

Land Rights Network
American Land Rights Association
PO Box 400 – Battle Ground, WA 98604
Phone: 360-687-3087 – Fax: 360-687-2973
E-mail: alra@pacifier.com
Web Address: <http://www.landrights.org>
Legislative Office: 507 Seward Square SE – Washington, DC 20003

Call Congress To Cut Funds For EPA Corps Wetlands Regulations

You must take immediate action!! Deadline Friday, October 7th.
If you miss the deadline, continue to make the calls until Congress acts.

By acting quickly, you can cut off the EPA money supply. You can stop them from going forward with their new Clean Water Act Wetlands regulations.

You did it with Salazar's "Wild Lands" Wilderness land grab. You took away their money. Now it is time to do it to EPA and the Corps of Engineers.

Don't wait. Call now.

Senate working on money bill right now. Call your Congressman and both Senators.

Critical to get provision in the funding bills cutting off EPA Corps Regulation Funds.

You will win if you keep the pressure on Congress. But you must act now. Don't sit back and assume someone else will do it.

The EPA is under a lot of pressure for their new Clean Air regulations. Make sure when you talk to your Congressman and both Senators that you are talking about the EPA Corps of Engineers Clean Water regulations. If these get through, EPA and Corps will have jurisdiction of all your water and all your land.

Please send the new EPA Corps Testimony Questionnaire below plus your personalized statement to Congress now. You must help stop the jurisdiction land and water grab by EPA and the Corps of Engineers.

The first phase of the effort to stop the EPA Corps Wetlands Regulations is over. The EPA has closed its comment period.

Now you must get Congress to put a stop to this EPA Corps of Engineers Wetlands jurisdiction and control land and water grab.

You are actually winning. The pressure from Congress is beginning to make the EPA wilt under the pressure. You must make more calls and send more faxes and e-mails to your Congressman and both Senators.

Don't let EPA and the Corps remove the word "Navigable" from the Clean Water Act using slight of hand regulations. Don't allow EPA and the Corps to gain new Jurisdiction over all waters of the United States.

Action Items:

-----1. Please paste a copy of this e-mail on your refrigerator door with a magnet or tape. Remember to call at least three times over the next two weeks.

-----2. Vital: Please forward this message to your entire e-mail list. Let networking work. This document is so important it must go viral. It must be spread by you widely if you are to compete successfully with the green groups that want to control your land and water using the EPA and Corps.

Use Twitter, Facebook, LinkedIn and other social networking services to spread the word.

-----3. Call your Congressman at (202) 225-3121. That is the Capitol Switchboard. Ask for your Congressman by name. When that office answers, ask for the person who handles EPA, Corps and Wetlands issues. Tell them they must stop the new EPA Corps Wetlands regulations. Make sure you ask for the e-mail address of the staff person. Be sure to ask that they hold Congressional hearings.

-----4. Call both your Senators at (202) 224-3121. Follow the same instructions as with your Congressman.

-----5. Please visit our American Land Rights membership page at <http://www.landrights.org/members.htm> to join or donate. Please help support American Land Rights in this important issue. At least join as a member at \$35 a year. ALRA must raise over \$65,000 to get all the letters out about this issue.

Most members send extra contributions to help win in Congress and with the Federal agencies. Your extra \$1,000, \$500, \$200, \$100, \$50 or whatever you can afford will really help in this important battle. ALRA must send out tens of thousands of letters, faxes and e-mails to help you win.

You can simply copy and paste text into your browser if the hyperlink doesn't translate in your email.

You can donate on line or send a check to American Land Rights, PO Box 400, Battle Ground, WA 98604. Thank you for your support.

ALRA has posted new formatted Testimony Questionnaires at www.landrights.org. They are new and numbered 11 and 12. Just print out one and send one. The Deadline for comments to EPA has past. But you can send them to your Congressman and both Senators.

If you would rather use a formatted version, print one out from www.landrights.org.

These print out on 8 by 14 paper. But you can just print them out on 8 by 11, clip together and send them.

