

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

**Resolution No.**

Extend the Declaration of a Local Health Emergency )  
for the Soberanes Fire Incident. )

**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 began to sweep 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, and Palo Colorado, north of Big Sur, and which continues to burn in the Los Padres National Forest in the Ventana Wilderness near Big Sur; and

2. As of September 30, 2016, the Soberanes Fire had affected 132,069 acres, is 92 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

12. The Declaration of Local Health Emergency was brought to the Board of Supervisors for ratification on August 30, 2016, the earliest Board meeting at which consideration of the Declaration could be scheduled for consideration, and at that meeting, the Board of Supervisors ratified the Declaration of Local Health Emergency issued by the Health Officer; and

13. At its meeting of September 13, 2016, the Board of Supervisors extended the Declaration of Local Health Emergency; and

14. At its meeting of September 27, 2016, the Board of Supervisors again extended the Declaration of Local Health Emergency.

15. The Board of Supervisors has reviewed the need to continue the Declaration of Local Health Emergency and finds that conditions warrant its continuance.

**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. A local health emergency as defined in section 101080 of the California Health and Safety Code continues to exist, and accordingly, the Board of Supervisors extends the Declaration of Local Health Emergency and orders issued pursuant thereto.

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** this 11<sup>th</sup> day of October, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

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

By \_\_\_\_\_  
, Deputy