OCONEE COUNTY RESOLUTION Number _____
STATING THE IMPORTANCE OF THE COUNTY'S WETLAND AND STREAM RESOURCES AND DECLARING PREFERENCES FOR COMPENSATORY MITIGATION REQUIRED BY THE U.S. ARMY CORPS FOR DEVELOPMENT IN OCONEE COUNTY

A RESOLUTION OF THE OCONEE COUNTY BOARD OF COMMISSIONERS, THE PURPOSE OF WHICH IS TO STATE THE IMPORTANCE OF PRESERVING AND RESTORING THE WETLAND AND STREAM RESOURCES IN OCONEE COUNTY, AND TO DETAIL A PREFERENCE FOR THE KIND AND LOCATION OF COMPENSATORY MITIGATION REQUIRED BY THE U.S. ARMY CORPS OF ENGINEERS FOR DEVELOPMENTS IMPACTING WETLANDS AND STREAMS IN OCONEE COUNTY.

WHEREAS, the wetlands in Oconee County are critical natural resources which improve water quality, control floodwaters, provide important fish and wildlife habitat, control erosion and sedimentation, recharge groundwater, provide areas for recreation, and contribute to the pleasing natural aesthetics that make Oconee County a desirable place to live and work;

WHEREAS, the streams in Oconee County are a fundamental and necessary component of the Upper Oconee Watershed which convey water for human consumption, agriculture, and other uses to the Oconee River, provide important fish and wildlife habitat and areas for recreation, and contribute to the pleasing natural aesthetics that make Oconee County a desirable place to live and work;

WHEREAS, the values and services that the wetland and stream resources of Oconee County provide support the health and general welfare of the residents of Oconee County;

WHEREAS, many wetlands and stream segments located upstream of Oconee County also provide some benefits to Oconee County residents by improving the quality and quantity of water that ends up flowing through the county;

WHEREAS, although upstream wetlands and streams may provide some benefits to Oconee County residents, those outside of Oconee County rarely, if ever, provide the level of values and services to Oconee County residents as the wetlands and streams found in Oconee County;

WHEREAS, an explicit goal of the Oconee County Comprehensive Plan is to ensure that the county's natural resources are protected;

WHEREAS, an explicit goal of the Comprehensive Plan is to ensure that families and residents have a clean environment to live in by balancing development and environmental protection;

WHEREAS, the Comprehensive Plan states that "greenspace, open space and protection of sensitive areas should be incorporated in all new developments;"

WHEREAS, the U.S. Army Corps of Engineers ("Army Corps") has the authority under Section 404 of the Clean Water Act to issue permits for impacts to most wetlands and streams in Oconee County;

WHEREAS, the Army Corps may require compensatory mitigation for impacts to wetlands and streams;

WHEREAS, the Army Corps utilizes the "watershed approach" to compensatory mitigation, whereby an analytical process is used for making compensatory mitigation decisions that support the sustainability or improvement of aquatic resources in a watershed;

WHEREAS, the Army Corps has recognized that under the watershed approach to compensatory mitigation, it may be desirable to require on-site mitigation measures to address water quality and flood storage functions;

WHEREAS, federal regulations direct the Army Corps, when choosing compensatory mitigation sites, to consider wetland functions and services that will likely need to be addressed at or near the site where wetlands are impacted;

WHEREAS, federal regulations direct the Army Corps to consider local goals such as habitat restoration and protection, water quality goals, and floodplain management objectives when selecting compensatory mitigation sites;

WHEREAS, the Army Corps can require compensatory mitigation through the purchase of credits from a wetland mitigation bank, in-lieu fee mitigation, and/or permitee-responsible mitigation;

WHEREAS, the political boundaries of Oconee County are located entirely within the Upper Oconee Watershed;

WHEREAS, the Georgia Wetlands Trust Fund provides an in-lieu fee agreement option for compensatory mitigation through which wetlands and streams with a high conservation value can be permanently preserved in the same locality as the development impacting wetlands;

WHEREAS, there are currently mitigation banks in Oconee County which offer wetland and stream credits for compensatory mitigation required by the Army Corps;

WHEREAS, when the Army Corps allows developers who impact wetlands and streams in Oconee County to perform compensatory mitigation in areas outside of Oconee County, the general welfare of the families and residents of Oconee County is negatively affected because the functions and services the impacted wetlands and streams provided to the county are not replaced;

WHEREAS, federal regulations require the Army Corps to consider timely comments from local governments and the public;

NOW, THEREFORE BE IT RESOLVED, the Oconee County Board of Commissioners supports and adopts the principles set forth above and urges the U.S. Army Corps of Engineers, Savannah District, when making compensatory mitigation site decisions for impacts to wetlands and streams in Oconee County, to show full consideration for the values that Oconee County families and residents derive from these resources;

AND, BE IT FURTHER RESOLVED THAT, the Oconee County Board of Commissioners urges the Army Corps, when making compensatory mitigation decisions for impacts to wetlands and streams in Oconee County, to show full consideration for the natural resource protection goals of the Oconee County Comprehensive Plan;

AND, BE IT FURTHER RESOLVED THAT, the Oconee County Board of Commissioners urges the Army Corps, when making compensatory mitigation decisions for impacts to wetlands and streams in Oconee County, to show full consideration for the new development goals of the Oconee County Comprehensive Plan;

AND, BE IT FURTHER RESOLVED THAT, the Oconee County Board of Commissioners urges the Army Corps, when making compensatory mitigation site decisions for impacts to wetlands and streams in

Oconee County, to keep in mind that Oconee County is wholly located within the Upper Oconee Watershed, so that the watershed approach to compensatory mitigation could be promoted by requiring mitigation within Oconee County;

AND, BE IT FURTHER RESOLVED THAT, the Oconee County Board of Commissioners urges the Army Corps, when making compensatory mitigation site decisions for impacts to wetlands and streams in Oconee County, to compel permitees to engage in compensatory mitigation in the following order of preference: (1) on-site, in-kind mitigation; (2) mitigation in Oconee County in wetlands or streams with a high conservation value; (3) mitigation in Oconee County; (4) mitigation upstream of Oconee County.

Duly adopted the ____ day of _____, 200____.