

Legislation Details (With Text)

File #: 20-408 **Version:** 1

Type: SOB - Matters of special importance to council **Status:** Agenda Ready

In control: City Council

On agenda: 10/12/2020 **Final action:** 10/12/2020

Title: Declaration of State of Emergency related to the Santiam canyon wildfires response.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community; Safe, Reliable and Efficient Infrastructure.

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Resolution No. 2020-48 (wildfires).pdf, 2. Proposed staging area at fairgrounds (002).jpg

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|---------|--------|
| 10/12/2020 | 1 | City Council | adopted | Pass |

TO: Mayor and City Council

THROUGH:

FROM: Steve Powers, City Manager

SUBJECT:

Declaration of State of Emergency related to the Santiam canyon wildfires response.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community; Safe, Reliable and Efficient Infrastructure.

ISSUE:

Shall City Council adopt Resolution No. 2020-48 declaring a state of emergency related to the Santiam canyon wildfire response?

RECOMMENDATION:

Adopt Resolution No. 2020-48 declaring a state of emergency related to the Santiam canyon wildfire response.

SUMMARY:

Resolution No. 2020-48 declares a state of emergency related to the Santiam canyon wildfire response and waives land use regulations to allow a State of Oregon and federal hazardous and non-hazardous material staging location to be established within the city of Salem.

FACTS AND FINDINGS:

On September 8, 2020 the Marion County Board of Commissioners declared a state of emergency in Marion County in regard to the wildfires in the Santiam canyon and other areas of Marion County. In addition to the tragic loss of life, the wildfires caused substantial damage to the environment and property. The Oregon Department of Environmental Quality (DEQ) and U.S. Environmental Protection Agency (EPA) have responded with clean-up efforts, including the removal of hazardous and non-hazardous material from the affected communities. DEQ and EPA have requested the use of the state fairgrounds in Salem as a staging area for the material clean-up operations for approximately three months. The staging would include the temporary delivery, staging, sorting, preparing, and transportation for final disposal of hazardous and non-hazardous material recovered from the areas affected by the wildfires.

The presence of these materials is a potential threat to human health and safety and potential threat to the safety of the Salem community's drinking water, due to the location of the City's Geren Island Water Treatment Facility on the Santiam River.

The state fairgrounds is zoned Public Amusement. The staging activity is likely not a permitted use in the zone. Therefore, in order to address the emergency conditions and allow the staging facility within Salem, it is necessary to declare a state of emergency and take the emergency action of waiving applicable land use regulations for the staging use.

All other applicable laws, including the City's building code and state and federal law relating to hazardous material handling will apply to the use. The staging activity will employ various safety measures as required by state and federal law to ensure that the use does not create environmental, health or safety issues in Salem.

BACKGROUND:

Salem Revised Code chapter 2 authorizes the City Council to declare a state of emergency within Salem and authorize appropriate actions to address the emergency.

Dan Atchison
City Attorney

Attachments:

1. Resolution No 2020-48.

