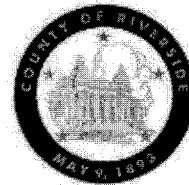


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.33  
(ID # 9831)

MEETING DATE:

Tuesday, May 7, 2019

FROM : ENVIRONMENTAL HEALTH AND PUBLIC HEALTH :

SUBJECT: ENVIRONMENTAL HEALTH AND PUBLIC HEALTH: Resolution No. 2019-109 of the Board of Supervisors of the County of Riverside Ratifying the Public Health Officer's Declaration of a Local Health Emergency Regarding the Release of a Heavy Petroleum Substance Leaking from an Earthen Wall of a Creek Bed in the Unincorporated Area of Lake Elsinore; District 1. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2019-109, a Resolution of the Board of Supervisors of the County of Riverside Ratifying the Public Health Officer's Declaration of a Local Health Emergency Regarding the Release of a Heavy Petroleum Substance Leaking from an Earthen Wall of a Creek Bed in the Unincorporated Area of Lake Elsinore.

**ACTION:Policy**


  
Keith Jones, Director Environmental Health 5/6/2019

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: May 7, 2019  
xc: Environmental Health

Kecia Harper  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	N/A	N/A	N/A	N/A
<b>NET COUNTY COST</b>	N/A	N/A	N/A	N/A
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	N/A
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

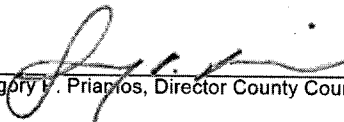
The Department of Environmental Health and other County departments were made aware of an unknown substance oozing from a private property into an adjacent creek bed in the unincorporated area of Lake Elsinore. The ensuing investigation determined that the viscous dark substance is petroleum-based. Contact referrals were made with State and Federal partner agencies. The California Fish & Wildlife agency has conducted initial containment measures in the area. Additional discussions have suggested that clean-up funded and performed by the United States Environmental Protection Agency (US EPA) is the most cost effective and expedient way to ensure public health and safety is protected. The attached Resolution No. 2019-109 and associated Order signed by the County Health Officer and Environmental Health Director will allow the US EPA to proceed with necessary access and clean up.

**Impact on Residents and Businesses**

The expedited clean-up by the US EPA would ensure that public health is protected as soon as possible and that the environmental impact is minimized, both in the immediate area and in the area downstream of the oozing contamination.

**Attachments**

- Resolution No. 2019-109
- Exhibit A Order

  
 \_\_\_\_\_  
 Gregory B. Priaplos, Director County Counsel      5/6/2019

2  
3 RESOLUTION NO. 2019-109

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
5 THE COUNTY OF RIVERSIDE RATIFYING AND EXTENDING THE PUBLIC HEALTH  
6 OFFICER'S DECLARATION OF A LOCAL HEALTH EMERGENCY REGARDING THE RELEASE  
7 OF A HEAVY PETROLEUM SUBSTANCE LEAKING FROM AN EARTHEN WALL OF A CREEK  
8 BED IN THE UNINCORPORATED AREA  
9 OF LAKE ELSINORE

10  
11 WHEREAS, California Health and Safety Code section 101040 authorizes the local health officer  
12 to take any preventative measure that may be necessary to protect and preserve public health from any  
13 public hazard during a local emergency; and

14 WHEREAS, California Health and Safety Code section 101080 authorizes the local health officer  
15 to declare a local health emergency in the jurisdiction or in any of areas thereof affected by release or escape  
16 of hazardous waste which is an imminent threat to the public health or imminent and proximate threat of  
17 the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable  
18 biologic agent, toxin, or radioactive agent; and

19 WHEREAS, a local health emergency presently exists in the County of Riverside as described in  
20 the declaration and order of the Public Health Officer and Environmental Health Director, dated May 3,  
21 2019, regarding the release of a heavy petroleum substance which is leaking from the earthen wall of a  
22 creek bed in the unincorporated area of Lake Elsinore; and

23 WHEREAS, a copy of the May 3, 2019 declaration of a Local Health Emergency and order of the  
24 Public Health Officer and Environmental Health Director is attached hereto as Exhibit A and incorporated  
25 herein by reference; and

26 WHEREAS, the Board of Supervisors has reviewed the attached declaration and order and has  
27 reviewed the need to continue the existence of the Local Health Emergency; and  
28

FORM APPROVED COUNTY COUNSEL  
BY: TITANY N. NORRIS 5/16/19 DATE

1 WHEREAS, the situation resulting from the release of a heavy petroleum substance which is leaking  
2 from the earthen wall of a creek bed in the unincorporated area of Lake Elsinore continues to pose a  
3 substantial present or potential hazard to human health and the environment unless it is removed from the  
4 community in a manner that will protect the public health and safety; and

5 WHEREAS, the declaration and ratification of a continued Local Health Emergency is both  
6 necessary and expedient to secure the prompt remediation of this threat to public health and the compliance  
7 of those so ordered to facilitate that aim;

8 NOW, THEREFORE, BE IT RESOLVED, PROCLAIMED, RATIFIED AND ORDERED by the  
9 Board of Supervisors of the County of Riverside that the period of Local Health Emergency is extended for  
10 thirty (30) additional days effective May 9, 2019 unless sooner terminated.

