

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

Resolution No.

Continuing the Local Health)
Emergency due to the Monterey)
County March 2023 Storms)

RECITALS:

WHEREAS, commencing in early March 2023, severe storms (“March 2023 Storms”) impacted Monterey County communities and residents resulting in storm damage and flooding, particularly in areas adjacent to rivers and other waterways in the county; and

WHEREAS, damage and breach of levees in the county caused localized flooding in certain communities, including the community of Pajaro, which resulted in intrusion of water into structures including businesses and homes; and

WHEREAS, the March 2023 Storms have caused damage to open spaces, structures and dwellings, thus potentially compromising containers with hazardous waste, which represents a substantial present or potential threat to human health and the environment; and

WHEREAS, circumstances of potential release of hazardous materials from containers compromised by storm damage and flooding, by reason of the magnitude and frequency of the storms, 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, regions, and state; and

WHEREAS, on March 9, 2023, the Chief Administrative Officer (CAO) proclaimed the existence of a local emergency due to the March 2023 Storms;

WHEREAS, on March 14, 2023, the Board of Supervisors ratified the CAO’s proclamation of a local emergency regarding the March 2023 Storms; and,

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

WHEREAS, pursuant to section 101080 of the California Health and Safety Code, Dr. Moreno found that conditions of potential exposure to hazardous waste exist, resulting in an immediate threat to the health and safety of the public in the areas impacted by the flooding; and

WHEREAS, pursuant to 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, on March 22, 2023, Dr. Moreno, in accordance with the authority vested in him by section 101080 of the California Health and Safety Code, declared a Local Health Emergency for the affected areas of the County of Monterey due to the March 2023 Storms; and,

WHEREAS, in accordance with the powers and duties of the local health officer vested by sections 101085 of the California Health and Safety Code, Dr. Moreno recognizes that all assisting state agencies, in particular the California Office of Emergency Services and the California Environmental Protection Agency and its departments including the Department of Toxic Substances Control, may provide mutual aid including personnel, equipment, and other available resources to assist political subdivisions during this local health emergency; and,

WHEREAS, Emergency conditions continued to exist, necessitating ratification of the Local Health Emergency; and,

WHEREAS, the earliest meeting at which ratification of the Local Health Emergency could be scheduled for consideration by the Board of Supervisors was its regular meeting on March 28, 2023; and,

WHEREAS, on March 28, 2023, the Local Health Emergency was brought to the Board of Supervisors in open session for ratification, and at that meeting, the Board of Supervisors ratified the Local Health Emergency issued by the Health Officer; and

WHEREAS, on April 25, 2023, the Local Health Emergency was brought to the Board of Supervisors in open session for review, and at that meeting, the Board of Supervisors continued the Local Health Emergency issued by the Health Officer; and

WHEREAS, most but not all properties have completed Phase 1 removal of household hazardous waste by the California Department of Toxic Substances Control; and

WHEREAS, emergency conditions continue to exist, necessitating review and continuation of the Local Health Emergency;

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. Conditions that threaten public health and safety as defined in sections 101075 and 101080 of the California Health and Safety Code continue to exist.
3. The Board of Supervisors continues the Local Health Emergency.
4. 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 every 30 days and shall proclaim the termination of the Local Health Emergency at the earliest possible date that conditions warrant the termination.

PASSED AND ADOPTED this 23rd day of May 2023, by the following vote, to wit:

AYES:

