



# URGENCY ORDINANCE PROHIBITING OUTDOOR BURNING WITHIN THE SOUTH YUBA RIVER CORRIDOR

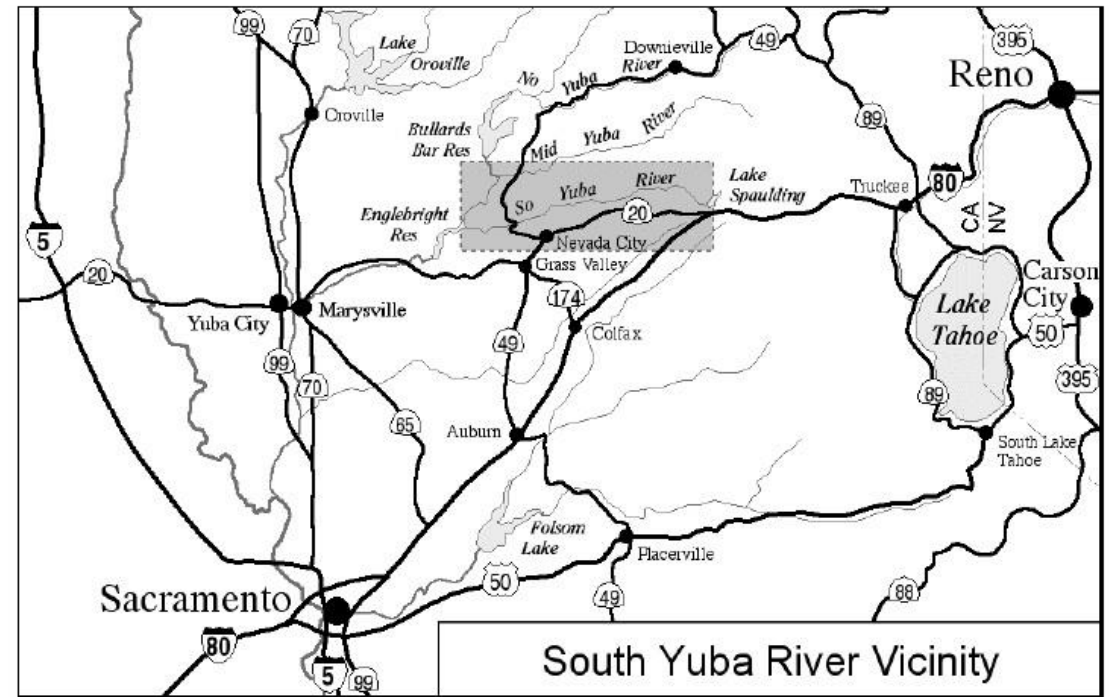
Presentation to the Board of Supervisors

September 11, 2018: 1:30PM

Presented by Jeffrey Thorsby

# ROAD MAP

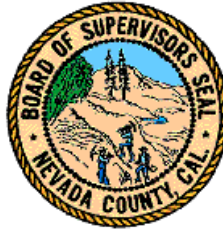
- Background
- Purpose
- Urgency Ordinance Overview
  - Pilot program – Effective Dates
  - Community Input
  - Prohibition Area
  - Prohibition Exceptions
  - Penalties
- Other Considerations
  - Enforcement
  - Pilot Program Evaluation
- Public Input
- Questions/Discussion



# THANK YOU



WASHINGTON  
COUNTY WATER  
DISTRICT –  
VOLUNTEER FIRE  
DEPARTMENT



- Nevada County Office of Emergency Services
- Nevada County Sheriff's Office
- Nevada County Public Works Department
- Nevada County Information and General Services

Tahoe National Forest



Lake Vera  
Road Mountain  
Home Owners  
Association



# BACKGROUND - BOARD PRIORITY

## 2018 Board Objectives – Priority A

*“Prioritize the implementation of existing County policies and programs to reduce the risk of wildfire and the effects of wildfire on life, property, and the environment. Pursue hazardous vegetation mitigation funding sources and support related community partners with their efforts. Explore other ways to reduce the threat and damage from wildfires.”*

# BACKGROUND - YUBA RIVER PUBLIC SAFETY COHORT OVERVIEW

**Background:** Multi-Agency Work Group of Federal, State, local and community Stakeholders with the purpose of coordinating public safety and law enforcement efforts in the South Yuba River Corridor to mitigate wildfire and other public safety hazards

**Need:** Bureaucratic and fiscal challenges for unified/coordinated approach

**Partners:** Cohort consists of Federal, State, Local and community stakeholders

(BOS, CDA-PWs, OES, Sheriff, CHP, DPR, BLM, CalFIRE, NCCFD, Lake Vera Road Round Mountain Neighborhood Assoc., The Friends of Purdon Crossing, Yuba Bus, & SYRCL) (also participated - BYLT, Courts, USFS, AT&T, & Verizon)

