



Legislation Details (With Text)

File #: 2019-1670

Type: Regular Calendar Item **Status:** Agenda Ready

File created: 11/4/2019 **In control:** County Counsel

On agenda: 11/5/2019 **Final action:**

Title: Urgency Ordinance Establishing Requirements For The Removal Of Fire Damaged Debris From Private Property Following The Kincade Fire

Sponsors: Health Services, County Administrator, County Counsel

Indexes:

Attachments: 1. Summary Report, 2. Urgency Ordinance - Removal of Fire Debris, 3. Debris Removal Requirements

Date	Ver.	Action By	Action	Result
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To: Board of Supervisors

Department or Agency Name(s): Department of Health Services; Office of Recovery and Resiliency

Staff Name and Phone Number: Christine Sosko, 565-6521

Vote Requirement: 4/5th

Supervisory District(s): All

Title:

Urgency Ordinance Establishing Requirements For The Removal Of Fire Damaged Debris From Private Property Following The Kincade Fire

Recommended Action:

Waive further reading of the Kincade Fire Cleanup Emergency Ordinance and adopt the urgency ordinance.

Executive Summary:

The Kincade Fire has destroyed or damaged 434 structures, 208 of which are residential. The Health Officer proclaimed a local health emergency on October 30, 2019 due to contaminated debris from household hazardous waste/materials and structural debris resulting from the destruction of a large number of structures. On November 1, 2019, the Health Officer issued an order advising that "Property owners and the community should not enter the burn footprint of structures without Personal Protective Equipment," and requiring no cleanup activities without the written authorization of the Department of Health Services, Environmental Health. The proposed Kincade Fire Cleanup Emergency Ordinance establishes cleanup standards to protect public health and the environment, and to facilitate recovery. It tracks the cleanup ordinance from the 2017 Sonoma Complex Fires. At this time it is unknown whether there will be a public cleanup option administered by the California Office of Emergency Services. If there is a public cleanup option, no alterations will be required of this ordinance.

Discussion:

The Kincade Fire has had a devastating impact on Sonoma County. As of 700 hours on November 4, 2019, 77,758 acres have burned, 374 structures have been destroyed, 174 of which are residences, and an additional 60 have been damaged, 34 of which are residences. The Health Officer proclaimed a local health emergency

on October 30, 2019 due to contaminated debris from household hazardous waste/materials and structural debris resulting from the destruction of a large number of structures. On October 31, 2019, the Board of Supervisors ratified the local emergency proclaimed by the Director of Emergency Services. On November 1, 2019, the Health Officer issued an order advising that "Property owners and the community should not enter the burn footprint of structures without Personal Protective Equipment," and requiring no cleanup activities without the written authorization of the Department of Health Services, Environmental Health. Debris and ash from this fire contain hazardous substances. The health effects of hazardous substance releases after a wildfire are well documented. Improper handling can expose workers to toxic materials, and improper transport and disposal of fire debris can spread hazardous substances throughout the community. The proposed Kincade Fire Cleanup Emergency Ordinance substantially mirrors the requirements for private cleanups from the October 2017 Sonoma Complex Fires. The cleanup standards are the cleanup standards recommended by CalRecycle. Samples will be required to establish baseline/background conditions and post-cleanup conditions. The health screening levels are found in the attached Debris Removal Requirements document, adapted from CalRecycle guidance. In Sonoma County, the geology in many areas exceeds health screening levels for some chemicals - for example, arsenic - and where this is the case, the cleanup will only be required to meet background conditions in the area.

Staff believes standards for cleanups need to be put in place as expeditiously as possible to protect public health and the environment, and to facilitate recovery. The County has requested a Phase I (Household Hazardous Waste sweep) and Phase II (debris removal) cleanup be conducted by the State. At the time of this writing, the State has declined and only offered technical assistance related to the Kincade Fire disaster. If this changes, the Director of Environmental Health and Safety will have the authority under the emergency ordinance to make minor clarifications to the cleanup requirements. Various State agencies will be participating in the County's Debris Removal Taskforce.

Prior Board Actions:

Ratification of Local Emergency, October 31, 2019

FISCAL SUMMARY

Expenditures	FY 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

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Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

NA

Attachments:

Proposed Urgency Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Establishing Requirements For The Removal Of Fire Damaged Debris From Private Property Following The Kincade Fire Urgency Ordinance; Debris Removal Requirements based on CalRecycle Guidance

Related Items "On File" with the Clerk of the Board:

NA