-----**Social Networking** – Facebook, LinkedIn and Twitter. See the bottom of this e-mail. Be sure to sign up as a friend of Chuck Cushman and also the American Land Rights Association on our Facebook page. Be sure to hit the Like button. Do the same on LinkedIn.

Below is an unformatted new Congressional Testimony Questionnaire you can use to edit in your word processor. Send Testimony to the Congress regarding the EPA and Corps of Engineers on their new Guidance regulations that seek to overturn the two Supreme Court Decisions that required the EPA and Corps to only regulate only **Navigable Waters** under the Clean Water Act of 1972.

You may edit the following document any way you want to make it reflect your concerns. In fact you must edit to make it your.s.

E-mail: alra@pacifier.com Write Wetlands in Subject Line.

Important Notice -- Be sure to fill in the blank space toward the bottom of your Testimony Questionnaire with your own personal comments. This validates this Congressional Testimony Questionnaire and makes it much more valuable in the eyes of the Congress. You can borrow from our statements to write your personal comments. You must personalize this document.

You should send a copy to both your Senators at: Honorable _____ US Senate, Washington, DC 20510. Better yet, ask for the e-mail address of the Congressional staff person you talk to and send him or her a copy to give to the Congressman.

You can mail copy to your Congressman at: Honorable _____ US House of Representatives, Washington, DC 20515. Remember that postal mail is slowed by the Anthrax inspections.

Call (202) 224-31121 to get the e-mail address for a staff person who works for your Congressman. Do the same for both Senators. Ask for the office of each when you call.

Delete all above this line before sending to Congress.

Testimony Questionnaire Deadline now Friday, October 7th.

Congressional Testimony Questionnaire Regarding the EPA Corps of Engineers Regulatory Guidance.

Regarding: Testimony for any hearings on EPA Corps Wetlands regulations and guidance.

EPA and Army Corps of Engineers Guidance published in the Federal Register Regarding Identification of Waters Protected by the Clean Water Act.

The EPA and Corps of Engineers are moving to seize jurisdiction and control over all U.S. waters. Since he who controls the water controls the land, these new slight-of-hand regulations would largely give the EPA and Corps substantial controls over all private and Federal land as well as nearly all waters. They will lead to many arbitrary and capricious decisions.

The regulatory Guidance policy will, if it is allowed to become final, give EPA and Corps of Engineers broader authority to regulate bodies of water that had been the responsibility of state level water managers.

The EPA's push for greater regulatory control through the Clean Water Act (CWA) jurisdiction amounts to the Agency overturning two U.S. Supreme Court decisions at the same time the Agency is disregarding concerns of Members of Congress.

By publishing a draft regulatory Guidance document in the Federal Register the EPA and Corps are giving field staff freedom to choose and determine jurisdictional control. The result will be more arbitrary and capricious decisions.

EPA and the Corps have effectively overturned two U. S. Supreme Court decisions that currently limit their authority and jurisdiction under the Clean Water Act to "Navigable Waters."

The regulatory Guidance would give EPA and Corps a large degree of control over all waters of the United States.

By publishing this draft regulatory Guidance, EPA and Corps have clearly ignored the Intent of Congress. The current draft Guidance is full of vague definitions allowances for broad interpretations that show little respect for the practical implications of their actions on the American people.

The draft regulatory Guidance is intended to give EPA and the Army Corps of Engineers unprecedented control over all U.S. waters and therefore nearly all land. Because of the association of control over all US Waters to control all land, this Guidance is a clear threat to all American's property rights.

The EPA and the Army Corps of Engineers separate the vital tie between private property owners and their local communities using these new regulations.

This means the private property rights of farmers, ranchers, miners, forestry advocates and the important relationship between local communities and those property owners will be greatly changed. This relationship between private property owners and their local communities is a critical economic system that will be severely damaged by these new regulations and the change in this relationship.

If approved, this policy direction will lead to the bankruptcy of landowners, builders, farmers, ranchers and many others who must use the land and associated waters for American's food and fiber.

