



**Public Health Department
of Mendocino County**
Healthy People, Healthy Communities
Andy Coren, MD, County Health Officer



**DECLARATION OF LOCAL HEALTH EMERGENCY AND
ORDER OF CLOSURE DUE TO PUBLIC HEALTH MENACE
PURSUANT TO PENAL CODE SECTION 409.5(a)**

1. **WHEREAS**, the affected area (APN 037-130-15, commonly known as “Creekside Cabins and RV Resort”) was critically impacted beginning December 30, 2022, by a sinkhole which emerged on the driveway, as a result of severe winter storms in the County leaving the only point of access for ingress and egress inaccessible for residents and critical service providers;
2. **WHEREAS**, the County of Mendocino Director of Emergency Services proclaimed the existence of a local emergency related to the December 2022 to January 2023 winter storms event, on January 6, 2023, which emergency was ratified by the Board of Supervisors on January 10, 2023;
3. **WHEREAS**, the lack of access makes the affected area inaccessible for critical services including, but not limited to, emergency response, septic processing, garbage collection, propane delivery, medical supply delivery, and food delivery;
4. **WHEREAS**, releases of waste from overflowing septic tanks may contaminate wells, the nearby creek, soil, and ground surfaces which may cause immediate and serious health risks if ingested or contacted;
5. **WHEREAS**, the State of California Water Resources Control Board has issued a Boil Water Notice on January 19, 2023, specific to wells sampled in the affected area due to samples establishing very high levels of E. coli (*Escherichia coli*) bacteria;
6. **WHEREAS**, a site inspection on January 20, 2023, by County Code Enforcement and Environmental Health pursuant to an inspection warrant found that sewage from many RV blackwater effluents can be seen on the ground surface in the affected area, that many RV systems are draining sewage and grey water from small hoses directly into and towards the creek running through the affected area, and that such emits an odor characteristic of coliform and other pathogenic bacteria;
7. **WHEREAS**, the local health officer has determined that the prevalence of waterborne bacteria and waste is an immediate and proximate threat to the public health of residents and individuals who may come into contact with the affected area;
8. **WHEREAS**, exposure to unsafe waterborne bacteria can cause infections of the gastrointestinal tract, skin rashes and other infectious diseases;
9. **WHEREAS**, Health and Safety Code sections 101080 and 101075 authorizes a local health officer to declare a local health emergency from a release, spill, escape or entry of waste in any area within the jurisdiction of the health officer and the health officer reasonably determines that release or escape is an immediate threat to the public health;

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10. **WHEREAS**, a temporary bridge for exit-only traffic from the site will only be accessible from 8:00 a.m. to 5:00 p.m. on January 25 until January 26, 2023 (and removed on January 27, 2023), due to traffic safety concerns, there will be no access as of January 27, 2023 to enable ongoing critical services necessary for residents to return to the affected area;
11. **WHEREAS**, as a result of these facts the Mendocino County Public Health Officer has found that this area presently constitutes a threat to human health, safety, and the environment and constitutes a public nuisance pursuant to Mendocino County Code section 8.75.040(l) and is an immediate menace to the public health pursuant to California Penal Code section 409.5.

IT IS ORDERED THAT:

1. Pursuant to Health and Safety Code section 101080, the Mendocino County Health Officer declares a local health emergency at the affected area, which shall not remain in effect after seven days from the date of this declaration unless it has been ratified by the Mendocino County Board of Supervisors;
2. Pursuant to Penal Code section 409.5(a), **THE AFFECTED AREA IS CLOSED TO ALL ENTRANTS AND RESIDENTS** except authorized official personnel of the State of California, the County of Mendocino, individuals possessing written authorization from those governmental entities, or duly authorized representatives of a news service, newspaper, radio or television station or network. Prior to 5:00 p.m., on Thursday, January 26, 2023, it shall not be a violation of the order for a resident to remain in the affected area for purposes of evacuating, preparing to evacuate, or otherwise remediating the hazards. Nonresidents may enter for the same purposes with prior approval.
3. This order shall be posted all entrances to the affected area and is **IN FULL FORCE AND EFFECT UNTIL RESCINDED** by the Mendocino County Public Health Officer.
4. Pursuant to Penal Code section 409.5(c), any unauthorized person who willfully and knowingly enters the affected area and who willfully remains in the area after receiving notice to evacuate or leave shall be guilty of a misdemeanor.

Declared on: 1/21/2023



Dr. Howard A. Coren, M.D.
Mendocino County Public Health Officer