



RESOLUTION No. 23-032

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

ACCEPTANCE OF THE NEVADA COUNTY PUBLIC HEALTH OFFICER'S REQUEST TO TERMINATE THE LOCAL HEALTH EMERGENCY FOR THE AUGUST 2020 JONES FIRE (RES. 20-403)

WHEREAS, California Health and Safety Code sections 101075, et seq, authorize the proclamation of a local health emergency by the Public Health Officer for any area of the County affected by hazardous waste which poses an immediate threat to public health; and

WHEREAS, on August 27, 2020, the Nevada County Interim Public Health Officer issued a Proclamation declaring the existence of a local health emergency, finding that conditions of extreme peril to the safety of persons and property within the County of Nevada were caused by the Jones Fire; and

WHEREAS, said Proclamation was ratified by Resolution 20-403 of the Board of Supervisors on September 1, 2020, which is within seven days of the Proclamation declaring the existence of a local health emergency by Nevada County's Interim Public Health Officer; and

WHEREAS, the situation resulting from said conditions of extreme peril is now deemed to be within the control of the normal protective services, personnel, equipment, and facilities of, and within, Nevada County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada does hereby proclaim the termination of said local health emergency.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 24th day of January, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarhout, Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

1/24/2023 cc: HHSA*
AC*

EXHIBIT A

LOCAL HEALTH EMERGENCY PROCLAMATION BY THE NEVADA COUNTY PUBLIC HEALTH OFFICER DUE TO IMMEDIATE PUBLIC HEALTH THREAT CAUSED BY HAZARDOUS WASTE AND DEBRIS FROM THE JONES FIRE

WHEREAS, California Health & Safety Code sections 101075, et seq, authorize the proclamation of a local health emergency by the Public Health Officer for any area of the County affected by hazardous waste which poses an immediate threat to public health; and

WHEREAS, Health & Safety Code section 101080 provides that a local health emergency proclamation shall expire unless ratified by the Board of Supervisors within seven days; and

WHEREAS, on August 17, 2020, in the early morning hours, a wildfire commenced near Jones Bar Rd. northwest of Nevada City, which was subsequently named the “Jones Fire;”

WHEREAS, the Jones Fire resulted in mass mandatory and voluntary evacuations and the destruction of multiple homes and structures; and

WHEREAS, on August 18, 2020, the Governor of California declared a statewide emergency to help ensure the availability of vital resources to combat fires burning across the state, which were exacerbated by the effects of the historic West Coast heat wave and sustained high winds; and

WHEREAS, on August 25, 2020, the Nevada County Board of Supervisors proclaimed a local emergency in Nevada County due to the impacts caused by the Jones Fire, and requested that the Governor declare a State of Emergency for the County of Nevada; and,

WHEREAS, the Public Health Officer for the County of Nevada hereby finds and determines that:

1. The Jones Fire in Nevada County, commencing on August 17, 2020, caused significant structural damage to, or the complete destruction of, numerous private structures, resulting in the accumulation of ash debris, much of which is subject to contamination with heavy metals, asbestos, and/or other hazardous waste.
2. The release or escape of the above-mentioned conditions of hazardous waste poses a substantial immediate threat and hazard to public health and safety unless immediately addressed and managed.

3. There is an imminent and proximate threat of contagious, infectious or communicable disease, chemical agent and/or non-communicable biologic agent, and/or other toxins, due to accumulations of perishable foods and other organic materials that normally require refrigeration but have been left to spoil due to electricity disruption, and also due to potential contamination or destruction of residential and commercial water supply in the burned areas.
4. The circumstances of the accumulation of this hazardous waste, contaminated debris, perishable items and potential contamination or destruction of water supplies and the need to immediately remove hazardous waste and debris and abate the above-referenced conditions are, or are likely to be, beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County.
5. The Nevada County Board of Supervisors is not in session and cannot immediately be called into session.
6. This Declaration will enable the County of Nevada to more effectively respond to the immediate public health threat caused by the Jones Fire, seek and utilize mutual aid, and pursue any available financial reimbursement sources for the costs incurred in responding to this local health emergency.
7. The aforesaid threat to public health necessitates the proclamation of the existence of a local health emergency in accordance with California Health & Safety Code section 101075, et seq.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Public Health Officer for the County of Nevada that as of August 27, 2020, a local health emergency is now threatened to exist in areas burned and impacted by the Jones Fire due to hazardous waste in the form of debris, debris ash, and the presence of other hazardous materials, and due to the potential contamination of residential food and water supplies.

IT IS FURTHER PROCLAIMED that state and local agencies are in the process of finalizing a program to remove both hazardous and non-hazardous debris from structures through which the fire burned.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Nevada County Public Health Officer shall be those prescribed by state law, including but not limited to the provisions of Sections 101040 and 101085 of the California Health and Safety Code, and by ordinances and resolutions of Nevada County, and that this emergency proclamation shall

expire 7 days after its issuance unless confirmed and ratified by the Nevada County Board of Supervisors within that period of time.

Dated: August 27, 2020

Richard O. Johnson, M.D., MPH
By: Richard O. Johnson, M.D., MPH (Aug 27, 2020 14:30 PDT)
Dr. Richard Johnson, MD
Interim Public Health Officer
County of Nevada