Legislation Text

File #: 21-0978, **Version:** 1

DATE: November 2, 2021

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer / Emergency Services Director

SUBJECT: Continuation of the 2020 Creek Fire Local Emergency Status in Fresno County

RECOMMENDED ACTION(S):

1. **Adopt Resolution proclaiming continuation of the local emergency status relating to the 2020 Creek Fire and request that the Governor continue to provide resources and support to mitigate and recover from this wildfire; and**

2. **Adopt Resolution proclaiming continuation of the Local Health Emergency, due to the public health threat of the 2020 Creek Fire.**

Approval of the first recommended action will ensure the local emergency status remains in effect and permit the potential recovery of eligible costs. Approval of the second recommended action will continue the 2020 Creek Fire local health emergency as declared by the County Interim Health Officer. This item pertains to locations in District 5.

ALTERNATIVE ACTION(S):

No viable options are available.

FISCAL IMPACT:

The recommended actions are necessary to ensure specific liability protection, emergency powers of the Emergency Services Director, and recovery of eligible costs from State and Federal emergency funds.

DISCUSSION:

Approval of the recommended actions will ensure the local emergency statuses related to the Creek Fire remain in effect and permit the potential recovery of eligible costs.

Local Emergency

Commencing on September 4, 2020, the Creek Fire adversely impacted the residents, visitors, businesses, utility infrastructure and natural resources within the mountain communities of Big Creek, Huntington Lake, and Shaver Lake areas of the County. The magnitude and rapid rate of growth of this wildfire is unprecedented in the County.

Pursuant to Government Code, section 8630 and County Ordinance Code, Chapter 2.44, due to the rapid rate of growth of the wildfire, on September 5, 2020, the Emergency Services Director proclaimed the existence of a local emergency.

On September 6, 2020, the Governor of the State of California proclaimed a state of emergency to exist in Fresno, Madera, and Mariposa counties as a result of the Creek Fire.

On September 10, 2020, your Board confirmed the proclamation of a local emergency by ratifying the proclamation and adopting Resolution No. 20-283.

County Ordinance Code, Chapter 2.44.060 requires your Board to review the need to continue the local emergency at least once every 60 days until terminated. On October 5, 2021, your Board adopted a Resolution proclaiming continuation of the local emergency status. The local emergency must be terminated at the earliest possible date when conditions warranting the proclamation have ended.

Local Health Emergency

On September 18, 2020, the Fresno County Interim Health Officer declared the existence of a Local Health Emergency due to the public health threat to the residents that live within the Creek Fire impacted communities of the County. On September 22, 2020, your Board ratified the Local Health Emergency with the adoption of Resolution No. 20-291. Pursuant to California Health and Safety (H&S) Code, section 101080, it is recommended that your Board continue the local health emergency as residents affected by the wildfire recover.

On October 16, 2020, the County was included in a Federal Major Disaster Declaration with Los Angeles, Madera, Mendocino, San Bernardino, San Diego and Siskiyou counties as a result of wildfires. The President's action makes Federal funding available to affected individuals and local government.

The Creek Fire grew to approximately 379,895 acres making it the largest single wildfire in the State's recorded history at the time. The wildfire destroyed 856 structures and vital infrastructure. On December 24, 2020, the Sierra National Forest declared the wildfire to be 100% contained. Debris and ash from structure fires can contain hazardous substances. 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. The wildfire has also caused loss of vegetation that will lead to erosion and slope instability that threaten roads, bridges, and other infrastructure.

H&S Code, section 101080 requires your Board to review the need to continue the local health emergency at least once every 30 days until terminated. On October 5, 2021, your Board adopted a Resolution proclaiming continuation of the local health emergency status. The local health emergency must be terminated at the earliest possible date when conditions warranting the proclamation have ended.

REFERENCE MATERIAL:

BAI #21, October 5, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution (local emergency)
On file with Clerk - Resolution (local health emergency)

CAO ANALYST:

Ron Alexander