



# RESOLUTION No. 23-088

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION ACCEPTING THE OFFICE OF EMERGENCY SERVICES REQUEST TO TERMINATE THE LOCAL EMERGENCY AND LOCAL PUBLIC HEALTH EMERGENCY FOR THE AUGUST 2021 RIVER FIRE

WHEREAS, on August 5, 2021 the River Fire started in the Bear River canyon burning 1,700 acres in Nevada County and destroying 53 homes and 23 structures with no lives lost. This fire displaced over 4,000 residents over 7 days and required the County of Nevada to provide public support; and

WHEREAS, the County of Nevada proclaimed a Local Emergency on August 5, 2021, and a Local Public Health Emergency on August 6, 2021, both of which were adopted by the Board of Supervisors on August 10, 2021; and

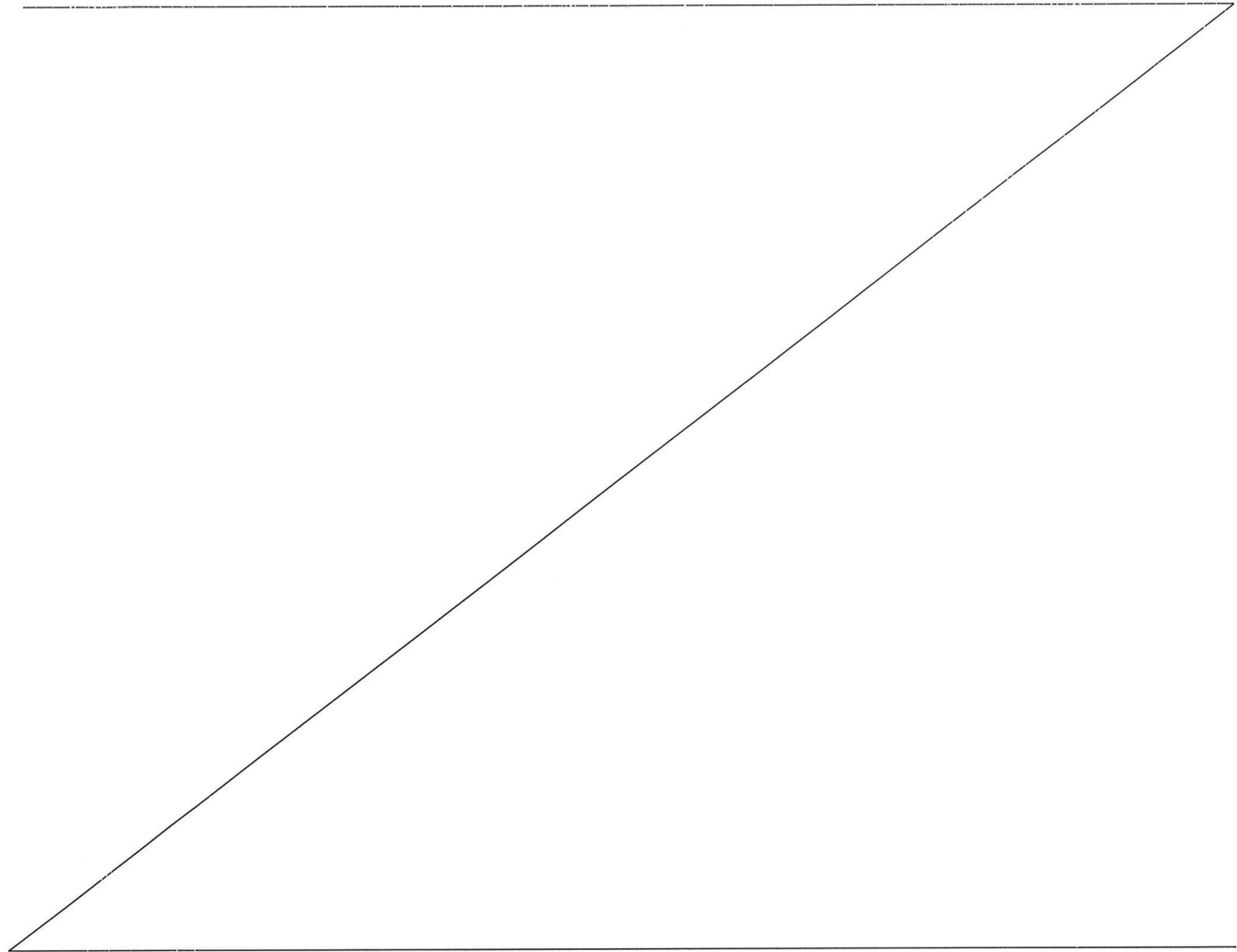
WHEREAS, the support provided by the County of Nevada to the public took the form of lodging, temporary shelters, food, transportation, law enforcement mutual aid and Emergency Operations Center coordination; and

WHEREAS, the County of Nevada is actively seeking state and federal reimbursement for \$306,347 in fire response costs; and

WHEREAS, the public threat from the River Fire and the fire debris removal and cleanup no longer exists; and

WHEREAS, with the recovery operations for the River Fire being complete the Office of Emergency Services request the Nevada County Board of Supervisors rescind the active Local Emergency and Public Health Emergency Proclamations associated with the August 2021 River Fire.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nevada County, that the Board of Supervisors hereby terminates the Local Emergency and Local Public Health Emergency adopted on August 10, 2021 related to the August 2021 River Fire.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of February, 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: Heidi H., Deputy COB, for

Edward C. Scofield  
Edward C. Scofield, Chair

2/28/2023 cc: OES\*  
AC\*

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

**PROCLAMATION OF A STATE OF EMERGENCY**

**WHEREAS** on August 1, 2021, the Antelope Fire began burning and continues to burn in Siskiyou County; and

**WHEREAS** on August 4, 2021, the River Fire began burning and continues to burn in Nevada and Placer counties; and

**WHEREAS** these fires have burned thousands of acres, destroyed homes, and continue to threaten additional homes and other structures, necessitating the evacuation of thousands of residents; and

**WHEREAS** these fires have forced the closure of major roadways, have damaged, and are threatening, other critical infrastructure; and

**WHEREAS** the Federal Emergency Management Agency has approved a Fire Management Assistant Grant to assist with the mitigation, management, and control of the River Fire; and

**WHEREAS** strong winds, high temperatures, drought conditions, and dry fuels have further increased the spread of these fires; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to these fires; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by these fires, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the damage caused by these fires; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of these fires.

**NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Siskiyou County due to the Antelope Fire, and in Nevada and Placer counties due to the River Fire.

**IT IS HEREBY ORDERED THAT:**

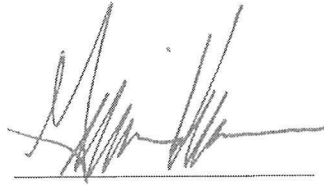
1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of these fires. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of these fires.
4. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of these fires who applied for unemployment insurance benefits during the time period beginning August 1, 2021, and ending on the close of business on February 1, 2022, for the Antelope Fire, and beginning August 4, 2021, and ending on the close of business on February 4, 2022, for the River Fire, and who are otherwise eligible for unemployment insurance benefits.
5. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of fees, are suspended with regard to any request for replacement of a driver's identification card, vehicle registration certificate, or certificate of title, by any individual who lost such records as a result of these fires. Such records shall be replaced without charge.
6. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title are suspended with regard to any registration or transfer of title by any resident of Nevada, Placer, or Siskiyou County, who is unable to comply with those requirements as a result of these fires. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
7. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees are hereby suspended with regard to any request for copies of certificates of birth, death, marriage, and dissolution of marriage



records, by any individual who lost such records as a result of these fires. Such copies shall be provided without charge.

**I FURTHER DIRECT** that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 5th day of August 2021.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM  
Governor of California

**ATTEST:**

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SHIRLEY N. WEBER, PH.D.  
Secretary of State



# RESOLUTION No. 21-364

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION PROCLAIMING A LOCAL EMERGENCY IN NEVADA COUNTY DUE TO THE RIVER FIRE (4/5 AFFIRMATIVE VOTE REQUIRED)

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 health, safety, and property of thousands of Nevada County residents living in and around the fire zone continues to be threatened, and has resulted in mass mandatory and voluntary evacuations and the destruction of multiple homes and structures; and

WHEREAS, on August 4, 2021, at approximately 3:00 p.m., Nevada County commenced emergency services and opened 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, the Assistant Director of Emergency Services for the County of Nevada proclaimed the existence of a local emergency as a result of the River Fire and the associated threat to the health and safety of thousands of residents living in and around the fire zone; and

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

WHEREAS, the Board of Supervisors finds that the conditions created by the River Fire are likely to continue and remain beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County, and that a local emergency and emergency situation exists as set forth in California Government Code sections 8630 and 54956.5; and

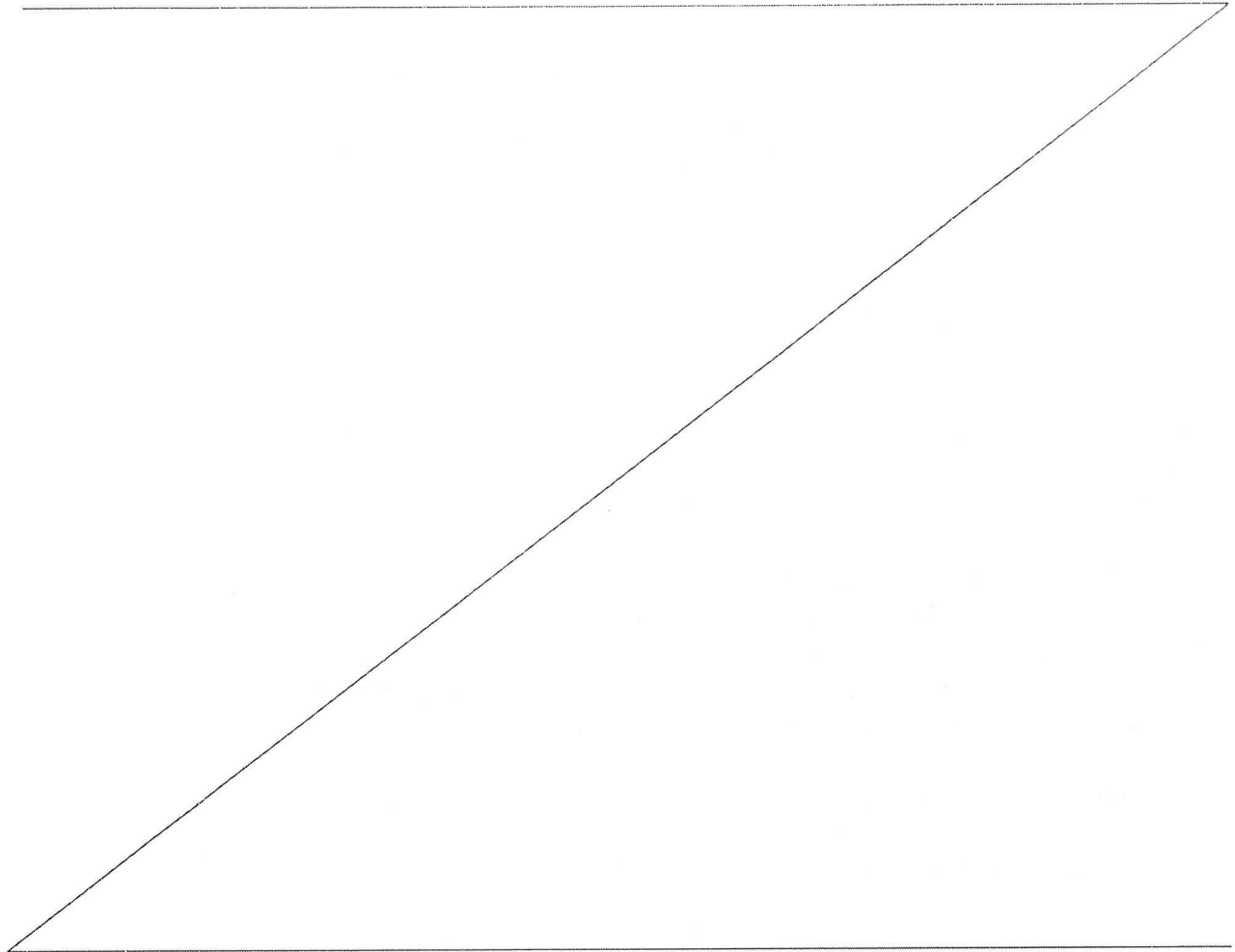
WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the Proclamation of the Existence of a Local Emergency; and

WHEREAS, the aforesaid emergency necessitates the immediate expenditure of public monies to protect health, safety and property without complying with competitive bidding and other local purchasing, bidding, and procurement requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby Confirms and Proclaims that a local emergency now exists in Nevada County due to the impacts caused by the River Fire.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby directs that:

1. The Proclamation of Existence of a Local Emergency shall be renewed and deemed to continue to exist as provided by state law or until its termination is proclaimed by the Board of Supervisors of the County of Nevada.
2. The Director of Emergency Services for the County of Nevada, or his/her designee, is hereby designated as the authorized representative of the County of Nevada for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available State and Federal assistance.
3. During the existence of said local emergency, competitive bidding and other local purchasing, bidding, and procurement requirements related to the Local Emergency are suspended.
4. The Director of Emergency Services or his/her designee immediately forward a certified copy of this Resolution proclaiming a local emergency to the Governor of California with a request that the Governor declare a State of Emergency for the County of Nevada.
5. During the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services, or his designee, and the emergency organization of the County shall be those prescribed by state law, local ordinance and resolutions of this County approved by the Board of Supervisors, as approved by the Board of Supervisors.
6. 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 Plumas 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.



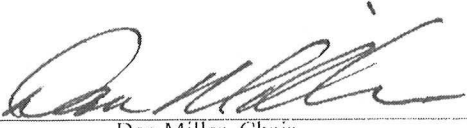
PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10<sup>th</sup> day of August, 2021, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
\_\_\_\_\_  
Dan Miller, Chair

**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  
Assistant Director of  
Emergency Services  
950 Maidu Avenue  
Nevada City, CA 95959



**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:



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Paul Cummings  
Assistant Director of  
Emergency Services  
950 Maidu Avenue  
Nevada City, CA 95959



# RESOLUTION No. 21-365

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION RATIFYING A LOCAL HEALTH EMERGENCY PROCLAMATION BY THE NEVADA COUNTY DEPUTY PUBLIC HEALTH OFFICER DUE TO THE IMMEDIATE PUBLIC HEALTH THREAT CAUSED BY HAZARDOUS WASTE AND DEBRIS FROM THE RIVER FIRE

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

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

WHEREAS, the River Fire has caused mass mandatory and voluntary evacuations and the destruction of multiple homes and structures and has consumed over 2,400 acres, necessitating a unified command response by Cal FIRE, the Nevada County Consolidated Fire Protection District, Peardale Chicago Park Fire District, and Higgins Fire Protection District; 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, the Assistant Director of Emergency Services for the County of Nevada proclaimed a local emergency due to conditions of extreme peril resulting from 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 River Fire has already caused damage and destruction to multiple homes and structures resulting in the accumulation of ash debris, much of which is contaminated with heavy metals, asbestos, and/or other hazardous waste which create an immediate risk of exposure and threat to public health and safety by County residents and local agency employees; and

WHEREAS, based on this risk, on August 6, 2021, the Nevada County Deputy Public Health Officer proclaimed the existence of a Local Public Health Emergency within the areas burned by the River Fire due to hazardous waste in the form of debris and debris ash from fire and the potential contamination of residential food and water supplies, a copy of which is attached hereto as Exhibit A; and

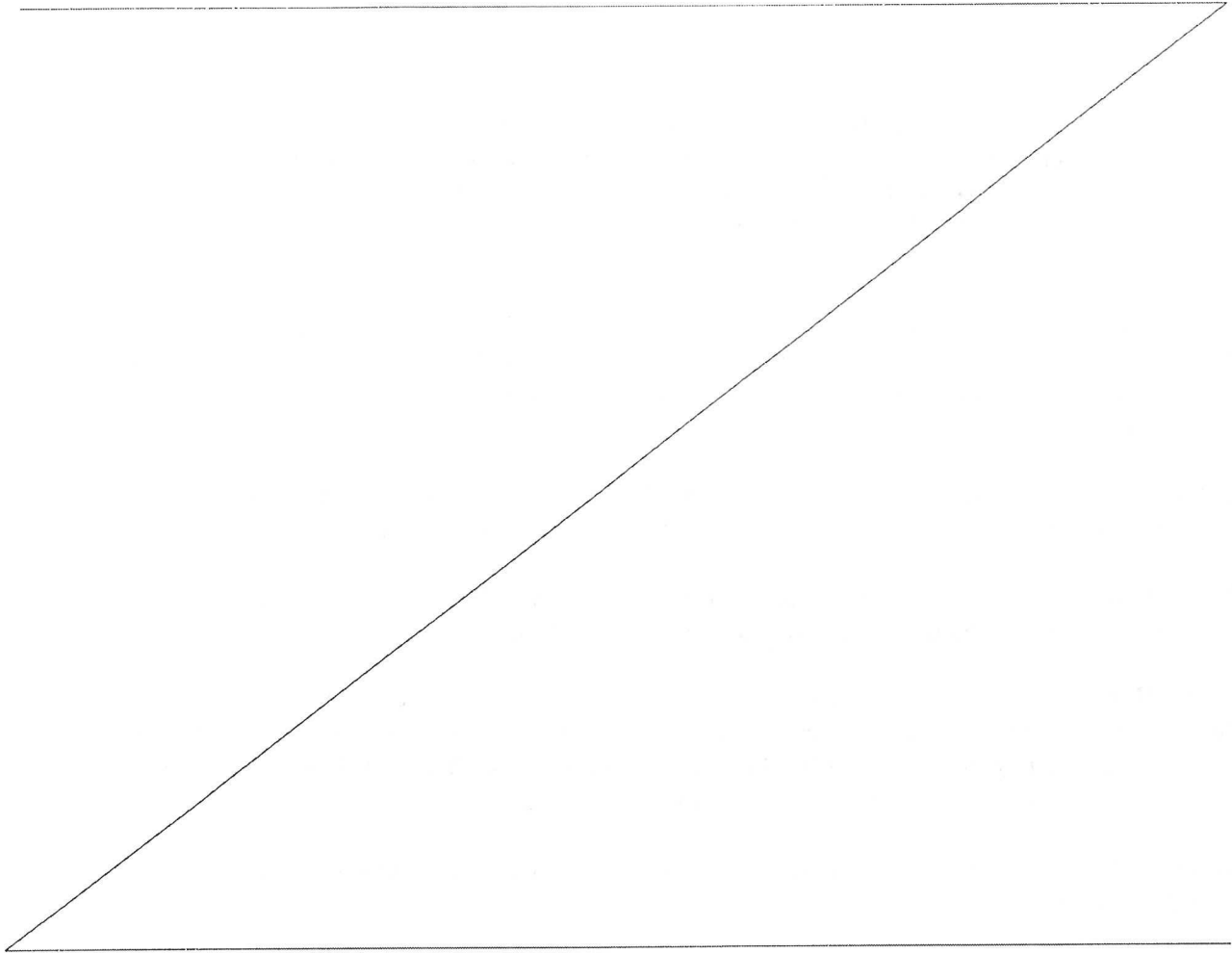
WHEREAS, Health and Safety Code section 101080 provides that a local health emergency declared by a local health officer must be ratified by the board of supervisors within seven (7) calendar days of the date said local health emergency was declared; and

WHEREAS, on March 20, 2020, the Governor of California Proclaimed a State of Emergency due to the outbreak of COVID-19, which suspends during the statewide emergency the thirty (30) day time period under Health and Safety Code section 101080 within which a local governing authority must renew a local health emergency; and

WHEREAS, emergency conditions continue to exist, and local resources continue to be unable to cope with the effects of said local health emergency, necessitating ratification and continuation of the declaration of Local Health Emergency.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby finds and directs that:

1. The above recitals are true and correct.
2. The August 6, 2021, Local Health Emergency Proclamation by the Nevada County Deputy Public Health Officer due to hazardous waste and debris from the River Fire and any actions taken pursuant to said Resolution are hereby ratified and confirmed by the Board of Supervisors of the County of Nevada. The Board of Supervisor also affirms the findings and determinations made by the Deputy Public Health Officer in connection with said Proclamation.
3. Pursuant to California Health and Safety Code section 101080, the Board of Supervisors shall review and reaffirm the need for continuing the Local Health Emergency Proclamation according to law.
4. The Director of Emergency Services or his designee shall immediately forward a copy of this resolution to the Director of the California Office of Emergency Services, the Department of Toxic Substances Control and any other state agencies who may be requested or required to provide services with regard to this local health emergency in order to protect the public health and safety.
5. The County is authorized to seek out all permissible reimbursement of eligible fire suppression costs incurred by the County of Nevada through Fire Management Assistance Grants from the Federal Emergency Management Agency and any and all other state and federal funding sources.
6. During the existence of said local health emergency the powers, functions, and duties of the Public Health Officer or his designee, and the emergency organization of the County shall be those prescribed by state law (including but not limited to Health and Safety Code sections 101040 and 101075, et seq), local ordinances and resolutions of this county approved by the Board of Supervisors, and by the Nevada County Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.




PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10<sup>th</sup> day of August, 2021, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hock and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By:   
\_\_\_\_\_

  
\_\_\_\_\_ Dan Miller, Chair

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

**WHEREAS**, California Health & Safety Code sections 101075, et seq., authorize the proclamation of a local health emergency by the Public Health Officer, or their designee, 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 (7) days; and

**WHEREAS**, on August 4, 2021, in the afternoon hours, a wildfire commenced near the Bear River Campground, which was subsequently named the "River Fire;" and

**WHEREAS**, the River Fire resulted in mass mandatory and voluntary evacuations and the destruction of multiple homes and structures and has consumed over 2,400 acres, necessitating a unified command response by Cal FIRE, the Nevada County Consolidated Fire Protection District, Peardale Chicago Park Fire District, and Higgins Fire Protection District; and

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

1. The River Fire in Nevada County, commencing on August 4, 2021, 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 River 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 Deputy Public Health Officer for the County of Nevada that as of August 6, 2021, a local health emergency is now threatened to exist in areas burned and impacted by the River 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 seven (7) days after its issuance unless confirmed and ratified by the Nevada County Board of Supervisors within that period of time.

Dated: August 6, 2021

By: Glennah Trochet M.D.  
Glennah Trochet M.D. (Aug 6, 2021 14:41 PDT)  
Glennah Trochet, MD  
Deputy Public Health Officer County of  
Nevada



# RESOLUTION No. 21-365

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION RATIFYING A LOCAL HEALTH EMERGENCY PROCLAMATION BY THE NEVADA COUNTY DEPUTY PUBLIC HEALTH OFFICER DUE TO THE IMMEDIATE PUBLIC HEALTH THREAT CAUSED BY HAZARDOUS WASTE AND DEBRIS FROM THE RIVER FIRE

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

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

WHEREAS, the River Fire has caused mass mandatory and voluntary evacuations and the destruction of multiple homes and structures and has consumed over 2,400 acres, necessitating a unified command response by Cal FIRE, the Nevada County Consolidated Fire Protection District, Peardale Chicago Park Fire District, and Higgins Fire Protection District; 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, the Assistant Director of Emergency Services for the County of Nevada proclaimed a local emergency due to conditions of extreme peril resulting from 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 River Fire has already caused damage and destruction to multiple homes and structures resulting in the accumulation of ash debris, much of which is contaminated with heavy metals, asbestos, and/or other hazardous waste which create an immediate risk of exposure and threat to public health and safety by County residents and local agency employees; and

WHEREAS, based on this risk, on August 6, 2021, the Nevada County Deputy Public Health Officer proclaimed the existence of a Local Public Health Emergency within the areas burned by the River Fire due to hazardous waste in the form of debris and debris ash from fire and the potential contamination of residential food and water supplies, a copy of which is attached hereto as Exhibit A; and

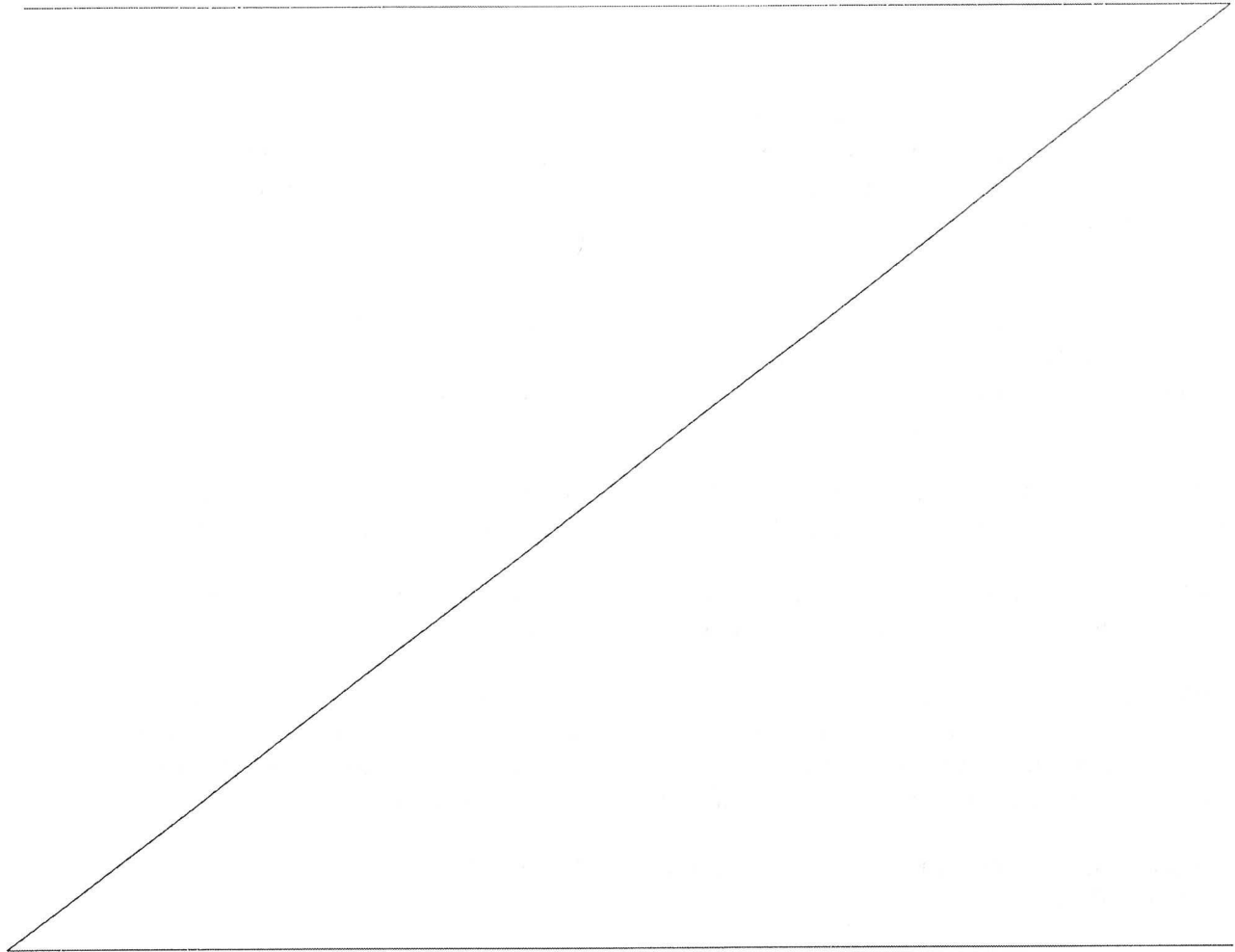
WHEREAS, Health and Safety Code section 101080 provides that a local health emergency declared by a local health officer must be ratified by the board of supervisors within seven (7) calendar days of the date said local health emergency was declared; and

WHEREAS, on March 20, 2020, the Governor of California Proclaimed a State of Emergency due to the outbreak of COVID-19, which suspends during the statewide emergency the thirty (30) day time period under Health and Safety Code section 101080 within which a local governing authority must renew a local health emergency; and

WHEREAS, emergency conditions continue to exist, and local resources continue to be unable to cope with the effects of said local health emergency, necessitating ratification and continuation of the declaration of Local Health Emergency.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby finds and directs that:

1. The above recitals are true and correct.
2. The August 6, 2021, Local Health Emergency Proclamation by the Nevada County Deputy Public Health Officer due to hazardous waste and debris from the River Fire and any actions taken pursuant to said Resolution are hereby ratified and confirmed by the Board of Supervisors of the County of Nevada. The Board of Supervisor also affirms the findings and determinations made by the Deputy Public Health Officer in connection with said Proclamation.
3. Pursuant to California Health and Safety Code section 101080, the Board of Supervisors shall review and reaffirm the need for continuing the Local Health Emergency Proclamation according to law.
4. The Director of Emergency Services or his designee shall immediately forward a copy of this resolution to the Director of the California Office of Emergency Services, the Department of Toxic Substances Control and any other state agencies who may be requested or required to provide services with regard to this local health emergency in order to protect the public health and safety.
5. The County is authorized to seek out all permissible reimbursement of eligible fire suppression costs incurred by the County of Nevada through Fire Management Assistance Grants from the Federal Emergency Management Agency and any and all other state and federal funding sources.
6. During the existence of said local health emergency the powers, functions, and duties of the Public Health Officer or his designee, and the emergency organization of the County shall be those prescribed by state law (including but not limited to Health and Safety Code sections 101040 and 101075, et seq), local ordinances and resolutions of this county approved by the Board of Supervisors, and by the Nevada County Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10<sup>th</sup> day of August, 2021, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By:   
\_\_\_\_\_

  
\_\_\_\_\_  
Dan Miller, Chair

8/10/2021 cc: PH (1)  
AC\*

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

**WHEREAS**, California Health & Safety Code sections 101075, et seq., authorize the proclamation of a local health emergency by the Public Health Officer, or their designee, 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 (7) days; and

**WHEREAS**, on August 4, 2021, in the afternoon hours, a wildfire commenced near the Bear River Campground, which was subsequently named the "River Fire;" and

**WHEREAS**, the River Fire resulted in mass mandatory and voluntary evacuations and the destruction of multiple homes and structures and has consumed over 2,400 acres, necessitating a unified command response by Cal FIRE, the Nevada County Consolidated Fire Protection District, Peardale Chicago Park Fire District, and Higgins Fire Protection District; and

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

1. The River Fire in Nevada County, commencing on August 4, 2021, 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 River 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 Deputy Public Health Officer for the County of Nevada that as of August 6, 2021, a local health emergency is now threatened to exist in areas burned and impacted by the River 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 seven (7) days after its issuance unless confirmed and ratified by the Nevada County Board of Supervisors within that period of time.

Dated: August 6, 2021

By: Glennah Trochet M.D.  
Glennah Trochet M.D. (Aug 6, 2021 14:41 PDT)  
Glennah Trochet, MD  
Deputy Public Health Officer County of  
Nevada