

1
2 PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
3 BY THE EMERGENCY SERVICES DIRECTOR DESIGNEE
4 COUNTY OF FRESNO, STATE OF CALIFORNIA
5

6 IN THE MATTER OF THE)
7 ACCUMULATING LIVESTOCK CARCASSES

PROCLAMATION

8
9 WHEREAS, Fresno County Ordinance Code, Chapter 2.44, empowers the Emergency
10 Services Director to proclaim the existence or threatened existence of a local emergency when
11 said County is affected or likely to be affected by a public calamity and the Board of Supervisors is
12 not in session; and

13 WHEREAS, in the absence of the Emergency Services Director and Assistant Emergency
14 Services Director the Assistant County Administrative Officer will act as designee; and

15 WHEREAS, the designee of the Emergency Services Director of the County of Fresno does
16 hereby find that a crippling disaster, which severely impairs public health and public safety, is
17 created by conditions of extreme peril to the safety of persons and property which have arisen
18 within said County, due to the continued accumulation of livestock carcasses throughout the
19 County; and,

20 WHEREAS, Baker Commodities, Inc. rendering facility (the "Facility") located at 7480
21 Hanford-Armona Road, Hanford, California, receives and de-hydes livestock, then transfers the
22 carcasses to its rendering facility in Kerman, California, to complete the processing; and

23 WHEREAS, the Kerman rendering facility has experienced mechanical issues that have
24 slowed the processing and approximately 400 tons of livestock carcasses have accumulated there;
25 and

26 WHEREAS, the accumulation at the Kerman rendering facility has caused the Facility to
27 back up with carcasses and the Facility; therefore, is unable to pick up and take in additional
28 carcasses; and

1 WHEREAS, seasonal high temperatures are occurring; and

2 WHEREAS, on June 28, 2017 the Fresno County Office of Emergency Services and the
3 Fresno County Department of Public Health were advised of the situation; and

4 WHEREAS, the Fresno County Department of Public Health has determined that the
5 continued accumulation of such livestock carcasses at the Facility and at other locations
6 throughout the County will result in a public health hazard and that at times, emergency disposal
7 measures are necessary to protect the public health and safety; and

8 WHEREAS, from the adoption by the Legislature of Government Code, section 8570.5 as a
9 part of the State Emergency Services Act, it is clear that the State has determined alternative
10 measures to deal with an unusually high number of dead livestock would be necessary for such
11 emergencies.

12 WHEREAS, local resources are inadequate to cope with the effects of said emergency and
13 the combined forces of other political subdivisions of the State are required to assist the County to
14 combat the effects of said emergency; and

15 WHEREAS, the Board of Supervisors of the County of Fresno is not in session and cannot
16 immediately be called into session;

17 NOW THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists
18 throughout said County; and

19 IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local
20 emergency the powers, functions, and duties for the emergency organization of this County shall
21 be those prescribed by state law, ordinances and resolutions of this County, and by the Fresno
22 County Operational Area Master Emergency Services Plan, as approved by the Board of
23 Supervisors; and

24 The Emergency Services Director's designee does hereby proclaim as follows:

25 1. Based upon the extraordinary accumulation of the livestock carcasses at the
26 Facility, the summer heat, the mechanical and operational issues and the accumulation of livestock
27 at the Kerman rendering facility and the lack of other alternatives, a health hazard exists and it is
28

1 hereby proclaimed effective immediately that a local emergency exists in Fresno County under the
2 provisions of the California Government Code, section 8630 and Fresno County Ordinance Code,
3 Chapter 2.44.

4 2. Based upon the above proclamation of local emergency, the Fresno County
5 Department of Public Health and the Fresno County Agricultural Commissioner's Office are hereby
6 authorized to take such actions as deemed appropriate and necessary to provide for the safe and
7 orderly disposal, at a location under the conditions determined by the Fresno County Department
8 of Public Health and Agricultural Commissioner necessary to create minimal risk to the
9 environment and to the health and safety of the public. Actions taken hereunder shall comply with
10 all the applicable State statutes and regulations.

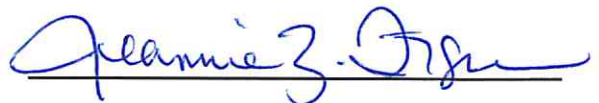
11 3. This Proclamation and the acts of disposal of the dead livestock are hereby to be
12 exempt from the provisions of the California Environmental Quality Act ("CEQA") under the
13 provisions of the CEQA Guidelines, section 15269, which provides an exemption for emergency
14 projects.

15 4. The Emergency Services Coordinator, Fresno County Agricultural Commissioner's
16 Office and the Fresno County Department of Public Health are hereby authorized to take other
17 appropriate action, which is deemed necessary in response to this local emergency.

18 5. The Emergency Services Coordinator shall take appropriate steps to notify the State
19 Office of Emergency Services of this Proclamation and of the steps taken hereunder to address
20 this local emergency.

21 IT IS FURTHER ORDERED that a copy of this proclamation be forwarded to the State
22 Director of the Office of Emergency Services.

23 This emergency is proclaimed in the County of Fresno on 30th day of June, 2017, to-wit:

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25 

26 Emergency Services Director designee,

27 Assistant CAO, Jeannie Z. Figueroa
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