

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF RECOGNIZING THE)
PROCLAMATION OF LOCAL EMERGENCY) Resolution No. 2020-0070
DUE TO LIVESTOCK DEATHS AS AN)
URGENCY ACTION ITEM)

UPON MOTION OF SUPERVISOR CROCKER, SECONDED BY SUPERVISOR SHUKLIAN, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD FERUARY 25, 2020, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: *Mercedes Ramos*
Deputy Clerk

Found by at least a 4/5 vote that there is a need to take immediate action on adding to today's Board agenda the question of whether to proclaim the existence of a local emergency with respect to the planned closure of the Baker Commodities rendering plant in Kerman, and that the need for action came to the attention of the County after the posting of today's Board meeting agenda.

BOS

ML
02/25/2020

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE A)
PROCLAMATION OF LOCAL EMERGENCY) Resolution No. 2020-0071
DUE TO LIVESTOCK DEATHS)

UPON MOTION OF SUPERVISOR CROCKER, SECONDED BY SUPERVISOR SHUKLIAN, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD FERUARY 25, 2020, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS CROCKER, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE



ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: *Mercedes Lomas*
Deputy Clerk

Adopted a Resolution proclaiming the existence of a local emergency with respect to the planned closure of the Baker Commodities rendering plant in Kerman and authorizing, individually or collectively, the County's Emergency Services Manager, Agricultural Commissioner, and/or the Public Health Officer to take all appropriate actions.

BOS

ML
02/25/2020

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
BY THE DIRECTOR OF EMERGENCY SERVICES
COUNTY OF TULARE, STATE OF CALIFORNIA

WHEREAS, the California Emergency Services Act, commencing with California Government Code section 8550, empowers local government to proclaim a local emergency; and

WHEREAS, Section 1-15-1005(a) of the Tulare County Ordinance Code defines “emergency” to include “the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this County caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, or other conditions, ... which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County, requiring the combined forces of other political subdivisions to combat”; and

WHEREAS, Baker Commodities, Inc. rendering facility (the "Facility") located at 7480 Hanford-Armona Road, Hanford receives and de-hydes livestock from Tulare County, then transfers the carcasses to its rendering facility in Kerman (the “Kerman plant”) to complete the processing; and

WHEREAS, the Kerman plant has halted processing of livestock carcasses for a minimum of seven (7) days to conduct temporary maintenance to the facility; and

WHEREAS, the temporary maintenance closure in the Kerman plant has caused the Hanford Facility to be unable to pick up and take in additional livestock; and

WHEREAS, as a result of the unavailability of processing facilities, a number of livestock carcasses have accumulated at various property locations in the County of Tulare; and

WHEREAS, on February 24, 2020 the Tulare County Agricultural Commissioner’s Office, Tulare County Office of Emergency Services, and the Tulare County Health Department were advised of this situation; and

WHEREAS, the continued accumulation of such livestock carcasses at locations throughout the County will result in a public health hazard and that at times, emergency disposal measures are necessary to protect the public health and safety; and

WHEREAS, from the adoption by the Legislature of Government Code section 8570.5 as a part of the State Emergency Services Act, it is clear that the State has determined alternative measures to deal with unusually high number of dead livestock would be necessary in such emergencies.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Tulare County Board of Supervisors, as follows:

1. Due to the temporary maintenance closure of the Kerman plant, current or anticipated accumulation of livestock carcasses in various parts of the County, and the lack of primary or alternative processing facilities, a health hazard exists and conditions of disaster and extreme peril to the safety of persons and property have arisen within the County of Tulare and, therefore, a local emergency now exists in Tulare County.

2. Based upon the above proclamation of local emergency, the Tulare County Health Department and the Tulare County Agricultural Commissioner's Office are hereby authorized to take such actions as they deem appropriate and necessary to provide for the safe and orderly disposal of livestock carcasses. Such disposal will be at a location and under the conditions determined by the Health Department and the Agricultural Commissioner to be necessary to create minimal risk to the environment and to the health and safety of the public. Actions taken hereunder shall comply with all applicable State statutes and regulations.

3. This Proclamation and the acts of disposal of the dead livestock are hereby determined to be exempt from the provisions of the California Environmental Quality Act

("CEQA") under the provisions of Public Resources Code section 21080(b)(4), and CEQA Guidelines section 15269, which provides an exemption for emergency projects.

4. The Emergency Services Manager, the Tulare County Agricultural Commissioner's Office, and the Tulare County Health Department are hereby authorized to take other appropriate action which are deemed necessary in response to this local emergency.

5. The Emergency Services Manager shall take appropriate steps to notify the State Office of Emergency Services of this Proclamation and of the steps taken hereunder to address this local emergency.

6. During the existence of said local emergency, the powers, functions, and duties of the emergency organization of Tulare County shall be those prescribed by State law, by ordinances, and resolutions of Tulare County, and by the Tulare County Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.

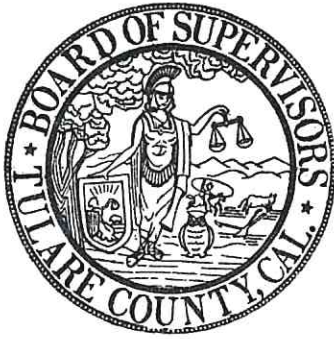
7. This Order is issued pursuant to the Emergency Services Act, commencing with Government Code §8550.

8. The County of Tulare Board of Supervisors also requests the State of California waive any regulations that may hinder response and recovery efforts.

9. This Emergency Proclamation shall be reviewed by the Tulare County Board of Supervisors every 60 days, pursuant to Government Code section 8630(c), or it shall have no further force or effect.

This Order shall take effect immediately.

It is so ordered and proclaimed this 25 day of February, 2020 at 10:30 A.M.



ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: *Mercedes Lomas*
Deputy Clerk