



**SIERRA COUNTY
RESOLUTION NO. 108-026**

**RESOLUTION IN OPPOSITION TO THE DESIGNATION OF THE ANIMAS, CORDUROY,
DIAMOND CREEK AND ITS TRIBUTARIES, SEVENTYFOUR DRAW CREEK, WHITETAIL
CANYON, TAYLOR CANYON AND UPPER REACHES OF BEAVER CREEK AS WILD &
SCENIC RIVERS**

WHEREAS, the Sierra County Board of Commissioners met in a regularly scheduled meeting at the Sierra County Fairgrounds, 2953 South Broadway, Truth or Consequences, NM 87901 on October 15, 2019, at 10:00 a.m. as required by law; 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 National Wild and Scenic Rivers System was created by the Wild and Scenic Rivers Act of 1968 (Public Law 90-542), enacted by the U.S. Congress to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations; and,

WHEREAS, rivers may be designated by Congress or, if certain requirements are met, the Secretary of the Interior. Each designated river is administered by either a federal, state, or tribal agency, or as a partnership between any number of these government entities and local NGOs. Designated segments need not include the entire river and may include headwaters and tributaries; and,

WHEREAS, the designated boundaries of this designation generally average one-quarter mile on either bank in the lower 48 states and one-half mile on rivers outside national parks in Alaska, curtailing private property rights of those landowners within the boundaries; and,

WHEREAS, the designation of the Animas, Corduroy, Diamond Creek and its Tributaries, Seventyfour Draw Creek, Whitetail Canyon, Taylor Canyon, and upper reaches of Beaver Creek, or portions thereof, will mean that flood control for public safety, irrigation for farms, recreation, and water supplies for the communities downstream would all become secondary uses, of lower priority and therefore subject to restriction if they are in conflict with the nonexistent "natural and free flowing" character of the rivers; and,

WHEREAS, Animas Creek is not even part of the Gila River system, but rather is east of the Continental Divide, while the Gila is west of the Continental Divide; and,

WHEREAS, this designation will be yet another social injustice to the people of Sierra County levied upon them by the Federal Government after the destructive impacts on ranching & hunting with the introduction of the Mexican Grey Wolf; and,

WHEREAS, these polices, forced upon the people of the County by individuals who have never set foot in Sierra County, result in the County's inhabitants being forced to choose either to live in their birthplace in poverty or leave for a better life, while the individuals making the policies benefit every day from the undesignated use of their water and land; and,

WHEREAS, the taking of a property right and our collective constitutional, statutory and contractual rights by these proposed designations harm the entire County as they destroy the fabric of our economy and the family business that rely on it; and,

NOW, THEREFORE, BE IT RESOLVED, by the Sierra County Commission that it opposes the designation of the Animas, Corduroy, Diamond Creek and its Tributaries, Seventyfour Draw Creek, Whitetail Canyon, Taylor Canyon, and upper reaches of Beaver Creek, or portions thereof, as wild or scenic rivers.

BE IT FURTHER RESOLVED, that this Board calls upon its Congressional delegation to oppose any such designation and to work to find more effective and less restrictive means to protect our natural resources while also protecting the rights of the people.

APPROVED, ADOPTED AND RESOLVED this 15th day of October, 2019

BOARD OF COUNTY COMMISSIONERS OF SIERRA COUNTY


James Paxon, Chairman


Travis Day, Vice-Chair


Frances Luna, Commissioner

Attest:


Shelly K. Trujillo
Sierra County Clerk