**Meetings:** Annual and Regular Meetings –  
Monthly Meetings on 3<sup>rd</sup> Tuesday of the Month

# IDENTIFIED MAJOR ISSUES

- **High-Fire Danger**
- **Illegal camping/camp fires**/trash/public health concerns
- Illegal parking – traffic obstruction, emergency response vehicles, evacuation route hazard, nuisance, zoning, out dated fines, sign vandalism
- Challenges of cross-jurisdictional law enforcement activities (federal vs. state vs. local code/policy, safety concern, fiscal and staffing constraints, etc.)
- Lack of Cellular Communication (i.e. emergency response time, reporting emergency limitations, etc.)
- Local/Non-Local Visitor Awareness

# BACKGROUND – PREVIOUS INITIATIVES

- **Joint Agency Taskforce** - Stakeholders: Sheriff (lead agency), State Parks, BLM, CalFIRE, & CHP
- **Call Boxes and Satellite Phones** - Office of Emergency Services
- **Grant Agreement** for The Hub for Direct Community Action Friends of Purdon Crossing
- **Yuba Bus Agreement**
- **Illegal Parking**
  - ReZoned No Parking at Edwards Crossing and Purdon Crossing
  - Increased Parking Fees to \$150 at Edwards Crossing and Purdon Crossing
- **South Yuba River Fire Ban**

Received Board Direction on June 12, 2018

  - Conduct Community Outreach
  - Bring as an Urgency Ordinance
  - Cohort received community input and held 3 meetings in June-August
  - Consensus Agreement on Current Draft Urgency Ordinance



# PURPOSE OF URGENCY ORDINANCE

- To implement a precautionary measure to mitigate the hazards of human caused wildfire in the South Yuba River Corridor that would have devastating impacts on the watershed, the surrounding community and entire County.
  - Watershed is State designated as Wild and Scenic that contains extraordinary scenic, recreation, fishery, and wildlife values of statewide significance
  - Approx. 800,000 annual visitors
- Make public policies consistent between public lands and private lands on prohibition of open fire (to a degree)



# URGENCY ORDINANCE OVERVIEW

- Urgency Ordinance will add Article 6 to the Nevada County Land Use and Development Code Chapter 16: Fire Safety Regulations
- Pilot Program Effective Dates: Effective starting Friday before Memorial Day Weekend at 8am to end of Fire Season as declared by Cal FIRE or USFS for the remainder of 2018 Fire Season and 2019 Fire Season
- Prohibition: Every firm, person, or corporation is prohibited from conducting any and all outdoor burning on private property within the portion of the South Yuba corridor that covers the lower 39-mile stretch of the South Yuba River from Lang Crossing to its confluence with Kentucky Creek below Bridgeport on each side of the river (1,320 feet) with 4 exceptions:

# URGENCY ORDINANCE COMMUNITY INPUT

- Presentation to the Washington County Water District – June 14, 2018
- Town of Washington Community Meeting – June 26, 2018 – 13 people
- Notification Letters sent to all impacted private property owners – 175 Letters
- Community Meeting held in Nevada City on September 6, 2018 (25 attended)
- Participate in Nevada County Online Forum
- Press Releases/Social media/CEO Friday Memo



