

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

IN THE MATTER OF ACKNOWLEDGING AND SUPPORTING WATER RIGHTS AND ASSURING PROPER ANALYSIS OF IMPACTS TO WATER RIGHTS IN DESIGN, DEVELOPMENT, FUNDING, AND IMPLEMENTATION OF ENVIRONMENTAL RESTORATION PROJECTS ON PUBLIC AND PRIVATE LAND WITHIN SIERRA COUNTY

RESOLUTION 2011-021

WHEREAS, watershed restoration projects, meadow restoration projects, water impoundments, stream improvement projects, and other forms of hydrologic environmental remediation have been proposed, funded with public funds, and implemented within Sierra County by public, semi-public, non-profit, and private entities, without proper consultation, notice to, or collaboration with the County of Sierra and the owners of water rights that can be impacted by such projects. In addition, such projects are undertaken without proper analysis of the impact to existing water rights, the legality of the impoundment or other use of water as it affects established water rights, and the economic impacts to those water rights; and,

WHEREAS, public or private agencies implementing or funding these projects have an obligation under existing water law or court decree to evaluate impacts to water rights and public entities that fund or otherwise approve, sanction, endorse or sponsor such projects are further obligated under the California Environmental Quality Act and/or National Environmental Policy Act to fully analyze and disclose impacts to existing water rights, as well as other project impacts, so that the project proponents, impacted property owners, and the public have a full and objective disclosure of impacts and mitigation resulting from a proposed project; and,

WHEREAS, past and presently proposed watershed and meadow restoration projects within Sierra County have not identified nor properly acknowledged and analyzed water rights, including water rights belonging to agricultural users who are themselves stewards of the water and land resources in the County, and this is a serious concern to this Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors hereby notifies federal, state and local government agencies, including non-profit corporations and private interests, that the Board supports projects to maintain and restore the watersheds within the county; however, the Board also strongly supports water rights, including the rights of agricultural users, within Sierra County and demands proper notice to and consultation with this Board and affected water rights holders within the county, with proper analysis and disclosure of potential impacts to water rights, at the earliest possible stage in – and throughout -- the design, funding, development and implementation of proposed restoration projects or environmental enhancement or remediation projects.

BE IT FURTHER RESOLVED that this position of the Board of Supervisors may not apply to water rights held by any party that has the potential, in the opinion of this Board, to compromise, degrade, or otherwise create a potentially significant impact to beneficial uses or public projects involving county-of-origin water rights or other rights that this Board determines may accrue to the County of Sierra.

Adopted by the Board of Supervisors of the County of Sierra on the 15th day of February, 2011, by the following vote:

AYES: Supervisors Huebner, Nunes, Goicoechea, Schlefstein and Adams
NOES: None
ABSTAIN: None
ABSENT: None

County of Sierra:



Lee Adams
Chairman of the Board

Attest:

Approved as to Form:



Heather Foster
Clerk of the Board



James Curtis
County Counsel