



County Executive Office

Memorandum

September 19, 2024

To: Clerk of the Board of Supervisors
From: Michelle Aguirre, Interim County Executive Officer
Subject: Exception to Rule 21

2024 SEP 19 PM 4:44
CLERK OF THE BOARD
COUNTY OF ORANGE
BOARD OF SUPERVISORS

RECEIVED

Digitally signed by Michelle Aguirre
DN: cn=Michelle Aguirre, o=County of Orange, ou=CEO, email=michelle.aguirre@ocgov.ca.gov, c=US
Date: 2024.09.19 15:38:20 -0700

Maquiere

S:374

The County Executive Office is requesting a Supplemental Agenda Staff Report for the September 24, 2024, Board Hearing.

Agency: Health Care Agency
Subject: Adopt Resolution Ratifying Declaration of Local Health Emergency for the Trabuco Canyon Airport Fire
Districts: All Districts

Reason Item is Supplemental: The Agenda Staff Report is supplemental due to the emergency timing of the Declaration of Local Health Emergency.

Justification: The local health emergency may only remain in effect for no more than seven days unless it is ratified by the Orange County Board of Supervisors (Board). On September 13, 2024, the County Health Officer, Dr. Regina Chinsio-Kwong, declared a local health emergency regarding the public health threat posed by Airport Fire ash and debris to Orange County residents. The County Health Officer declared a local health emergency on September 20, 2024, because the declaration issued on September 13, 2024, will expire by operation of law. To ensure the declaration issued on September 20, 2024, continues in effect, the Board must ratify it. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Concur: [Signature]
Donald P. Wagner, Chairman of the Board of Supervisors

cc: Board of Supervisors
County Executive Office
County Counsel




SUPPLEMENTAL AGENDA ITEM AGENDA STAFF REPORT

MEETING DATE: 9/24/2024

LEGAL ENTITY TAKING ACTION: Board of Supervisors

BOARD OF SUPERVISORS DISTRICT(S): All Districts

SUBMITTING AGENCY/DEPARTMENT: Health Care Agency

DEPARTMENT HEAD REVIEW: 
Department Head Signature

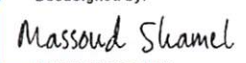
DEPARTMENT CONTACT PERSON(S): Regina Chinsio-Kwong (714) 834-2729
Veronica Kelley (714) 834-7024

RECEIVED
 2024 SEP 19 PM 4:44
 CLERK OF THE BOARD
 COUNTY OF ORANGE
 BOARD OF SUPERVISORS

SUBJECT: Adopt Resolution Ratifying Declaration of Local Health Emergency for the Trabuco Canyon Airport Fire

CEO CONCUR

 Digitally signed by Michelle Aguirre
 DN: cn=Michelle Aguirre, o=County of Orange, ou=CEO, email=Michelle.aguirre@ocgov.co, c=US
 Date: 2024.09.19 15:38:02 -0700
 CEO Signature

COUNTY COUNSEL REVIEW
 No Legal Objection
 DocuSigned by:

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CLERK OF THE BOARD
 Discussion
 3 Votes Board Majority

Budgeted: No **Current Year Cost:** N/A **Annual Cost:** N/A

Staffing Impact: N/A **# of Positions:** N/A **Sole Source:** N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A **County Audit in last 3 years:** N/A

Levine Act Review Completed: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S)

1. Adopt Resolution ratifying Declaration of Local Health Emergency pursuant to Health and Safety Code section 101080, by the County Health Officer, issued on September 20, 2024, for the Trabuco Canyon Airport Fire to remain in effect through October 19, 2024.
2. Direct the County Health Officer to bring for review by the Board of Supervisors no later than October 19, 2024, the need for continuing the local health emergency.
3. Direct by Resolution that all County departments and agencies take those actions, measures, and steps deemed necessary to assure the health, safety, and welfare of Orange County residents and property, including requesting mutual aid to the extent such aid is necessary.

SUMMARY:

Adoption of the resolution will assist the County with receiving mutual aid resources from the State of California and the Federal government to aid in responding to the Trabuco Canyon Airport Fire, will position the County to receive funds from the federal and state governments and will obtain the needed contracts to protect water sources from hazards related to this fire incident, as well as needed waivers to assist with the expedited safe removal of fire debris.

BACKGROUND INFORMATION:

Orange County sustained a significant wildfire labeled Trabuco Canyon Airport Fire (Airport Fire) for its point of origin on September 9, 2024, near the Radio Controlled (RC) Flying Field off Trabuco Creek Road.

Multiple structures were damaged by the wildfire, including cabins in the Holy Jim Canyon. When structures are involved in a wildfire, the combustion of building materials results in ash and debris that contain hazardous substances that must be properly handled, transported, and disposed in such a way to minimize risk to human health.

Unmanaged ash and debris can pose present and potential health threats through dust particles in runoff that can contaminate drinking water supplies including underground water wells in the affected area.

Two seasonal underground wells in the Holy Jim Canyon area have the potential of being contaminated if ash infiltrates the wells with rain activity. Currently, water that supplies the general area and surrounding areas are clean and safe for residents. Local water agencies continue to regularly test water as part of their standard regulatory practices. Mitigation efforts need to be put in place ahead of significant rain activity to protect water from these wells.

RATIFYING THE DECLARATION OF THE LOCAL HEALTH EMERGENCY:

Health and Safety Code (H&SC) section 101080 allows a local health officer to declare a local health emergency in the health officer's jurisdiction affected by a threat to the public health because of an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent. A local health emergency declared pursuant to H&SC section 101080 may only remain in effect for no more than seven days unless it is ratified by the county board of supervisors.

On September 13, 2024, the County Health Officer, Dr. Regina Chinsio-Kwong, declared a local health emergency pursuant to H&SC section 101080 to protect the Orange County residents from the public health threat posed by Airport Fire ash and debris. The County Health Officer declared a second local health emergency on September 20, 2024, because the declaration issued on September 13, 2024, expired by operation of law. H&SC section 101080 also requires that, after ratification, the county board of supervisors must review the need for continuing the local health emergency at least every 30 days until the local health emergency is terminated and must proclaim the termination of the local health emergency on the earliest possible date that conditions warrant the termination.

To that end, the Resolution included in Attachment A would ratify the declaration of local health emergency by the County Health Officer issued on September 20, 2024, and continue it in effect through October 19, 2024.

The Health Care Agency requests the Board of Supervisors ratify the declaration of local health emergency issued by the County Health Officer as set forth in the Recommended Action, above.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A-Resolution Ratifying Declaration of Local Health Emergency

Attachment B-Health and Safety Code Sections 101080