Breaking the relationship between the private property owners and their local communities will create severe economic consequences to the communities themselves.

Over 150 Members of Congress have stated in a letter that they each signed that this published draft Guidance will lead to a super water regulation that includes a vast overreach by the EPA and the Corps.

I have called my Congressman and my two Senators to express my concern about the new draft EPA and Corps Clean Water Act Guidance. Every landowner should call their Congressman (202) 225-3121 and Senators at (202) 224-3121 to express their concerns over this extreme power grab.

While the EPA and the Corps claim that this draft regulatory Guidance is legally nonbinding, the truth is that the current

Administration has defined regulatory terms that will ultimately lead to over-regulation and intrusion into individual and States' rights.

Once again the EPA and the Corps of Engineers are broadening their jurisdiction without Congressional authority to do so. Any changes to the regulatory process of the Clean Water Act should be accomplished through transparent rule-making, notice, public involvement or legislative Congressional action.

Vague definitions and broad interpretations that empower EPA and Corps officials with ad hoc and ambiguous controls over private lands, water uses and use of Federal lands will create an economic hardship on all of rural America.

The EPA and Corps regulatory Guidance has little to do with the objective of protecting clean water. It has everything to do with controlling Americans land and water use.

I agree with the comments above. I know I can cross out or edit out any I may not agree with. Please allow these comments to be submitted for the official record of any Congressional Hearings held regarding the EPA and Corps Wetlands Regulatory Guidance and include my personalized comments and responses to the listed statements below in the record. Please consider a photocopy of this document as valid as the original.

Below is my Testimony for the Record of any Congressional Hearings regarding the EPA and Corps Regulatory Guidance and any expansion of their jurisdiction.

Signature _____

Print Your Name _____ Date _____

Dear Private Property and Multiple-Use Advocate:

It is imperative that you act now. The EPA-Corps Guidance may be the biggest threat to property rights yet. The EPA and Corps are trying to overturn two U.S. Supreme Court decisions using the new regulatory Guidance to define those decisions away and give massive Wetlands jurisdiction back to the Corps of Engineers and EPA.

The EPA and Corps plan to overturn the Rapanos and SWANCC Supreme Court Decisions of 2006 and 2001. That would give the Corps of Engineers and EPA jurisdiction over nearly all private and Federal land and get Corps and EPA jurisdiction back to where it was before the Supreme Court limited that jurisdiction to "navigable waters."

You must fight to keep the EPA and Corps out of your backyard. The EPA and Corps Guidance would give Federal agencies almost unlimited control over your land, your water and that of all your neighbors.

Please send your Testimony to Congress quickly. Do not put it off. You must try to get it in by Friday, October 7th.

Alert -- Be aware of the legal concept called "laches" or "sleeping on your rights." You may lose future legal rights if you fail to participate

in an official part of the Congressional or regulatory process. Please send this document and possibly a letter opposing the EPA-Corps Guidance to your Congressman and both Senators. It can be as short as one page or longer.

In the next section you will see a series of statements about the EPA-Corps Guidance. American Land Rights agrees with all the statements but you don't have to. Below is a New (Sept 12) Comment Questionnaire for you to fill out and e-mail to your Congressman and both Senators.

This Congressional Testimony Questionnaire is about helping you get your Testimony to your Congressman and both Senators. They want to know what you think. It's critical that you write your responses to the statements below with your opinion and not what you think we would want you to write. You are free to disagree with us. You can add comments to each statement or change the statements to fit your preference.

Please edit this document in your word processor so each statement below fits your concerns. Then e-mail it to a staff person in the office of your Congressman and both Senators.

-- 1. The current draft Guidance is full of vague definitions allowances for broad interpretations that show little respect for the practical implications of EPA and Corps actions on the American people.

Agree.....Disagree.....No Opinion

--2. Congress should schedule hearings for EPA, and the Corps of Engineers to allow for thorough explanation and review before any changes are undertaken in EPA and Corps Jurisdiction pursuant to the Clean Water Act of 1972.

