



RESOLUTION 110-167
IN OPPOSITION TO THE REINTRODUCTION OF THE M.H. DUTCH SALMON
GREATER GILA WILD AND SCENIC RIVER ACT

WHEREAS, the Sierra County Board of Commissioners met upon notice of a regular meeting, duly published, at the Sierra County Administrative Offices, 1712 N. Date Street, Truth or Consequences, New Mexico 87901, on May 16, 2023; and,

WHEREAS, NMSA 1978, Section 4-37-1 (1995) provides that Counties have the power to, "provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of any county or its inhabitants"; and

WHEREAS, the Act seeks to designate 450 miles of river within southwestern New Mexico counties, including Sierra County, under the 1968 Wild and Scenic Rivers Act; and,

WHEREAS, the Senators proposing the Act have not personally visited Sierra County nor has County Government been consulted despite the Board having reached out numerous times over the last several years; and,

WHEREAS, while the legislation purports to preclude existing water rights, grazing rights and water distribution structure from being taken, it necessarily leaves to implication what will happen upon the expiration of grazing and special use permits, thus exposing landowners to an uncertain economic future which necessary exposes the County to an uncertain economic future; and,

WHEREAS, the legislation as written fails to guarantee existing uses by not amending language in Section 7 of the Wild and Scenic River Act which entangles private property above and below all designated river segments. This entanglement assures ceaseless litigation against current users of the rivers; and,

WHEREAS, the stretches proposed to be designated under the M.H. Dutch Salmon Greater Gila Wild and Scenic River Act have a long history of human manipulation, which should disqualify them from designation because they are not "free-flowing" as required by federal law. In fact, several segments as short as a tenth of a mile would be designated; and,

WHEREAS, segments of the proposed designated areas are prone to extreme flood events and channel migration and are gravel pits near channels are susceptible to being inundated or captured by the river which will pollute the water with massive amounts of sediment. While

landowners, government agencies, and conservationists have been able to rectify such problems, the Army Corp of Engineers would almost certainly deny permits for such projects due to restrictions associated with the Wild and Scenic Rivers Act.

NOW, THEREFORE, BE IT RESOLVED, by the Sierra County Commission that it opposes the reintroduction of the M.H. Dutch Salmon Greater Gila Wild and Scenic Rivers Act as it is inconsistent with the purposes of the underlying 1968 Act and would add yet another burden to a County already severely impaired by the federal prohibitions against sustainable economic activities such as logging and both legal and practical restrictions on grazing due in large part to the reintroduction of the wolf.

PASSED, APPROVED AND ADOPTED on this 16th day of May 2023.

**BOARD OF COUNTY COMMISSIONERS
OF SIERRA COUNTY**



Travis Day, Chair

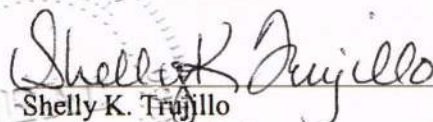


James Paxon, Vice-Chair



Hank Hopkins, Commissioner

Attest:



Shelly K. Trujillo
Sierra County Clerk



