



COUNTY OF NEVADA HEALTH & HUMAN SERVICES AGENCY

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NEVADA COUNTY BOARD OF SUPERVISORS Board Agenda Memo

MEETING DATE: September 1, 2020

TO: Board of Supervisors

FROM: **Ryan Gruver, Health and Human Services Director**

SUBJECT: Resolution Ratifying Local Health Emergency Proclamation by the Nevada County Public Health Officer due to the immediate public health threat caused by hazardous waste and debris from the Jones Fire.

RECOMMENDATION: Adopt the proposed resolution to ratify the Local Health Emergency Proclamation by the Nevada County Public Health Officer due to the Jones Fire.

FUNDING: No fiscal impacts are anticipated at this time.

BACKGROUND:

In the early morning hours of August 17, 2020, a wildfire commenced near Jones Bar Rd. northwest of Nevada City, which was subsequently named the "Jones Fire." The fire necessitated mass mandatory and voluntary evacuations and, unfortunately, resulted in the destruction of multiple homes and structures.

It is believed that the Jones Fire was caused by lightning. On August 18, 2020, the following federal, state and local actions took place:

- The Director of Emergency Services for the County of Nevada proclaimed a local emergency due to conditions of extreme peril resulting from the Jones Fire.
- The Governor of California declared a statewide emergency to help ensure the availability of vital resources to combat a number of fires burning across the state, which were exacerbated by the effects of the historic West Coast heat wave and sustained high winds.
- The Federal Emergency Management Agency (FEMA) declared a Fire Management Assistance Declaration (FM-5332-CA) pertaining to the Jones Fire.

- The Governor of California secured two Fire Management Assistance Grants (FMAGs) from FEMA to help ensure the availability of vital resources to suppress the LNU Lightning Complex Fire burning in Napa County and the Jones Fire in Nevada County, thereby allowing local, state, and tribal agencies responding to the fires to apply for 75-percent reimbursement of their eligible fire suppression costs.

On August 25, 2020, per Resolution 20-388, the Nevada County Board of Supervisors proclaimed a local emergency in Nevada County due to the ongoing impacts caused by the Jones Fire and requested that the Governor declare a State of Emergency for the County of Nevada.

The impacts of the Jones Fire are severe, and include 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. On August 27, 2020, the Nevada County Public Health Officer proclaimed the existence of a Local Health Emergency within the areas burned by the Jones 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. 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. These emergency conditions continue to exist and local resources continue to be unable to cope with the effects of said local health emergency, thereby necessitating ratification and continuation of the declaration of Local Health Emergency.

Pursuant to Health and Safety Code section 101080, once a local health emergency is ratified, it must be renewed by a board of supervisors at least once every thirty days until such time the emergency is terminated. However, on March 20, 2020, the Governor of California Proclaimed a State of Emergency due to the outbreak of COVID-19 and included in the proclamation a suspension of the thirty-day renewal requirement during the statewide COVID-19 emergency.

This declaration will allow for the cooperation and assistance from state and local agencies and the Nevada County Environmental Health Department for the proper handling and disposal of the hazardous waste and ongoing surveillance of this local health emergency. Further, a copy of this resolution will be forwarded 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 maximize response and remedial efforts to maximize the public's health and safety. Finally, the County will seek out all permissible reimbursement of eligible fire suppression costs incurred by the County of Nevada through Fire Management Assistance Grants (FMAGs) from FEMA and any and all other state and federal funding sources.

Item Initiated and Approved by: Ryan Gruver, Health and Human Services Agency Director