conditions of exposure to hazardous waste and an immediate threat to the health and safety of the public exist in the areas burned by the Soberanes Fire; and

WHEREAS under the provisions of section 101085 of the California Health and Safety Code, Monterey County needs other political subdivisions and State agencies to provide mutual aid, including personnel, equipment and other available resources; and

WHEREAS the Board of Supervisors' next regular meetings is scheduled for 30, 2016.

NOW, THEREFORE, I, Dr. Edward Moreno, Health Officer of the County of Monterey, in accordance with the authority vested in me by the Monterey County Board of Supervisors and

statute, particularly section 101080 of the California Health & Safety Code, HEREBY DECLARE A LOCAL HEALTH EMERGENCY to exist in the affected areas of the County of Monterey due to the Soberanes Fire.

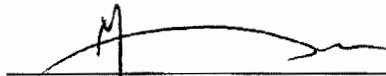
IT IS HEREBY ORDERED, in accordance with the powers and duties of the local health officer vested by sections 101085 and 101310 of the California Health and Safety Code, that all assisting state agencies, in particular the State Department of Toxic Substances Control, Office of Emergency Services (OES), the California Department of Resources Recycling and Recovery, and all appropriate County agencies, in particular the Environmental Health Bureau of the Monterey County Health Department, utilize and employ personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Incident Commander for the Soberanes Fire Incident.

IT IS FURTHER HEREBY ORDERED that all persons are to heed the directions of emergency officials with regard to this emergency in order to protect their health and safety. This may include temporary or extended evacuations of identified dwelling units during hazardous waste demolition and removal efforts, further and/or expanded access restrictions on property owners and the public into areas identified to be contaminated, and the removal of contaminants and debris of those parcels of which an agreement as to the remediation efforts has not been determined or identified by the respective property owners.

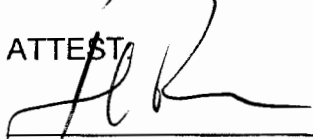
I FURTHER DIRECT that pursuant to section 101080 of the California Health and Safety Code, the local health emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the Monterey County Board of Supervisors. If ratified by the Board of Supervisors, section 101080 requires the health emergency to be reviewed by the Board of Supervisors at least once every 14 days and for the local health emergency to be terminated at the earliest possible date that conditions warrant termination.

I FURTHER DIRECT that as soon as hereafter possible this declaration be filed with the Board of Supervisors and that widespread publicity and notice be given of this declaration.

IN WITNESS WHEREOF I have hereunto set my signature to be affixed this 29th day of August 2016.



Edward Moreno, M.D., M.P.H.
Monterey County Health Officer

ATTEST


Mr. John Ramirez
Director of Environmental Health