



**COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY**

950 MAIDU AVENUE, SUITE 170, PO Box 599002, NEVADA CITY, CA  
95959-7902  
(530) 265-1222 ~ FAX (530) 478-5799 <http://mynevadacounty.com>

**Trisha Tillotson, Agency Director**

Agricultural Commissioner

Building

Environmental Health

Farm Advisor

Planning

Public Works

**NEVADA COUNTY BOARD OF SUPERVISORS**

**Board Agenda Memo**

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**MEETING DATE:** September 14, 2021

**TO:** Board of Supervisors

**FROM:** Amy Irani, Environmental Health Director

**SUBJECT:** (Introduce/Waive Further Reading/Adopt) An Urgency Ordinance adding Article 4 of Chapter III of the Nevada County Administrative Code for the Nevada County River Fire Disaster Recovery (4/5 Affirmative Vote Required)

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**RECOMMENDATION:** Introduce, waive further reading and adopt an Urgency Ordinance adding Article 4 of Chapter III of the Nevada County Administrative Code for the Nevada County River Fire Disaster Recovery. 4/5 Affirmative vote is required.

**BACKGROUND:** 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”. The River Fire has consumed over 2,400 acres, and 53 homes, 1 commercial building, 10 mobile homes, 3 motor homes, and 31 structures have been either destroyed or severely damaged.

Subsequent to the River Fire, on August 10, 2021, the Board of Supervisors approved Resolutions 21-364, proclaiming a Local Emergency in Nevada County due to the River Fire, and 21-365 ratifying a Local Health Emergency Proclamation by the Nevada County Deputy Public Health Officer due to the immediate public threat caused by hazardous waste and debris from the River Fire. The potential for widespread toxic exposures and threats to public health and the environment exists in the aftermath of a major wildfire disaster. Debris and ash from residential structure fires contain hazardous substances and the health effects of hazardous substances releases after a wildfire are well-documented. The combustion of building materials such as siding, roofing tiles, and insulation result in dangerous ash that may contain asbestos, heavy metals, and other hazardous materials. Household hazardous waste such as paint, gasoline,

cleaning products, pesticides, compressed gas cylinders, and chemicals may have been stored in homes, garages, or sheds that may have burned in the fire, also producing hazardous materials.

Exposure to hazardous substances may lead to acute and chronic health effects and may cause long-term public health and environmental impacts. Uncontrolled hazardous materials and debris pose significant threats to public health through inhalation of dust particles and contamination of drinking water supplies. Improper handling can expose workers to toxic materials, and improper transport and disposal of fire debris can spread hazardous substances throughout the community.

The anticipated start of the rainy season offers little time to mitigate further environmental contamination resulting from the River Fire, including contamination of the Bear River watershed, and, therefore, time is of the essence in removing hazardous waste, fire debris and hazard trees from affected properties.

Pursuant to Article XI, section 7 of the California Constitution and Government Code section 25845, the County may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety and welfare of its residents. Government Code section 25123(d) authorizes the adoption of an urgency ordinance for the immediate preservation of the public peace, health, or safety, where there is a declaration of the facts constituting the urgency and the ordinance is adopted by a four-fifths vote of the board of supervisors.

There is an urgent need to mitigate the harm to public health and the environment from the improper disturbance, removal, transport and/or disposal of hazardous waste, fire debris and hazard trees resulting from the River Fire, to create and implement clear standards and procedures for removal of fire debris and hazard trees, and to facilitate coordinated, timely, and effective mitigation of the risks to public health and the environment from the health hazards generated by the River Fire.

Pursuant to Senate Bill 1473 which took effect on January 1, 2021, the reading of the title or ordinance is not required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting before the introduction or passage of the ordinance.

**Item Initiated by:** Amy Irani, Environmental Health Director

**Approved by:** Alison Lehman, County Executive Officer