

**RESOLUTION NO. 212-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA  
SUPPORTING THE WIYOT TRIBE'S DECLARATION OF A STATE OF  
EMERGENCY ON THE BADUWA'T (MAD) RIVER IN RESPONSE TO  
SEVERE DROUGHT CONDITIONS**

**WHEREAS**, on June 14, 2021, the Wiyot Tribe proclaimed that an emergency now exists along waterways throughout Wiyot Ancestral Lands and believe that federal and state agencies should be engaged with preparations for this crisis and begin taking appropriate actions for the probability of a dangerous situation being created in the local rivers and proclaimed and ordered that said emergency shall be deemed to continue to exist until its termination is proclaimed by the Wiyot Tribal Council; and

**WHEREAS**, on March 5, 2021, the U.S. Department of Agriculture granted a Secretarial disaster designation for the County of Humboldt; on April 7, 2021, the U.S. Small Business Administration issued a Disaster Declaration in the County of Humboldt; on May 10, 2021, California Governor Newsom proclaimed a State of Emergency for drought in the County of Humboldt; on May 25, 2021, the Humboldt County Board of Supervisors established a Drought Task Force; on May 27, 2021, the Yurok Tribe declared a State of Emergency due to drought in the Klamath Basin and Yurok Reservation; on June 1, 2021, the Karuk Tribe declared a Climate Emergency in the Klamath Basin and Karuk Territory; on June 14, 2021, the Wiyot Tribal Council declared a State of Emergency on the Eel River, Mad River, Elk River, and Van Duzen River; on June 22, 2021, the City of Rio Dell declared a drought emergency; on July 13, 2021, the City of Trinidad declared a drought emergency; on July 20, 2021, the Humboldt County Board of Supervisors declared a drought emergency; and

**WHEREAS**, the Baduwa't (Mad) River watershed is experiencing drought conditions ranging from "Moderate Drought" to "Extreme Drought" as reported on the U.S. Drought Monitor; and

**WHEREAS**, prolonged drought conditions will have substantial negative impacts to stream and river flows, water supply, agriculture, natural and cultural resources, public health, and wildfire risk; and

**WHEREAS**, numerous impacts, including extreme summer conditions, illegal water diversions, invasive predators, sedimentation and logging have led to significant habitat and ecological degradation and diminished native fish populations that are critical for the survival of the Wiyot culture and Wiyot people; and

**WHEREAS**, according to a statement by the Blue Lake Rancheria, water quality sampling done along the Baduwa't (Mad River) shows a presence of toxins in the water that are hazardous and potentially life-threatening to pets and small children; and

**WHEREAS**, the City of Arcata receives its domestic water supply from the Baduwa't (Mad) River via the Humboldt Bay Municipal Water District (HBMWD). While HBMWD's Ruth Lake reservoir is at approximately 90 percent capacity providing plenty of water for the City's domestic supply, the lower Baduwa't (Mad) River is experiencing moderate to severe drought conditions; and

**WHEREAS**, the City of Arcata supports the Humboldt Bay Municipal Water District's efforts to permit an allocation of their water rights to instream flows in the Baduwa't (Mad) River for beneficial use. These dedicated in-stream flows would be intended to benefit water quality and habitat for special status species and salmonids in the Baduwa't (Mad) River; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Arcata:

1. Forward a copy of this resolution to the Governor of the State of California, to ensure the Mad River and other rivers within the Wiyot Tribe's ancestral history are included in any emergency declaration issued by the President of the United States of America, and to waive regulations that may hinder response and recovery efforts; and
2. Forward a copy of this resolution to the Director of the California Governor's Office of Emergency Services.

**DATED:** August 18, 2021

**ATTEST:**

  
Bridget Dory

City Clerk, City of Arcata

**APPROVED:**

  
Bill Hart

Mayor, City of Arcata

**CLERK'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of Resolution No. 212-07, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, California, held on the 18<sup>th</sup> day of August, 2021, by the following vote:

**AYES: WATSON, ATKINS-SALAZAR, GOLDSTEIN, MATTHEWS, SCHAEFER**

**NOES: NONE**

**ABSENT: NONE**

**ABSTENTIONS: NONE**

  
Bridget Dory

City Clerk, City of Arcata