

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



ITEM  
3.11  
(ID # 9963)

**MEETING DATE:**

Tuesday, June 4, 2019

**FROM :** ENVIRONMENTAL HEALTH AND PUBLIC HEALTH :

**SUBJECT:** ENVIRONMENTAL HEALTH AND PUBLIC HEALTH: Resolution No. 2019-129 of the Board of Supervisors of the County of Riverside Extending the Declaration of a Local Health Emergency Regarding the Existence 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. 2019-129, a Resolution of the Board of Supervisors of the County of Riverside Extending the Declaration of a Local Health Emergency Regarding the Existence 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 5/20/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel 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: June 4, 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**

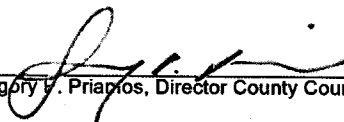
The Department of Environmental Health and other County departments were made aware of an unknown substance oozing from a private property into an adjacent creek bed in the unincorporated area of Lake Elsinore. The ensuing investigation determined that the viscous dark substance is petroleum-based. Contact 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) and/or California Department of Fish and Wildlife is the most cost effective and expedient way to ensure public health and safety is protected. On May 7<sup>th</sup>, 2019 in Resolution No. 2019-109, the Board of Supervisors ratified and extended the Public Health Officer's declaration of a Local Health Emergency. However, federal and state project partners are encountering delays with securing the funding necessary for remediation of the site. This has necessitated an extension of the Local Health Emergency declaration which is attached as Resolution No. 2019-129.

**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. 2019-129

  
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 Gregory V. Priapros, Director County Counsel      5/20/2019

2  
3 RESOLUTION NO. 2019-129

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF  
5 THE COUNTY OF RIVERSIDE EXTENDING THE DECLARATION OF A LOCAL HEALTH  
6 EMERGENCY REGARDING THE EXISTENCE OF A HEAVY PETROLEUM SUBSTANCE  
7 LEAKING FROM AN EARTHEN WALL OF A CREEK BED IN THE UNINCORPORATED AREA  
8 OF LAKE ELSINORE

9  
10 WHEREAS, California Health and Safety Code section 101040 authorizes the local health officer  
11 to take any preventative measure that may be necessary to protect and preserve public health from any  
12 public hazard during a local emergency; and

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

18 WHEREAS, California Health and Safety Code section 101080 further states that the Board of  
19 Supervisors shall review, at least every thirty days the need for continuing the local health emergency, and

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

24 WHEREAS, on May 7, 2019, in Resolution No. 2019-109, the Board of Supervisors ratified and  
25 extended the Public Health Officer's declaration of a Local Health Emergency; and

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

FORM APPROVED COUNTY COUNSEL  
BY: JIMMY N. NORTH DATE: 5/17/19

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 existence of a continued Local Health Emergency is both necessary and expedient  
6 to secure the prompt remediation of this threat to public health and the compliance of those so ordered to  
7 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 June 4, 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 ROLL CALL:

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

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

20 Kecia R. Harper, Clerk of said Board

21 By 

22 Deputy