The Changing Politic of the Northern California Sierra

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INTRODUCTION

There is a changing politic in the foothill and mountain counties of Northern California. It is a politic based on the realization by many that the influx of people into the Sierra over the last two decades has endangered the very amenities that people had come to enjoy. Two catalysts brought development and land use into focus in the Northern California Counties of Nevada, Sierra, Placer and El Dorado. First, there were the lengthy and sometimes stormy debates that occurred over how county general plans should be updated. Second, the Northern Sierra saw the decline of extraction and agricultural economies and the emergence of “clean” or high technology industries.

These catalysts have had three primary effects. First, a new environmental constituency promoting moderate growth has emerged. Second, a business organization dedicated to economic development and environmental protection has been formed. Finally, partnerships between community groups and government agencies have become major players in environmental and land use decisionmaking. These three developments are going to have a major impact on how the Northern Sierra will be developed in the coming years.

I.

EMERGENCE OF ENVIRONMENTAL CONSTITUENCY TO MODERATE GROWTH

Land use issues in the Northern Sierra are complicated because economic development is being sold on the basis of the area’s natural beauty: its rivers, forest, mountains, and recrea-
tion. For example, two opposing political viewpoints emerged during the debate concerning the update of Nevada County's General Plan. On one side, the "good ol' boys," who historically have run county government through the election of supervisors, promoted development at any cost. On the other side, supervisors who support an environmental approach toward planning have been elected in part based on their opposition to such development. It is in this heavily polarized atmosphere that the update of the Nevada County General Plan and subsequent development projects have been debated.

On November 14, 1995, the Nevada County Board of Supervisors, which I had recently joined, updated its General Plan. The new plan calls for future growth to be steered toward existing community centers while limiting development in rural regions with low densities and preserving open space.

Within months, the first challenge came to the new environmental protections in the General Plan. A developer, and a local planning and engineering firm, presented a plan (the Dark Horse Project) to build an extensive complex, including a golf course and three hundred homes. Together they tried to carry the project through the County's development process without preparing an Environmental Impact Report (EIR). Despite public outcry and opposition from two supervisors, the development plan was initially approved by the Planning Commission and the Board of Supervisors.

The will of the new constituency advocating planned growth was being ignored. Instead of accepting defeat, the Rural Quality Coalition and a local group called the Nevada County South County Citizens League collected signatures on an initiative to force the developer to complete an EIR. Obtaining 6,000 signatures in 20 days, the group insured a ballot measure and forced the developer to meet and negotiate. As a result of this public pressure, the developer withdrew his project application and agreed to begin the process again and pay for a full EIR.

This scenario is being played out in other countries in the Northern Sierra. In Placer County, supervisors who supported a general plan amendment allowing development of a Big Box (Wal-Mart) Store were defeated in the following election. In Sierra County, supervisors are renewing the debate over the proposed designation of the South Yuba River as a Wild and Scenic River.

II.
COMMUNITY ORGANIZATIONS, REGIONAL COLLABORATIONS AND BUSINESS ORGANIZATIONS

In addition to the Rural Quality Coalition, other community organizations, regional collaborations and business organizations are having a significant impact on the development and protection of the environment in the Northern California Sierra.

Grassroots community organizations have become successful at establishing partnerships to implement projects. In Nevada County, I have witnessed several examples of these partnerships between state, federal, and grassroots organizations. One of the first, located on the San Juan Ridge, is the Iniman Forest Project. The Forest Project was created by the Yuba River Water Institute, a collaborative made up of a taxpayer association, foresters, hardwood manufacturers, timber harvesters, and neighbors, who joined with the Bureau of Land Management (BLM) in preparing a forest management plan. Their efforts include developing programs for watershed enhancement, preservation of animal habitats, timber production with sustainable yields, and programs for fire management.

Other groups, including the California Department of Forestry (CDF), the Tahoe National Forest, the Resource Conservation District, Northern Sierra Air Quality Management District, and, most recently Nevada County, have joined the Iniman Forest Project. A Community Resource Management Project (CRMP) is the focus for creating a fire management program to be implemented by using hand and mechanical clearance, selected forestry practices (e.g. thinning), and controlled burns.

Community organizations have also been establishing partnerships. The Round Mountain Association is working with the BLM in the area bordering South Yuba. Their efforts include recreation planning (trails), watershed management, fire prevention, and forest management. An outgrowth of the Round Mountain program is the 49er Fire Project, which includes most of the area east of Nevada City to South Yuba. The project, which includes participation from local, state, and federal agencies and neighborhood community associations, provides a plan for additional fire routes, thinning, brush removal and watershed enhancement.

Sponsored by the County, these grassroots projects recently put together a grant proposal to CALFED for Proposition 204 funds. Proposition 204, the Safe, Clean Reliable Water Supply Act, Delta Tributary Watershed Program (Bay Delta Program), is a state initiative passed in November of 1996. The new grant
proposal calls for a Joint Powers Agreement between Nevada County, the Nevada County Resource Conservation District, and the San Juan Ridge Fire District that "addresses watershed restoration in the Yuba River and the Bear River Watersheds." These watersheds ultimately drain into the Sacramento River via the Feather River. The proposal includes projects that address reduction of dense forest under-story, repair to stream channels, restoration of fisheries habitat and improvement of overall forest health.

Regional collaborations are also becoming an important factor in land use and environmental issues. In 1994, during a drought period, the Federal Government's Water Master lowered the levels of major reservoirs offering recreation opportunities for tourists visiting the Tahoe-Truckee area.\(^2\) That decision brought to a head the often controversial, complicated, and long-term concern about the method for prioritizing water allocations from the Truckee River under the Truckee River Operating Agreement (TROA). The groups negotiating the water allocations included the State of California, the State of Nevada and local interests from Nevada.\(^3\) The lowering of the reservoir levels demonstrated that the local California interests did not have an adequate say in how decisions on water allocations would be made. Local advocates used the issue to obtain support and organized Town Hall meetings that brought widespread attention, ultimately attracting the notice of federal and state officials.

The result was the formation of an organization, the Truckee River Basin Water Group, dedicated to insuring that California interests in Truckee River water allocations were adequately represented. The organization includes Nevada, Sierra, and Placer Counties, the Town of Truckee, water purveyors, and local advocates. Meetings are held monthly to establish California positions on many issues regarding depth and locations of wells, private and public water rights, reservoir levels and priorities for discharges, downstream flows, and habitat and river restoration priorities. The California Department of Water Resources, representing the State in Truckee River Operating Agreement negotia-

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2. These reservoirs were opened to satisfy the requirements for protecting an endangered fish residing down river in Pyramid Lake (a result of previous treaties and litigation's protecting the interest of the Pyramid Lake Paiute Indians).

3. The State of California, the State of Nevada, the Pyramid Lake Paiute, Sierra Pacific Power, and TCID have been negotiating this agreement over the course of the last few years. See A. Dan Tarlock, The Creation of New Risk Sharing Water Entitlement Regimes: The Case of the Truckee-Carson Settlement, 25 ECOLOGY L.Q. ___ (this issue).
tions, and the Department of Fish and Game also attend these meetings. At times, these meetings also include federal representatives from the Department of Interior, the Bureau of Reclamation, and the Fish and Wildlife Agency.

Presumably, after the EIS/EIR is approved, TROA negotiations are complete, and participants sign the agreement, the regional California players involved with the "group" will establish a California plan. This plan will set priorities for the 10,000 acre-feet of surface water and the 20,000 acre-feet of ground water allocated to California by the initial settlement. After four years of meetings, a real partnership has been developed that involves grassroots participants and government and private users. Future regional growth policies, land use decisions, and solutions to regional problems will stem from the success of this partnership.

Finally, the formation of the Sierra Business Council has been a meaningful event in the Northern Sierra. Founded in 1994, the Council boasts approximately 450 business leaders as members. It has prepared two publications describing the changing economic and political climate of the Sierra. The publications are part of a plan for educating the public about the Council's avowed mission "to secure the economic and environmental health of the Sierra Nevada for this and future generations."

Planning for Prosperity provides several insights into how the future political and economic development of the Northern Sierra should proceed. It promotes development in the existing core centers, while preserving the rural and forested areas. It also calls for a quality planning process that involves both business and the public. "Significantly, the report includes a survey, formatted and presented for each of the twelve counties, which indicates that 1,000 registered voters support maintaining the rural quality of life. These results support the claim of a changing attitude and politic in those communities."

CONCLUSION

There is a change occurring in the mountain and foothill communities of the Sierra Nevada. Certainly the change is not uniform throughout the region. Nevada and Placer Counties are at the forefront of the movement. The business of political deci-

4. SIERRA BUSINESS COUNCIL, SIERRA WEALTH INDEX; SIERRA BUSINESS COUNCIL, PLANNING FOR PROSPERITY: BUILDING SUCCESSFUL COMMUNITIES IN THE SIERRA NEVADA.
5. Id.
sionmaking regarding land use and the environment has seen the emergence of new players. In particular, grassroots environmental groups have gained influence and stature.

In Nevada County a fight over whether large developers should complete an EIR was unheard of just a couple of years ago. Placer County and the Town of Truckee attempt to curtail the development of “big boxes” (for example, Wal-Mart and Sam’s Clubs) and Placer County’s attempt to regulate suburban infringement on agricultural lands are also representative of the new politics.

Groups that are feeling threatened for the first time are mounting legal challenges, for example, claiming violations of private property rights. Now, however, public interests advocates are finding the resources from their community to take the issues to the electorate and the courts. An example is the issue of proprietary rights versus property rights in the age-old pattern of use of canal easements for walking or running. (The easements are held by the Nevada Irrigation District.) This battle seems to be heading to the courts for resolution.

In Nevada County, two supervisors are up for reelection. The issues of pro-growth and planned growth will be at the forefront. Will the outcome be the same good ol’ boys, or some new power brokers? We’ll see. What is apparent is that there is a change in the way decisions regarding land use and environmental issues are being made. The change is not made in simplistic liberal versus conservative terms, but rather as a balancing act. The balance being how to preserve and maintain rural quality of life and the region’s historical heritage, while providing economic development, housing and jobs. Many are optimistic that, through good planning, today’s challenges will be met.