



Agenda Date: 2/28/2006
Agenda Placement: 6H

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Jill Pahl - Acting Director
Environmental Management

REPORT BY: Christine Secheli, Environmental Health Manager, 253-4471

SUBJECT: Resolution of the Board of Supervisors pertaining to delegation of those duties related to meth lab cleanup (Chapter 570 of the Statutes of 2005) from the Health Officer to the Department of Environmental Management

RECOMMENDATION

Acting Director of Environmental Management and Health Officer request adoption of a resolution authorizing the Director of Environmental Management to accept delegation from the Napa County Public Health Officer, within the unincorporated areas of Napa County, those duties allowed for under Chapter 570 of the Statutes of 2005 pertaining to abatement of public nuisances resulting from the contamination of real property by methamphetamine lab, to the extent permitted by Health and Safety Code section 25400.17(b).

EXECUTIVE SUMMARY

By Chapter 570 of the Statutes of 2005 the California Legislature enacted the Methamphetamine Contaminated Property Cleanup Act of 2005 (the "Act") which imposes upon each local health officer various duties relating to the abatement of public nuisances resulting from the contamination of real property by methamphetamine labs. The Act authorizes a local health officer to delegate all or part of such duties to a designated local agency, as defined by the Act by Health and Safety Code section 25400.11. As an environmental health department, the Napa County Department of Environmental Management ("Department") is a local agency qualified under the definition set forth in Health and Safety Code section 25400.11(f)(2) to be delegated such duties by the Napa County Public Health Officer. The Public Health Officer intends to delegate these duties to the Environmental Management Department.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Based upon the Environmental Management Department's qualifications and in view of the experience and expertise of the Department in regard to regulation of the cleanup of contaminated properties, the Napa County Public Health Officer desires to delegate, and the Acting Director of the Environmental Management Department is willing to accept the delegation of the duties of the local health officer under the Act.

The transfer of functions in this Resolution shall be in addition to and shall not rescind or replace the prior transfer of environmental health functions from the Napa County Public Health Officer to the Napa County Department of Environmental Management approved on June 5, 1984 by Resolution No. 84-41 of the Board.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Andrew Carey