



**DECLARATION OF A LOCAL HEALTH EMERGENCY
BY THE SAN MATEO COUNTY HEALTH OFFICER**

WHEREAS, California Health and Safety Code, Division 101, Part 3, Chapter 2, Article 2, Sections 101075 through 101095, confer upon local health officers of the political subdivisions of the State of California, emergency powers necessary to protect public health and safety; and

WHEREAS, Section 101080 of the California Health and Safety Code provides that the local health officer may declare a local emergency in the jurisdiction or any area affected by the threat to the public health; and

WHEREAS, Section 101080 of the California Health and Safety Code authorizes a local health officer to declare a local health emergency whenever the local health officer reasonably determines that hazardous waste or waste that may become hazardous waste, is an immediate threat to the public health; and

WHEREAS, Section 101075 of the California Health and Safety Code defines hazardous waste as waste or combination of wastes, that because of its quality, concentration, or physical chemical, or infectious characteristics may do any of the following: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed; and

WHEREAS, Section 101080 of the California Health and Safety Code states that the local health officer's proclamation of local health emergency is subject to ratification by the Board of Supervisors within seven days and reaffirmation every thirty days thereafter until such health emergency is terminated; and

WHEREAS, On August 18, 2020, the Governor of the State of California issued a Proclamation of a State of Emergency due to the fires burning statewide; and

WHEREAS, On August 19, 2020, the San Mateo County Board of Supervisors proclaimed the existence of a local emergency due to fires at various locations in the southern portion of San Mateo County which appear to have been caused by lightning strikes related to atypical weather patterns (referred to herein as the "CZU August Lightning Complex Fires"); and

WHEREAS, On August 22, 2020, the President of the United States of America issued a Major Disaster Declaration due to the fires in California; and

WHEREAS, the San Mateo County Health Officer hereby finds as follows:





SAN MATEO COUNTY HEALTH

**PUBLIC HEALTH,
POLICY & PLANNING**

1. As of the date of this Declaration, the CZU August Lightning Complex Fires is 67% contained, has burned 86,509 acres; destroyed 1,490 structures; damaged 140 structures; injured one civilian; and killed one civilian; and
2. Debris and ash from structure fires can contain hazardous substances. For example, building materials such as siding, roofing tiles, insulation, or household items such as paint, gasoline, cleaning products, pesticides, compressed gas cylinders, and chemicals can result in dangerous ash that contains asbestos, heavy metals, and other hazardous materials; and
3. Such waste is a threat to public health because the waste is hazardous waste because it can cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed; and
4. Hazardous debris that remains after a wildfire can expose residents to toxic materials, improper transport and disposal of fire debris can create dangerous health impacts to workers removing the debris, such debris can threaten water supplies, and such harmful material can spread throughout the community at large; and
5. A person with heart or lung disease, an older adult, children (including teenagers), a person with diabetes, and pregnant women are particularly vulnerable to the presence of such hazardous waste; and
6. The threat to public health creates the immediate need to facilitate assistance and undertake preventive measures to protect the health of people and the environment and to inform the affected public of any potential health issues associated with the hazardous waste created by the CZU August Lightning Complex Fires, thereby warranting the declaration of the existence of a local health emergency; and
7. Regardless of cause, any commercial or domestic structure fires which have or will occur in San Mateo County from the time the CZU August Lightning Complex Fires began until the conclusion of the local health emergency will significantly contribute to the hazardous waste load; and
8. Assistance to private property owners and to others within San Mateo County is needed for timely implementation of necessary preventative measures to protect public health and the environment; and
9. The scope and breadth of the CZU August Lightning Complex Fire hazardous waste cleanup requires a rapid response due to the large area affected, the location of the fire, the number of structures damaged or destroyed and the imminent threat to public health; and
10. The potential beginning of the rainy season offers little time to mitigate further environmental contamination, including contamination of the watershed, and, therefore, time is of the essence in removing hazardous waste from property sites; and



11. Immediate action is necessary to mitigate the harm that could be caused to the public health and safety and to the environment from improper disturbance, removal, and/or disposal of hazardous waste, including but not limited to toxic, flammable, corrosive, and reactive materials from property sites located within the CZU August Lightning Complex Fires because such debris can create dangerous health impacts.

**NOW, THEREFORE, THE SAN MATEO COUNTY HEALTH OFFICER DECLARES
AND PROCLAIMS, as follows:**

1. A local health emergency exists throughout San Mateo County due to the hazardous waste and materials created by the CZU August Lightning Complex Fires, and that such condition may be exacerbated by the ongoing fires and upcoming rainy season and will continue until the conclusion of this local health emergency.

2. During the existence of said local health emergency, the powers, functions, and duties of the San Mateo County Health Officer shall be those prescribed by state law, including the provisions of Section 101085 of the California Health and Safety Code, and any ordinances and resolutions approved by the San Mateo County Board of Supervisors.

3. In connection with the foregoing declaration and order of local health emergency, the San Mateo County Health Officer orders that immediate action be taken to remove the hazardous waste from property sites within the CZU August Lightning Complex Fires area that are toxic, flammable, corrosive, or reactive and create an imminent threat to public health and safety.

4. This declaration of local health emergency shall be reviewed by the San Mateo County Board of Supervisors within seven days and if not confirmed and ratified by the Board of Supervisors it shall expire on the seventh day, or such early date as specified by the Board of Supervisors.

Scott Morrow MD, MPH
Health Officer of the County of San Mateo

September 9, 2020
Date