

**PROCLAMATION OF THE EXISTENCE OF A
LOCAL EMERGENCY BY THE ASSISTANT
DIRECTOR OF EMERGENCY SERVICES FOR
THE COUNTY OF NEVADA DUE TO THE
RIVER FIRE**

WHEREAS, Government Code section 8630 authorizes the proclamation of a local emergency by an official designated by ordinance adopted by the local governing body; and

WHEREAS, whenever a local emergency is declared by a local official designated by ordinance, said local emergency shall not remain in effect for more than seven (7) days unless it has been ratified by the governing body; and

WHEREAS, section A-III 2.6 of the County of Nevada Administrative Code (“Administrative Code”) authorizes the Director of Emergency Services of Nevada County to proclaim the existence or threatened existence of a local emergency whenever the County is affected or likely to be affected by a local emergency and the Nevada County Board of Supervisors is not in session; and

WHEREAS, section A-III 1.5 of the Administrative Code authorizes the Assistant Director of Emergency Services to assume the powers of the Director of Emergency Services when the Director is unavailable; and

WHEREAS, on August 4, 2021 in the early afternoon a wildfire commenced near the Bear River Campground, immediately west of Colfax, referred to as the “River Fire;” and

WHEREAS, the River Fire has consumed over 2400 acres, and numerous homes and structures have been destroyed, necessitating a unified command response by Cal FIRE and the Nevada County Consolidated Fire Protection District; and

WHEREAS, thousands of Nevada County residents are currently threatened by the rapid growth of the River Fire, resulting in a substantial risk to the safety of these residents and/or the loss of their homes and belongings, thereby necessitating mass mandatory and voluntary evacuations of those individuals living in and around the fire zone; and

WHEREAS, on August 4, 2021, at approximately 3:00 p.m., Nevada County commenced emergency services opening its emergency shelters to provide food, shelter, emergency supplies, social services, medical attention, and transportation for evacuees and their animals, as well as other necessary services to address the rapidly changing and emergent circumstances created by the River Fire; and

WHEREAS, on August 5, 2021, California secured a Fire Management Assistance Grant from the Federal Emergency Management Agency to help ensure the availability of vital resources to suppress the River Fire; and

WHEREAS, the conditions created by the River Fire are likely to be beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County; and

WHEREAS, the aforesaid conditions of extreme peril created by the River Fire constitute a local emergency and warrant and necessitate the Proclamation of the Existence of a Local Emergency; and

WHEREAS, the Board of Supervisors of the County of Nevada is not in session and cannot immediately be called into session to proclaim a local emergency caused by the River Fire.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Assistant Director of Emergency Services for the County of Nevada that as of August 5, 2021, a local emergency now exists in Nevada County as a result of the River Fire, which constitutes a substantial threat to the health and safety of thousands of residents in and around the fire zone; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Office of Emergency Services of Nevada County shall be those prescribed by state law, and by ordinances, resolutions and memorandums of understanding of Nevada County; and that this emergency proclamation shall expire seven (7) days after issuance unless this emergency proclamation is confirmed and ratified by the Nevada County Board of Supervisors.

BE IT PROCLAIMED AND ORDERED that a copy of this resolution be forwarded to the Director of the California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor of California pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in Nevada County; that the Governor waive regulations that may hinder response and recovery efforts; that response and recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

Dated: August 5, 2021

By:  _____

Paul Cummings
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