



RESOLUTION No. 23-089

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ACCEPTING THE OFFICE OF EMERGENCY SERVICES REQUEST TO TERMINATE THE LOCAL EMERGENCY FOR THE DECEMBER 2021 WINTER STORM

WHEREAS, the December 27, 2021 winter storm brought low altitude wet snow that brought down thousands of trees, powerlines and power poles across much of Western Nevada County; and

WHEREAS, the winter storm caused over 30,000 PG&E customers in Western Nevada County to lose power, some for up to two weeks. Many residents were in unheated homes for days, ran out of food and water, and were unable to leave due to impassable roads; and

WHEREAS, the County of Nevada proclaimed a Local Emergency on the 27th of December 2021, which was adopted by the Board of Supervisors on December 30, 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 reimbursement for \$1,947,595.00 in storm response costs; and

WHEREAS, the public threat from the December 2021 winter storm and the need for storm debris removal and cleanup no longer exists; and

WHEREAS, with the recovery operations for the December 2021 winter storm being complete, the Office of Emergency Services request the Nevada County Board of Supervisors rescind the active Local Emergency Proclamation associated with the December 2021 winter storm.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Nevada County, that the Board of Supervisors hereby terminates the Local Emergency adopted by the Board of Supervisors on December 30, 2021 related to the December 2021 winter storm.

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 Swarthout,
Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Heidi Hall, 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 beginning on or about December 10, 2021, December 16, 2021, and December 21, 2021, a series of winter storm systems struck California, bringing substantial precipitation, including record-breaking snowfall, damaging winds, and flooding, and storms continue to impact significant portions of the state; and

WHEREAS these storms affected communications and other critical infrastructure, resulted in power outages to thousands of households and businesses, and caused trees and tree limbs to fall, damaging structures and obstructing major highways and local roads; and

WHEREAS these storms damaged and forced the closure of dozens of major highways and local roads, including primary corridors into the Tahoe Basin; and

WHEREAS these storms have resulted in the threat of mud and debris flows, particularly on burn scars from recent wildfires, necessitating the prepositioning of emergency response resources; 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 storms; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by these storms, by reason of their magnitude and combined impact, 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 storms; and

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

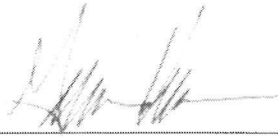
NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Alameda, Amador, Calaveras, El Dorado, Humboldt, Lake, Los Angeles, Marin, Monterey, Napa, Nevada, Orange, Placer, Sacramento, San Bernardino, San Luis Obispo, San Mateo, Santa Cruz, Sierra, and Yuba counties due to these storms.

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, 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 storms. 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 storms.
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 storms and who applied for unemployment insurance benefits during the time period beginning December 10, 2021 and ending on the close of business on June 21, 2022, and who are otherwise eligible for unemployment insurance benefits.
5. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, United States Code, Title 23, section 125, in order to obtain federal assistance for highway repairs or reconstruction.

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 30th day of December 2021.

A handwritten signature in dark ink, appearing to read "Gavin Newsom", is written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

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



RESOLUTION No. 21-541

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION PROCLAIMING A LOCAL EMERGENCY IN NEVADA COUNTY DUE TO THE EFFECTS OF THE DECEMBER SNOW-STORM

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, Government Code section 8558 states that a local emergency means the duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and property caused by conditions including storms; 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, on December 27, 2021, in the early morning, Nevada County was hit with an intense winter snow-storm (Snow-storm) bringing excessive amounts of snow to areas that typically receive little to no snow; and

WHEREAS, the Snow-storm caused over 30,000 Nevada County residents to lose PG&E utility power service with PG&E saying it could take many days for restoration; and

WHEREAS, as a result of the Snow-storm hundreds of trees have been reported down across county roads, with many trees having attached utility power lines to them; and

WHEREAS, there have been numerous calls for service from local residents who have had trees land on their homes, are running out of heating gas, do not have electricity, or do not have firewood to heat their homes, resulting in the need for the County to open additional warming shelters; and

WHEREAS, on December 27, 2021, at approximately 8:00 am, Nevada County commenced emergency services opening its emergency operations center to respond to the community-wide emergency service needs; and

WHEREAS, the conditions created by the Snow-storm 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 Snow-storm constitute a local emergency and warranted and necessitated the proclamation of the existence of a local emergency; and

WHEREAS, on December 27, 2021, the Nevada County Director of Emergency Services proclaimed a local emergency due to the Snow-storm on December 27, 2021; and

WHEREAS, the Board of Supervisors finds that a declaration of a local emergency will assist in a coordinated public safety response to the Snow-storm emergency in order to protect lives and property of the citizens of the County and constitutes an emergency situation as set forth in California Government Code sections 8558 and 8630.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada, State of California hereby proclaims that a local emergency now exists throughout Nevada County due to the December Snow-storm that began on December 27, 2021, and its ongoing effects and continuing weather conditions in Nevada County and ratifies the Proclamation issued on December 27, 2021, by the Nevada County Director of Emergency Services

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 their 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. The Director of Emergency Services, or their designee, is to immediately forward a certified copy of this Resolution ratifying the proclamation of a local emergency to the Governor of California.
4. During the existence of said local emergency the powers functions, and duties of the Director of Emergency Services, or their designee, and the emergency organization of the County shall be those prescribed by state law, local ordinances, and resolutions of this county as approved by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a special meeting of said Board, held on the 30th day of December, 2021, by the following vote of said Board:

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

Noes: None.

Absent: Supervisor Heidi Hall.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: Julie Patterson Hunter

Dan Miller
Dan Miller, Chair

12/30/2021 cc: IGS
AC

**PROCLAMATION OF THE EXISTENCE OF A
LOCAL EMERGENCY BY THE DIRECTOR OF
EMERGENCY SERVICES FOR THE COUNTY
OF NEVADA DUE TO THE 2022-2023 WINTER
STORMS**

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, Government Code section 8558 states that a local emergency means the duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and property caused by conditions including storms; 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 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, on December 29, 2022, winter storms related to an atmospheric river system struck Nevada County, bringing damaging winds, substantial precipitation including significant snowfall at higher elevations, and flooding, and this system continues to impact the County; and

WHEREAS, the threat of mud and debris flows, particularly across county roads and bridges, causes a threat to residents; and

WHEREAS, the county road system has sustained major damages due to the amount of water passed over the road surfaces as well as culvert failures; and

WHEREAS, significant snowfall, rainfall, and high winds have resulted in debris flows, downed trees and power lines causing significant damage to critical infrastructure; and

WHEREAS, that the conditions caused by winter storms in Nevada County, by reason of their magnitude, create extreme peril to the safety of persons and property, will impact significant County and community operations, including critical public infrastructure and services, and will require the provision of additional public safety and emergency services beyond the immediate capabilities of local resources, services, personnel, equipment, and facilities; and

WHEREAS, that the aforementioned conditions of extreme peril warrant and necessitate

the proclamation of a local Emergency to enable the County of Nevada and other local government entities to adequately plan, prepare, and preposition resources in order to effectively respond to the threat posed by these winter storms; 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 2022-2023 Winter Storms.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Director of Emergency Services for the County of Nevada that as of December 29, 2022, a local emergency now exists in Nevada County as a result of the winter storms, which constitutes a substantial threat to the health and safety of thousands of residents across the County; 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; and

IT IS FURTHER 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: January 9, 2023

By: _____

Craig Griesbach
Director of Emergency Services
950 Maidu Avenue
Nevada City, CA 95959