

RESOLUTION NO. 1975-21:

RESOLUTION

WHEREAS, heretofore certain individuals from the Nashville, Tennessee, area, which are some of the owners of the Davy Crockett Hunting Club in Obion County, Tennessee, filed suit in the United States District Court, Western Division of Tennessee, to enjoin the United State Corps of Engineers from draining the Obion and Forked Deer River bottoms: and

WHEREAS, said matter has been in litigation for several years and the most recent decisions of the United States District Court have indicated that 32,000 acres of land must be set aside as mitigation lands to replace the 44,000 acres of said lands supposedly that will be drained if the U. S. Corps of Engineers continues its work for channel improvement and drainage on the Obion and Forked Deer Rivers and their tributaries, and which mitigation lands are located in Weakley, Obion, Gibson, Dyer, Crockett and Haywood Counties; and

WHEREAS, the proposed mitigation lands to be taken in Weakley County, Tennessee, amount to 6,539. acres, and fo which 1,506 acres are tillable land and 5,020 acres are forest land and 13 acres are pasture land and according to the classifications which designate the soil wetness conditions in this area, are rated at 3,4, 5, and 6: however, most of the land that is to be taken is in soil wetness conditions 3,4, and 5, when there are 46,000 acres of land in soil wetness condition 6: and,

WHEREAS, the individuals who instituted said lawsuit and are part owners of said hunting club have land in said wetness condition 6 which has been specifically excluded from the proposed mitigation land so that they shall not suffer any loss of ownership of their property; however, their lands adjoin mitigation lands which are proposed to be turned over to the Tennessee Wildlife Resources Agency and taken from the present owners by eminent domain: and

WHEREAS, there is a world need for the raising of foodstuffs, it is not wise nor feasible to take crop lands out of production for the propose of preserving wildlife when other lands are more suitable for such: and,

WHEREAS, by taking said land from the landowners, it will reduce the tax revenues for Weakley County, Tennessee, and other Counties within the area affected by the proposed actions: and

WHEREAS, individual landowners were not given any opportunity to be heard relative to the site selection for the mitigation lands, and,

WHEREAS, it is the belief of the Weakley County Quarterly Court that it is not in the best interest of the citizens of Weakley County and of the United States that property owners' lands be taken for such purposes without their consent under any supposed right of eminent domain for the purpose of satisfying the whims and fancies of the environmentalist;

WHEREAS, they should have known that more lands and wildlife areas and natural resources have been destroyed by the severe conditions of wetness than can be salvaged by mitigation of lands and that the best-way to restore the natural useful wildlife such as squirrels, ducks, fish, deer rabbits, and other forms of wildlife would be to drain said low-lands so that trees can grow and abound in these areas whichw would otherwise be unprofitable to farm: and

WHEREAS, in the West Tennessee area there is today more land covered with water for aquatic birds through the Tennessee Valley Authority System than has ever been in the history of this state: and,

WHEREAS, if said land should subsequently be taken, it will result in a loss of revenue to the citizens and residents of Weakley County, Tennessee; and

WHEREAS: Weakley County Quarterly Court feels that the interests of the citizens of Weakley County and the State of Tennessee can best be served by proceeding in a manner different from that which has been conducted through the Federal Courts in said lawsuti.

NOW, THEREFORE, BE IT RESOLVED BY THE WEAKLEY COUNTY QUARTERLY COURT at its April term, 1975, that the following recommendations be adopted, made and delivered to all interested parties.

RESOLUTION NO. 1975-21 (CONTINUED):

1. That if the existing project must continue under the direction of the U. S. Corps of Engineers, there should be written assurance from the Tennessee Wildlife Resources Agency or other agency that individual farmers have adequate field drainage through any of the mitigation lands to the Obion River or the Forded Deer River to which the water from their land flows.

2. That the Tennessee Wildlife Resources Agency submit an environmental impact statement as to its intentions of use of the proposed mitigation lands.

4. That instead of the acquisition of all of the proposed mitigation lands in Weakley County, Tennessee, that the proposed watershed lands be included as a part of the mitigation lands for Weakley and the other Counties affected by this project.

5. That in the alternative, it be required that no land other than that with a soil condition 6 be included in the mitigation lands and that no tillable lands nor pasture lands be included in said mitigation lands.

6. Be it further resolved that copies of this resolution be furnished to the President of the United States, the Attorney General of the United States, the United States Secretary of Agriculture, the United States Secretary of The Army, the 2 U. S. Senators from the State of Tennessee, all the U. S. Representatives from the State of Tennessee, the District Engineer for the Memphis District of the U. S. Army Corps of Engineers, the Governor of the State of Tennessee, the Tennessee Commissioner of Agriculture, the Mitigation Committee, the United States Secretary of the Interior, and any other agencies Federal or State, that might have need of this information and this resolution.

PURSIANT TO THE RULES OF THE COURT, THIS RESOLUTION IS SPONSORED BY THE FOLLOWING MEMBERS OF THE WEAKLEY COUNTY QUARTERLY COURT:

/S/ George C. Hearn /S/ James H. Bell /S/ James Porter

APPROVED:

/S/ Charles T. Butts
Weakley County Judge=

ATTESTED TO:

/S/ James T. Omer
Weakley County Court Clerk

Upon being put to a voice vote same carried unanimously; Esq. George Hearn making the first motion and seconded by Esq. Joe White.