

RESOLUTION 2014 - _____

Be it resolved by the Quorum Court of _____ County, State of Arkansas
a resolution

Entitled:

A RESOLUTION TO DEMAND THAT EPA AND THE U.S. ARMY CORPS OF
ENGINEERS WITHDRAW THEIR PROPOSED RULE TO DEFINE "WATERS OF THE
UNITED STATES" UNDER THE CLEAN WATER ACT,
Docket ID No. EPA-HQ--OW-2011-0880

WHEREAS, on April 21, 2014 the U.S. Environmental Protection Agency (EPA) and the
U.S. Army Corps of Engineers (CORPS) jointly released a new proposed rule definition
of "Waters of the U.S." under the Clean Water Act that would amend the definition of
"Waters of the U.S."; and

WHEREAS, both EPA and the CORPS is seeking additional jurisdiction over lands
falling under the expanded definition of "navigable waters" in the U.S. covering natural
or man-made ponds, floodplains, downstream navigable waters and wetlands, including
ditches, tributaries, adjacent and neighboring wetlands, ground water discharge,
puddles; and

WHEREAS, both the EPA and the CORPS, through their proposed rule to define
"Waters of the United States", are implementing the rules and regulations covered in the
United Nations' document "Earth Summit Agenda 21: The United Nations Programme of
Action from Rio" that is covered in Section 2 "Conservation and Management of
Resources for Development" and Paragraph 18, 18.1 to 18.90, "Protection of the quality

and supply of freshwater resources: Application of integrated approaches to the development, management and use of water resources”; and

WHEREAS, any Law which violates the Constitution is automatically made null and void, (Marbury vs. Madison, 5 US (2 Cranch) 137, 174, 176, (1803);

WHEREAS, Congress, and not the Federal Agencies or the United Nations, makes the laws; and

WHEREAS, EPA and the U.S. Army Corps of Engineers must ditch their unconstitutional proposed rule defining the “Waters of the United States” under the Clean Water Act; and

WHEREAS, Article 1, Section 8 of the U.S. Constitution does not permit or authorize Congress to legislate in the area of the environment, therefore the EPA is an unconstitutional agency, and funds must be withheld so the EPA-proposed rule is not implemented; and

WHEREAS, the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people; and,

WHEREAS, the States of the Union can handle their own environmental needs as authorized by the state legislators; and

WHEREAS, the proposed EPA and CORPS rule defining the “Waters of the United States” under the Clean Water Act would be harmful to Arkansas’ economy and energy industry and would have a harmful economic impact on current and future farmers, current and future residents, current and future business, current and future industries

and local, county, and state government and is therefore opposite to the public policy of the State of Arkansas; and

WHEREAS, EPA has based the majority of their rules and regulations on the fraudulent claims of Climate Change a.k.a. Global Warming; and

WHEREAS, the U.N. Intergovernmental Panel on Climate Change (IPCC) has conceded that the computer predictions for global warming and the effects of carbon emissions have been proved to be inaccurate; and

WHEREAS, efforts to prove the theory that carbon dioxide is a significant greenhouse gas and pollutant causing significant warming or weather effects have failed; and

WHEREAS, a recent study of NASA shows that CO2 COOLS the atmosphere and does NOT warm it as previously stated; and

WHEREAS, the Constitution of the State of Arkansas, specifically in Article 7, Section 28 boldly provides “exclusive original jurisdiction” to the county courts of the respective counties in “every other case that may be necessary for the internal improvement and local concerns of the respective counties” -- which broad power of local jurisdiction belonging to the local county court has historically been cherished by Arkansans, both in the spirit and the letter of the law (see Arkansas Code 16-15-101 - 16-15-113); and

WE FURTHER FIND that the following reflects the will of the people of _____County:

NOW THEREFORE BE IT RESOLVED,

SECTION 1: _____ County Quorum Court respectfully calls for the Environmental Protection Agency and U.S. Army Corps of Engineers’ to withdraw their illegal proposed rule to define “Waters of the United States” under the Clean Water Act;

and that the concerns and principles herein conveyed by the duly elected local officials of the citizens of _____ County be observed and respected in consideration of any rules or memorandum of understanding and future activities regarding the guidelines for “Waters of the United States”.

SECTION 2: _____ County respectfully refrains from supporting EPA’s illegal “Waters of the United States”.

SECTION 3: This Resolution shall be in full force and effect from after its passage and approval on this date ____day of _____ 2014; and County Clerk of _____ County is HEREBY directed to file this resolution and forward a file-marked copy to the Environmental Protection Agency, U.S. Army Corps of Engineers’ and the Arkansas Congressional Delegation.

Hon. _____, _____ County Clerk _____ DATE

Hon. _____, _____ County Judge _____ DATE