# URGENCY ORDINANCE COMMUNITY INPUT

## Major Points of Feedback & Concern

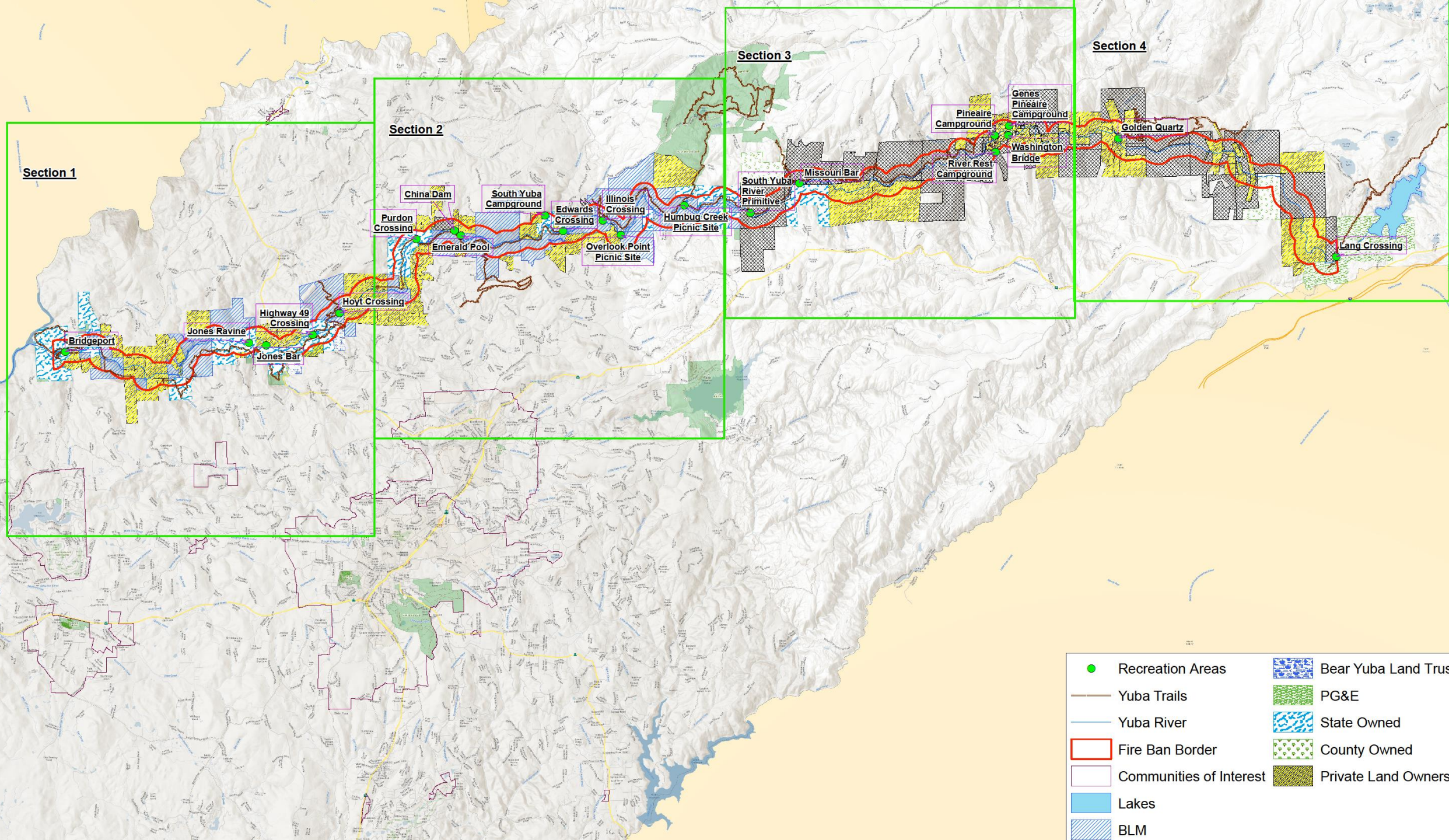
- Need for Increased Law Enforcement
  - Town of Washington – Concentration on Visitors
  - Edwards/Purdon Crossing
- Visitors are Major Risk Factor – Targeting wrong offenders, not private property owners (feedback before exceptions)
- Participate Nevada County – 3 comments of support
- Need for increased Fire Prevention Education targeting Visitors
- Need for increased illegal parking enforcement
  - Increased law enforcement
  - Use of auto-photo triggering (i.e. Bay Bridge)
- Smoking should not impact free movement on private property
- Exceptions need to better articulate BBQ allowances

## Letters/Statements of Support

- State Parks, BLM, Cal FIRE, NCCFD, North San Juan Fire District, SYRCL, Yuba Bus, Cohort Members, Public







