



## Information and General Services Department

**Office of Emergency Services**  
950 Maidu Avenue  
Nevada City, CA 95959  
Phone: 530-265-1515  
Fax: 530-265-7087

*Information Systems  
Geographic Information Systems  
Facilities Management*

*Emergency Services  
Central Services  
Cable Television*

*Purchasing  
Airport  
Library*

---

## **NEVADA COUNTY BOARD OF SUPERVISORS**

### **Board Agenda Memo**

---

**MEETING DATE:** April 12, 2022

**TO:** Board of Supervisors

**FROM:** **Steve Monaghan – Emergency Services**

**SUBJECT:** An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use and Development Code to extend the prohibition of outdoor burning during declared fire season in the Yuba River corridor until the end of the declared fire season on an annual basis.

**RECOMMENDATION:** Introduce and waive the first reading of the attached Ordinance.

**FUNDING:** N/A

**BACKGROUND:** Over three years ago on September 11, 2018, the Board adopted Urgency Ordinance 2454 adding Article 6 of Chapter XVI to the Nevada County Land Use and Development Code prohibiting outdoor burning on private property in the South Yuba River Wild and Scenic corridor as a two-fire season pilot program from 2018- 2019. The last two years, on November 5, 2019 and November 17, 2020, the Board voted to extend the pilot program for the 2020 and 2021 fire seasons. The Ordinance was proposed and recommended via consensus by the Yuba River Public Safety Cohort (Cohort). Specifically, the Ordinance has banned open fire on private property, with some exception, within ¼ mile on each side of the ordinary highwater mark of the river in Nevada County from the confluence of the South Yuba River with Kentucky Creek below Bridgeport to Lang’s Crossing from Memorial Day to the end of the CAL FIRE declared fire season.

Since the initial adoption of the Ordinance, the County has and continues to experience serious wildfires that have had devastating impacts that include but are not limited to the Jones Fire and River Fire in August 2020 and 2021, respectively. The Jones Fire burned 705 acres, destroyed 21 structures, injured 7 people, resulted in evacuation of thousands of people and directly threatened the cities of Nevada City and the City of Grass Valley. Additionally, the River Fire burned 2,619 acres, destroyed 142 structures, injured 4 people, and resulted in the evacuation of thousands of people within both Placer County and Nevada County as a result from human causes.

Wildfire mitigation continues to be a priority as adopted Resolution 22-092 codified the following objective: Lead the community in all hazards planning, preparedness, response, and recovery with a focus on wildfire. Do this by focusing on improving countywide evacuation routes and safety, continuing to strengthen early alert and critical communication systems, partnering closely with residents in emergency preparedness, defensible space, home hardening, green waste disposal and fire-safe land stewardship.

Moreover, the Yuba River Public Safety Cohort recommends that the Ordinance be amended to start at the declared fire season instead of a Memorial Day Weekend. Moreover, because wildfire continues to remain a serious threat to the Yuba River watershed and surrounding area for the foreseeable future, staff recommends the Board amend the Ordinance to remove the sunset clause and place the Ordinance in effect in perpetuity. It should be noted that given the restrictions on private property rights, that the Board may at its sole discretion review, amend and/or repeal the Ordinance at any time.

Therefore, in an effort to eliminate human-caused fires in the South Yuba River Canyon and further promote the Board's Priority objective on wildfire, we urge the Board to amend Article 6 of Chapter XVI of the Nevada County Land Use and Development Code to extend the prohibition of outdoor burning during declared fire season in the Yuba River corridor until the end of the declared fire season on an annual basis to mitigate imminent hazards of human caused wildfire in the South Yuba River corridor that would have devastating impacts on the Wild and Scenic watershed, the surrounding community, and the County as a whole.

**Item Initiated by:** Jeffrey Thorsby, Senior Management Analyst

**Item Approved:** Steve Monaghan, Director of IGS