11 IT IS FURTHER ORDERED that said Local Health Emergency shall be deemed to continue and  
12 exist until its termination is proclaimed by the Board of Supervisors of the County of Riverside.

13  
14  
15 ROLL CALL:

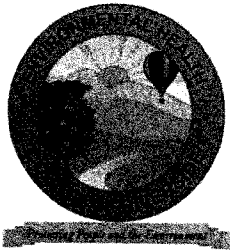
16 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
17 Nays: None  
18 Absent: None

19 The foregoing is certified to be a true copy of a resolution duly  
20 adopted by said Board of Supervisors on the date therein set forth.

21 Kecia R. Harper, Clerk of said Board

22 By  \_\_\_\_\_

23 Deputy  
24  
25  
26  
27  
28



County of Riverside  
**DEPARTMENT OF ENVIRONMENTAL HEALTH**

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909

KEITH JONES, DIRECTOR

**EXHIBIT A**

**ORDER PROHIBITING ENDANGERMENT OF THE COMMUNITY  
THROUGH ABATEMENT OF HAZARDOUS SUBSTANCES LOCATED ON  
PRIVATE PROPERTY**

WHEREAS, California Health and Safety Code section 101040 authorizes the local health officer to take any preventative measure that may be necessary to protect and preserve public health from any public hazard during an emergency;

WHEREAS, California Health and Safety Code section 101080 authorizes the local health officer to declare a local health emergency in the jurisdiction of areas thereof affected by release or escape of hazardous waste which is an imminent threat to the public health or imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent;

WHEREAS, the Director of the Riverside County Environmental Health Department is a duly authorized deputy local health officer with respect to hazardous waste and materials matters;

WHEREAS, on April 1, 2019 officers of the County of Riverside Environmental Health Department began investigating the release of a heavy petroleum substance which is leaking from the earthen wall of a creekbed in the unincorporated area of Lake Elsinore;

WHEREAS, petroleum distillates are a known hazardous material and human carcinogen as defined by the Oil Pollution Act and by California Proposition 65;

WHEREAS, exposure to hazardous substances may lead to acute and chronic health effects and may cause long-term public health and environmental impacts; uncontrolled hazardous substances pose threats to public health through inhalation of fumes;

WHEREAS, officers of the California Water Board have determined that the location of this release poses a threat of contamination for Lake Elsinore, a navigable waterway;

WHEREAS, this hazardous substance poses a substantial present or potential hazard to human health and the environment unless it is removed from the community in a manner that will protect the public health and safety;

WHEREAS, the declaration of a public health emergency is both necessary and expedient to secure the prompt remediation of this threat to public health and the compliance of those so ordered hereunder to facilitate that aim,

**NOW, THEREFORE PURSUANT TO THESE DECLARATIONS, THE RIVERSIDE COUNTY PUBLIC HEALTH OFFICER HEREBY ORDERS THAT:**

1. All officers, employees, representatives, contractors, and agents of the United States Environmental Protection Agency, California Fish and Wildlife Department, California Water Board, Riverside County Department of Environmental Health, Riverside County Sheriff's Department, Riverside County Emergency Management Department, and Riverside County Flood Control (collectively known as "the agents") shall be allowed access to any outdoor location on properties and associated easements located at 30530 Plumas St, 30560 Plumas St, 30590 Plumas St, 30620 Plumas St, 15200 Cobre St, 15230 Cobre St, 30537 Via Bonica, 14914 Via Cariba, 15271 Alvarado St, 15241 Alvarado St, 15221 Alvarado St, 15201 Alvarado St, 15181 Alvarado St, 15161 Alvarado St, 15131 Alvarado St, 15111 Alvarado St, 15071 Alvarado St, and 15041 Alvarado St (collectively known as "the properties").
2. The agents may collect soil, water, air, hazardous substance, and waste samples at any outdoor location on the properties.
3. The agents may conduct the removal of hazardous substances from the properties.
4. The agents may temporarily store and use equipment at the properties for the purpose of mitigating and abating the release of hazardous substances.
5. Agents from the Riverside Sheriff's Department may enforce compliance with this Order.

Signed this day, May 3, 2019, at Riverside, CA.



Cameron Kaiser, MD, MPH, FAAFP  
Public Health Officer  
County of Riverside



Keith Jones, REHS  
Director, Department of Environmental Health  
County of Riverside