**Section 1**

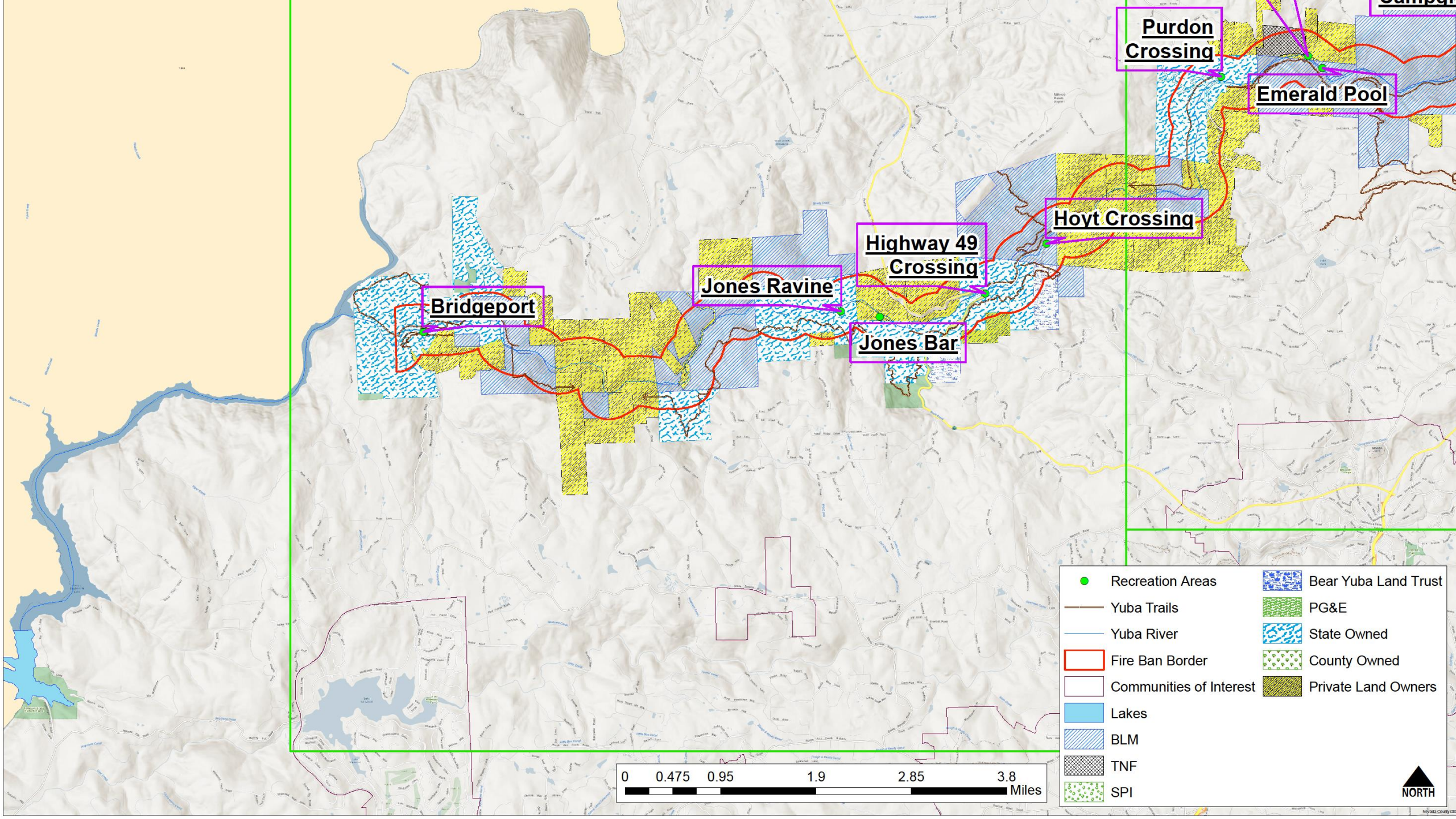
**Section 2**

**Section 3**

**Section 4**

- |                         |                      |
|-------------------------|----------------------|
| Recreation Areas        | Bear Yuba Land Trust |
| Yuba Trails             | PG&E                 |
| Yuba River              | State Owned          |
| Fire Ban Border         | County Owned         |
| Communities of Interest | Private Land Owners  |
| Lakes                   |                      |
| BLM                     |                      |





**Purdon Crossing**

**Emerald Pool**

**Hoyt Crossing**

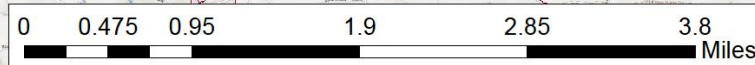
**Highway 49 Crossing**

**Jones Ravine**

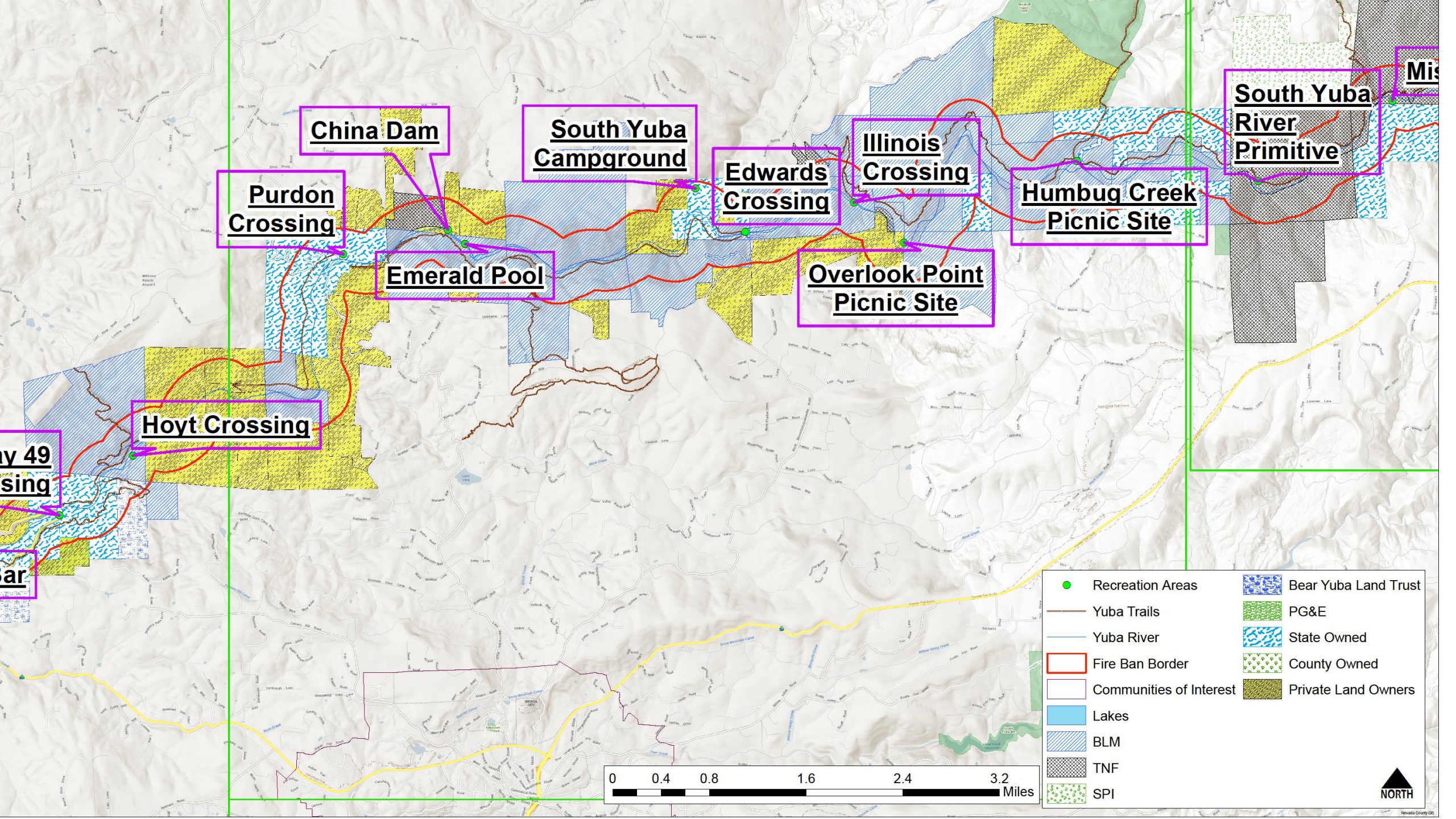
**Jones Bar**

**Bridgeport**

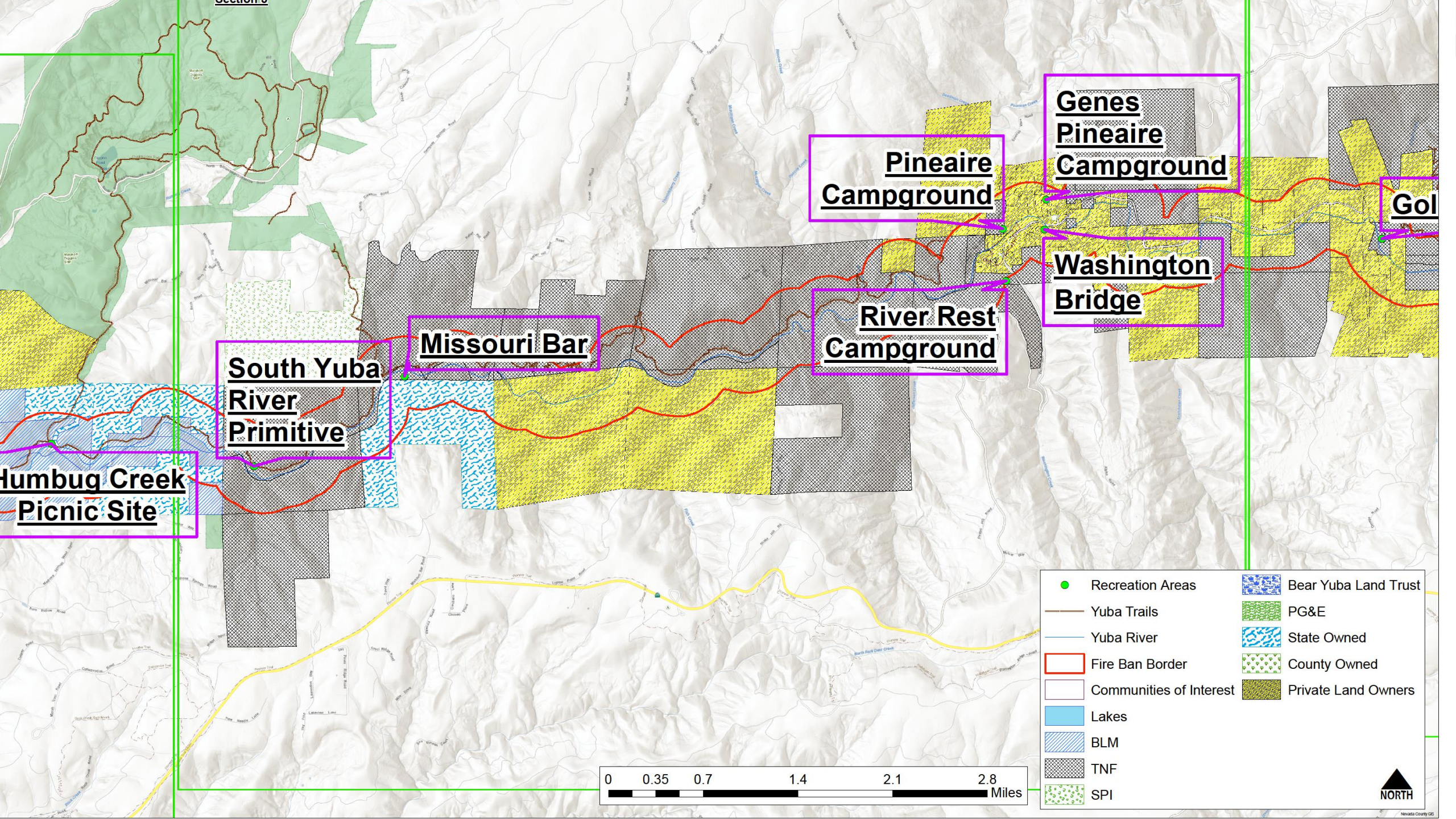
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|---|---|
| ● Recreation Areas  |  Bear Yuba Land Trust |
| — Yuba Trails   |  PG&E                |
| — Yuba River  |  State Owned         |
|  Fire Ban Border         |  County Owned        |
|  Communities of Interest |  Private Land Owners |
|  Lakes                   |   |
|  BLM                     |   |
|  TNF                     |   |
|  SPI                     |   |











**South Yuba  
River  
Primitive**

**Missouri Bar**

**Pineaire  
Campground**

**River Rest  
Campground**

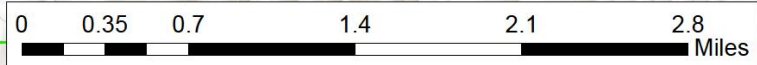
**Genes  
Pineaire  
Campground**

**Washington  
Bridge**

**Gol**

**Humbug Creek  
Picnic Site**

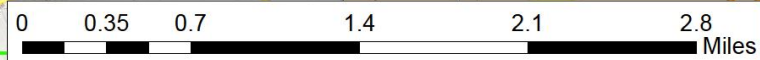
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**Golden Quartz**

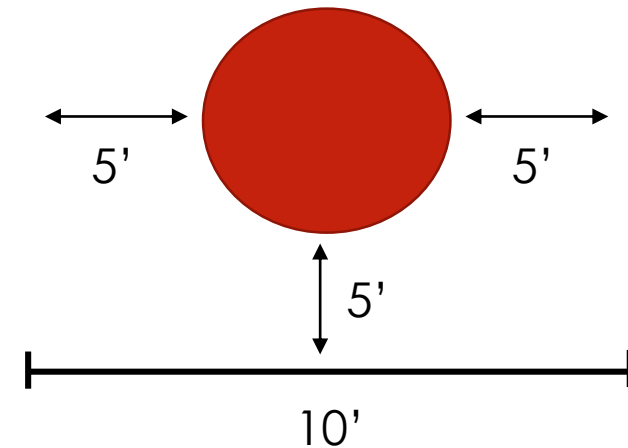
**Lang Crossing**





# URGENCY ORDINANCE – PROHIBITION EXCEPTIONS

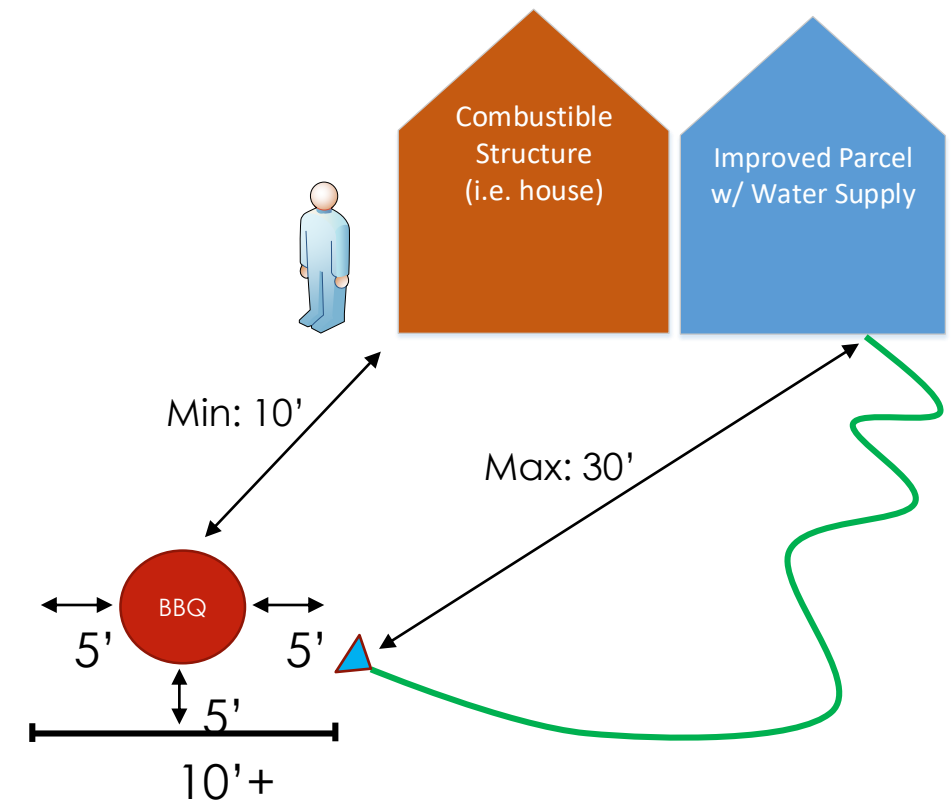
- Four Exceptions to Prohibition
  1. Wood and charcoal fires in permanent provided pedestal grills and fire rings in a designated developed recreation site (i.e. organized campgrounds) in an area that is cleared of all non-structural flammable material in all directions at least 10 feet in diameter from the fire's edge.



# URGENCY ORDINANCE – PROHIBITION EXCEPTIONS

2. Wood, charcoal, gas, jellied petroleum or pressurized liquid fuel fires inside:

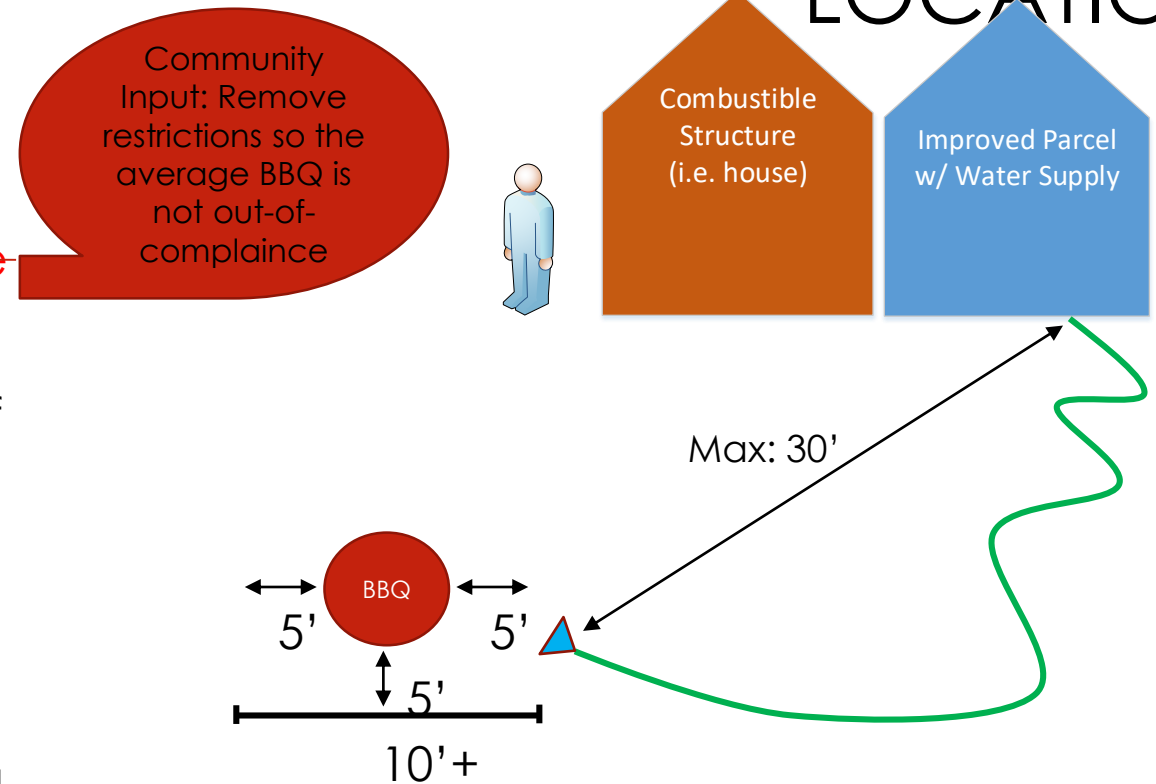
2 a. Enclosed stove, grill, barbecue or portable brazier that is located in a designated developed recreation site (i.e. organized campground) or improved parcel located more than ten (10) feet away from a combustible structure with readily available access to an emergency water supply system within 30 feet of the fire, that meets the general standards provided in Nevada County Title 3 Land Use and Development Code Section L-XVI 4.3 and California Fire Code Section 307-308, in an area that is cleared of all non-structural flammable material in all directions at least ten (10) feet in diameter from the fire's edge with an occupying resident or owner present on the property.



# PER COMMUNITY INPUT: REMOVE RESTRICTIONS IN 2A. TO ALLOW FOR AVERAGE BBQ ON DECK AND OTHER LOCATIONS

2. Wood, charcoal, gas, jellied petroleum or pressurized liquid fuel fires inside:

2 a. Enclosed stove, grill, barbecue or portable brazier that is located in a designated developed recreation site (i.e. organized campground) or improved parcel ~~located more than ten (10) feet away from a combustible structure~~ with readily available access to an emergency water supply system within 30 feet of the fire, that meets the general standards provided in Nevada County Title 3 Land Use and Development Code Section L-XVI 4.3 and California Fire Code Section 307-308, in an area that is cleared of all non-structural flammable material in all directions at least ten (10) feet in diameter from the fire's edge with an occupying resident or owner present on the property.

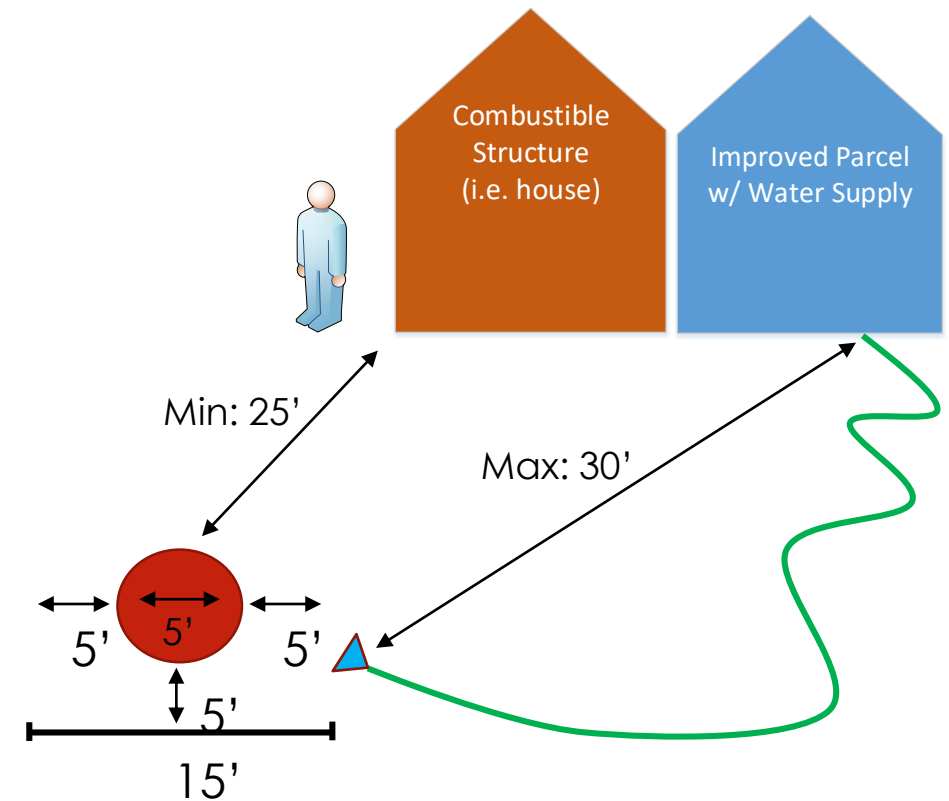


# URGENCY ORDINANCE – PROHIBITION EXCEPTIONS

2. Wood, charcoal, gas, jellied petroleum or pressurized liquid fuel fires inside:

2 b. A permanent fire ring or pit no larger than five (5) feet in diameter on an improved parcel that is located more than twenty-five (25) feet away from a combustible structure with readily available access to an emergency water supply system within 30 feet of the fire, that meets the general standards provided in Nevada County Title 3 Land Use and Development Code Section L-XVI 4.3 and California Fire Code Section 307-308, in an area that is cleared of all non-structural flammable material at least ten (10) feet in diameter from the fire's edge with an occupying resident or owner present on the property.

3. Smoking within an enclosed vehicle or building, or while stopped in an area that is cleared of all non-structural flammable material in all directions at least (5) five feet in diameter.







# URGENCY ORDINANCE – PENALTIES

- Persons who violate any provision of this Code or fail to comply with any of the requirements thereof shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment not exceeding 90 days in the County jail, or both such fine and imprisonment.



# OTHER CONSIDERATIONS

- Urgency Ordinance Enforcement
  - Complaint Driven
  - Post-fire Prosecution
  - Educational Outreach
- Pilot Program Evaluation Metrics
  - # Complaints Lodged
  - # Citations Issued / Convictions
  - # Educational Outreaches
  - # Fire Incidents
  - Law Enforcement & Staff Input
  - Fire Agency and Cohort Input
  - Community Input
- Continue Marketing Campaign
  - Love the Yuba Like a Local Marketing Campaign
  - Social Media Campaign
  - Fire Prevention Notices

# QUESTIONS & DISCUSSION

