



KAREN L. SMITH, MD, MPH
Director and State Public Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

**Declaration of Health Emergency
Calaveras County and Lake County
Pursuant to California Health and Safety Code section 101080**

As the Director of the Department of Public Health, State of California, I hereby declare as follows:

WHEREAS on July 29, 2015, the Rocky Fire started in Lake County; and

WHEREAS on August 9, 2015, the Jerusalem Fire started in Lake County; and

WHEREAS on September 9, 2015, the Butte Fire started in Amador County and spread into Calaveras County; and

WHEREAS on September 12, 2015, the Valley Fire started in Lake County and spread into Napa County; and

WHEREAS the Butte Fire burned thousands of acres of land, destroyed multiple structures in Calaveras County, including homes, and caused the evacuation of residents and damage to highways, local roads and other critical infrastructure; and

WHEREAS the Rocky Fire, the Jerusalem Fire, and the Valley Fire burned thousands of acres of land, destroyed multiple structures in Lake County, including homes, and caused the evacuation of residents and damage to highways, local roads and other critical infrastructure; and

WHEREAS a Federal Fire Management Assistance Grant was requested and approved for the Butte Fire in Calaveras County; and

WHEREAS a Federal Fire Management Assistance Grant was requested and approved for the Valley Fire in Lake County; and

WHEREAS on September 11, 2015, Governor Edmund G. Brown Jr. issued an emergency proclamation for Calaveras County due to the effects of the Butte Fire; and

WHEREAS on September 13, 2015, Governor Edmund G. Brown Jr. issued an emergency proclamation for Lake County due to the effects of the Valley Fire; and

WHEREAS on September 22, 2015, the President of the United States declared a major disaster for Lake County under the Robert T. Stafford Disaster Relief and

Emergency Assistance Act, 42 U.S.C. §5121 et seq. (the "Stafford Act") and this declaration was subsequently amended to include Calaveras County; and

WHEREAS the Butte Fire and Valley Fire collectively destroyed nearly 2000 homes and structures, and as a result created an enormous amount of debris; and

WHEREAS the debris resulting from the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire, in Calaveras County and Lake County contain hazardous material in the ash of the burned structures, which has created a health emergency and poses a substantial present and potential hazard to human health and safety and to the environment unless it is addressed and managed; and

WHEREAS the approaching rain and snow season threatens to spread the hazardous material in the ash of the burned structures and could thereby pollute and contaminate the drinking water supply of the affected areas of Calaveras County and Lake County; and

WHEREAS pursuant to Health and Safety Code section 101080, the Local Health Officers in both Calaveras and Lake Counties proclaimed that the debris created an immediate health and safety issue to the public and the environment. They further declared that local officials had the right to enter private property to take immediate action to mitigate the health effects to the public and the environment; and

WHEREAS the results of the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire by reason of their magnitude, are beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to repair, restore and remediate; and

WHEREAS as the Director of the state Department of Public Health, I concur with the local proclamations and agree that immediate action needs to be taken to mitigate the public's exposure to the hazards contained in the debris in order to immediately protect the health of the public and the environment; and

WHEREAS under the provisions of section 101080 of the California Health and Safety Code, the Director of the state Department of Public Health may declare a health emergency in the jurisdiction or in any area thereof affected by hazardous material that is an imminent threat to the public's health; and

WHEREAS under the provisions of section 101080 of the California Health and Safety Code, I find that a health emergency exists in Calaveras County and Lake County due to the debris resulting from the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire, that contains hazardous material in the ash of the burned structures, and poses a substantial present and potential hazard to human health and safety and to the environment, unless it is addressed and managed; and

WHEREAS the threat to the public's health creates the immediate need to facilitate assistance and undertake preventative measures to protect the health of the public and

debris from the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire, thereby necessitating the declaration of a health emergency in Calaveras County and Lake County; and

WHEREAS assistance to private property owners and to Calaveras County and Lake County is needed for timely implementation of necessary preventative measures to protect the public's health and the environment;

NOW THEREFOR I HEREBY DECLARE AND ORDER that a health emergency exists in Calaveras County and Lake County due to the debris resulting from the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire, that contains hazardous material in the ash of the burned structures.

IT IS FURTHER DECLARED AND ORDERED that, during the existence of said health emergency, the powers, functions and duties of the local health officer and director shall be those prescribed by state law including without limitation the provisions of sections 101075 through 101095 of the California Health and Safety Code and by other statutes as applicable.

THIS DECLARATION OF HEALTH EMERGENCY shall continue in effect until the Director of the California Department of Public Health issues a notice of the termination of the health emergency after finding that the debris resulting from the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire, that contains hazardous material in the ash of the burned structures has been sufficiently removed or remediated so that the conditions no longer pose a widespread threat to the public's health.

NOW, THEREFORE, I, KAREN L. SMITH, Director of the Department of Public Health of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, section 101080 of the California Health and Safety Code, HEREBY DECLARE A HEALTH EMERGENCY to exist in Calaveras County and Lake County, California, due to the debris resulting from the Butte Fire, the Rocky Fire, the Jerusalem Fire, and the Valley Fire, that contains hazardous material in the ash of the burned structures.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 20th day of October 2015.



Karen L. Smith, MD, MPH
Director & State Public Health Officer
California Department of Public Health

ATTEST:

