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NEVADA COUNTY BOARD OF SUPERVISORS

Board Agenda Memo

MEETING DATE: November 5, 2019

TO: Board of Supervisors

FROM: **District I Supervisor Heidi Hall, and
District IV Supervisor Susan K. Hoek**

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 Fire Season in the Yuba River Corridor as a Pilot Program Until the End Of Declared Fire Season In 2020

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

FUNDING: N/A

BACKGROUND: A little over a year ago on September 14, 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 corridor as a two fire-season pilot program from 2018-2019. The Ordinance was proposed and recommended via consensus by the Yuba River Public Safety Cohort (Cohort). Specifically, the Ordinance banned open fire on private property, with some exceptions, within ¼ mile on each side of the ordinary high 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 declared fire season in 2018 and 2019. Therefore, the fire restrictions are set to sunset at the end of 2019 declared fire season.

Almost two months after the Board adopted Ordinance 2454, neighboring Butte County experienced the most devastating wildfire in California history on November 8, 2018 that burned a total of 153,336 acres destroying 18,804 structures resulting in 85 civilian fatalities. Subsequently, the Board reconfirmed its commitment on prioritizing the mitigation of wildfire on February 12, 2019 via adoption of Resolution 19-070. However, to date there have been no reported citations or enforcement actions associated with the restrictions outlined in Ordinance 2454. Possible reasons for the low incidents reported include the passage of the Ordinance during the middle of the 2018 fire season, the late winter and large amount of rainfall received in 2019, and the heightened awareness throughout the community on the dangers of wildfire.

In an effort to 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 fire season in the Yuba River corridor as a Pilot Program for one additional year. This will enable the County to a) further gather data and gain input for the Board's consideration for a permanent recommendation, and b) continue the Pilot Program as a precautionary measure to mitigate the imminent hazards of human caused wildfire in the South Yuba River Corridor that would have devastating impacts on the watershed, the surrounding community and the County as a whole.

Sincerely



Heidi Hall
District I Supervisor



Susan K. Hoek
District IV Supervisor