



RESOLUTION No. 18-177

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO TERMINATE THE PROCLAMATION OF A LOCAL HEALTH EMERGENCY IN NEVADA COUNTY DUE TO HAZARDOUS WASTE AND DEBRIS FROM THE WIND COMPLEX – LOBO AND McCOURTNEY FIRES

WHEREAS, California Health & Safety Code sections 101075, et seq, authorize the proclamation of a local health emergency by the Public Health Officer and the Director of Environmental Health for any area of the County affected by hazardous waste which is an imminent threat to public health; and

WHEREAS, on October 9, 2017 the Wind Complex – Lobo and McCourtney Fires commenced in Nevada County; and

WHEREAS, from October 9 through 11, 2017, State, Local and Federal emergency proclamations were issued for Nevada County due to the conditions of extreme peril created by the fires; and

WHEREAS, the fires caused damage and destruction of homes and buildings resulting in ash and debris that could be contaminated with heavy metals, asbestos and household hazardous waste which pose an immediate public health and safety risk of exposure to the hazardous waste by County residents and local agency employees ; and

WHEREAS, based on this risk, on October 13, 2017, the Nevada County Public Health Officer and the Nevada County Director of Environmental Health proclaimed the existence of a local health emergency within the areas burned by the Wind Complex – Lobo and McCourtney Fires due to hazardous waste in the form of debris and debris ash from fire and due to the potential contamination of residential food and water supplies; and

WHEREAS, on October 17, 2017, by Resolution 17-518, the Nevada County Board of Supervisors ratified the local health emergency proclamation of the Nevada County Public Health Officer and the Nevada County Director of Environmental Health, in accordance with Health & Safety Code section 101080; and

WHEREAS, on December 19, 2017, Executive Order B-45-17 waived the fourteen day time period required by Health and Safety Code section 101080, within which local governing authorities must renew its local health emergency, and declared that the health emergency resulting from the October 2017 wildfire debris remain in effect until terminated by each local governing authority for its respective health emergency; and

WHEREAS, the California Emergency Services Act, commencing with California Government Code section 8550 provides state assistance and resources to local jurisdictions in the event of a local emergency, and the State has provided the County with special resources for, among other things, damage assessments and hazardous debris clean up and removal; and

WHEREAS, the clean-up efforts and potential public health hazards created by the fires and the conditions on which the local health emergency is based and the effects of said emergency are now deemed to be within the control of local resources.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada hereby terminates the Local Health Emergency Proclamation issued by the Nevada County Public Health Officer and the Nevada County Director of Environmental Health on October 13, 2017, and ratified by the Board of Supervisors on October 17, 2017, due to hazardous waste and debris from the Wind Complex – Lobo and McCourtney Fires.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 8th day of May, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair