

RESOLUTION

WHEREAS, the United States Environmental Protection Agency (USEPA) and the United States Army Corp of Engineers (USACE) have proposed a new rule to define "waters of the United States" that will vastly expand the jurisdictional authority of the federal Clean Water Act (CWA), entitled "Definition of "Waters of the United States" Under the Clean Water Act

WHEREAS, USEPA and USACE have chosen to selectively interpret various Supreme Court decisions related to the jurisdictional authority of the Clean Water Act (CWA) in order develop a new Guidance which expands their own jurisdictional authority under the CWA to include waters of the state(s) and other waters previously not regulated under either the CWA or judicial proclamation, including some ditches, farm ponds, dry water ways and isolated wetlands;

WHEREAS, the proposed rule, if adopted will infringe upon the sovereignty of state(s) to appropriately regulate waters of the state(s);

WHEREAS, the proposed rule, if adopted would require Counties and special districts to obtain costly and burdensome Section 404 Permits from the USACE for the construction of small bridges and culverts, and routine maintenance of some ditches, canals, and other such water conveyances;

WHEREAS, the proposed rule, if adopted would infringe on private property rights, impairing land management activities such as urban development and agriculture production;
WHEREAS, legislation to expand the jurisdictional authority of the CWA as described in the proposed rule has failed in the U.S. Senate; and

WHEREAS, the USEPA and USACE have been criticized by both the U.S. Senate and the U.S. House of Representatives for enacting expansive rules without congressional oversight;

BE IT HEREBY RESOLVED THAT Tom Green County strongly opposes the proposed new rule to define "waters of the United States" in that it increases the need for burdensome and costly permitting requirements, infringes on private property rights, and circumvents the legislative process, thus, the will of the people.

BE IT FURTHER RESOLVED THAT Congress, not federal agencies, make the laws and therefore any such change in jurisdictional power of the federal government should only occur as a result of the passage of federal legislation.



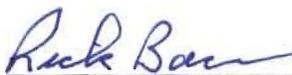
Judge Stephen C. Floyd



Commissioner Ralph Hoelscher, Pct. 1



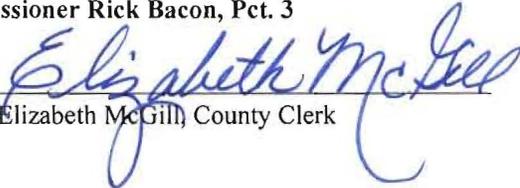
Commissioner Aubrey deCordova, Pct. 2



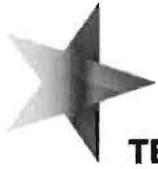
Commissioner Rick Bacon, Pct. 3



Commissioner Bill Ford, Pct. 4

Attest: 
Elizabeth McGill, County Clerk





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June 11, 2014

To: County Farm Bureau Presidents

From: Vernie R. Glasson, Executive Director

Re: EPA Extension of Comment Period for Clean Water Act Resolution

Ref# 2014-06-11(1)—EPA_ExtensionOfCommentPeriod

Dear County Presidents:

The EPA and the U.S. Army Corps of Engineers have extended the public comment period for the Waters of the U.S. proposed rule from July 21 until October 20, 2014, an additional 91 days. This extension is in response to numerous requests received by the agencies. The Waters of the U.S. proposed rule will clarify protection under the Clean Water Act for streams and wetlands that form the foundation of the nation's water resources.

The agencies have also extended the public comment period on the interpretive rule by 30 days to July 7. The interpretive rule ensures that 56 specific conservation practices that protect or improve water quality and are conducted in conformance with NRCS practice standards will not be subject to Clean Water Act Section 404 permitting requirements for discharges of dredged or fill material. We will be discussing this topic in more detail at the upcoming summer meetings in San Marcos.

Attached to this mailing is a press release statement from AFBF President Bob Stallman regarding this extension.

If your county has not yet submitted a comment, we encourage you to take advantage of this extension and have your county judge and commissioner(s) sign the resolution that was sent to you with the Action Requested letter on May 21 and the follow-up letter on June 4. **We cannot overemphasize the importance of taking action on this matter!**

Thank you for your attention to this issue.

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CC: TFB Board of Directors
TFB Area Field Representatives
CFB Office Secretaries
Regan Beck