



RESOLUTION No. 17-518

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION RATIFYING A LOCAL HEALTH EMERGENCY PROCLAMATION BY THE NEVADA COUNTY PUBLIC HEALTH OFFICER AND THE NEVADA COUNTY DIRECTOR OF ENVIRONMENTAL HEALTH 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 have 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, a copy of which is attached hereto as Exhibit A; and

WHEREAS, Health & Safety Code section 101080 provides that said local health emergency must be ratified by the Nevada County Board of Supervisors within seven (7) calendar days of the date said local health emergency was declared, and then reviewed and re-affirmed every fourteen (14) days thereafter until the local health emergency is terminated; and

WHEREAS, emergency conditions continue to exist and local resources continue to be unable to cope with the effects of said local health emergency, necessitating ratification and continuation of the declaration of local health emergency.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada, State of California hereby finds and directs that:

1. The above recitals are true and correct.
2. The October 13, 2017, Local Health Emergency Proclamation by the Nevada County Public Health Officer and the Nevada County Director of Environmental Health due to hazardous waste and debris from the Wind Complex – Lobo and McCourtney Fires and any actions taken pursuant to said resolution are hereby ratified and confirmed by the Board of Supervisors of the County of Nevada. The Board of Supervisors also affirms the findings and determinations made by the Public Health Officer and the Director of Environmental Health in connection with said Proclamation.
3. Pursuant to California Health & Safety Code section 101080, the Board of Supervisors shall review and reaffirm the need for continuing the Local Health Emergency Proclamation at least every 14 days hereafter as provided by state law, until terminated by the Board of Supervisors of the County of Nevada or operation of law.
4. The Director of Emergency Services or his designee shall immediately forward a copy of this resolution to the Director of the California Office of Emergency Services, the Department of Toxic Substances Control and any other state agencies who may be requested or required to provide services with regard to this local health emergency in order to protect the public health and safety.
5. During the existence of said local health emergency the powers, functions, and duties of the Public Health Officer and the Director of Environmental Health, or their designees, and the emergency organization of the County shall be those prescribed by state law (including but not limited to Health & Safety Code sections 101040 and 101075, et seq), local ordinances and resolutions of this county approved by the Board of Supervisors, and by the Nevada County Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a special meeting of said Board, held on the 17th day of October, 2017, by the following vote of said Board:

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

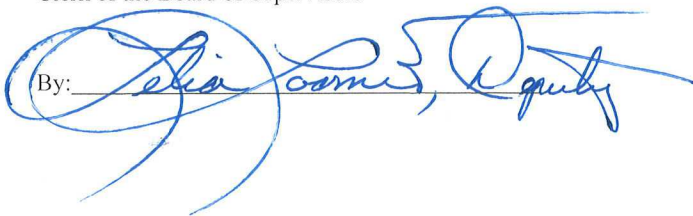
Noes: None.

Absent: Supervisor Dan Miller

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Hank Weston, Chair

10/17/2017 cc: EH*
PH*
OES*
AC*