Agree.....Disagree.....No Opinion

--3. The jurisdiction of the Environmental Protection Agency and the U.S. Army Corps of Engineers under the 1972 Clean Water Act should not be expanded beyond Congressional Intent through "Guidance" documents, back room regulations or subsequent rule making.

Agree.....Disagree.....No Opinion

--4. EPA and the Corps of Engineers should not be permitted to use "Guidance" documents to circumvent Congress, the Courts, and the Administrative Procedures Act.

Agree.....Disagree.....No Opinion

--5. The Clean Water Act of 1972 and subsequent Agency Guidance or Federal rule making should not be used to establish national land and water use Regulations.

Agree.....Disagree.....No Opinion

--6. No top down control of land and water use is a good idea.

Agree.....Disagree.....No Opinion

--7. Jurisdiction of Intrastate Waters should remain with State and Local Governments.

Agree.....Disagree.....No Opinion

--8. Agency administrative rules or "Guidance" should never be used to expand the application of Federal water jurisdiction in all Clean Water Act programs. The EPA and Corps jurisdiction should be limited to "Navigable Waters" as intended by Congress in the 1972 Clean Water Act.

Agree.....Disagree.....No Opinion

--9. Agencies should not be allowed to use Administrative "Guidance" or Federal regulations to remove American's private property rights; water quality objectives can be achieved through existing partnerships between private landowners and their communities rather than violating Constitutionally protected property rights.

Agree.....Disagree.....No Opinion

--10. This draft EPA regulatory Guidance should have included a complete economic and social impact analysis before it was published for public comment. The analysis must be available for public review and comment before any final publishing of proposed EPA and COE Agency Guidance.

Agree.....Disagree.....No Opinion

--11. There is no evidence that a Regulatory Flexibility Act analysis and certification has been completed regarding the proposed EPA and Corps Guidance.

Agree.....Disagree.....No Opinion

--12. EPA and the Corps should immediately withdraw this proposed regulatory Guidance and choose instead to proceed with a more deliberate, thorough and transparent rule making process consistent with the requirements of the Administrative Procedures Act, and guidance from Congress and the Courts.

Agree.....Disagree.....No Opinion

--13. Expanding regulations that adversely impact businesses, individuals, and communities, especially during a time of National economic downturn, is inappropriate.

Agree.....Disagree.....No Opinion

--14. Congress should put a hold on the EPA and Corps regulatory Guidance until Congress has time to conduct hearings, including field hearings, prior to the implementation of any Guidance or regulations under the Clean Water Act.

Agree.....Disagree.....No Opinion

--15. Water quality objectives and any associated regulations must consider regional difference in landscapes and other ecological characteristics, and must require the involvement of appropriate state and local officials in their development.

Agree.....Disagree.....No Opinion

--16. There is no evidence that a through analysis has been completed that indicates what the affects the proposed Guidance will have on the devaluation of private property. This devaluation will result in a “Regulatory Takings” and must be compensated under the Takes Clause of the US Constitution.

Agree.....Disagree.....No Opinion

--17. The Clean Water Act should not deny or decrease access to or the use and enjoyment of public lands and waters.

Agree.....Disagree.....No Opinion

--18. Clean Water Act rules, and other environmental programs, are often not about environmental protection, but about control over land, water, people and communities; water quality and other environmental objectives should be driven from the grassroots up instead of from the politically driven and power control top down.

Agree.....Disagree.....No Opinion

--19. States Rights regarding land and water jurisdiction should not be tampered with. EPA and COE Guidance and regulations should only enhance existing relationships, not interfere with a system that is not broken.

Agree.....Disagree.....No Opinion

--18. Clean Water is Important to All Americans. Federal Government Agencies are not the stewards of first choice in dealing with the conservation and the protection of our nations waters and associated lands.

Agree.....Disagree.....No Opinion

(Your written personalized comments here below are essential if you want Congress, the EPA, Corps and ultimately the courts to really pay attention to this document.

You are free to use as much space as you need. It is critical that you personalize some comments below before sending this important document to your Congressman and both Senators. You can borrow from the statements above. You can make them as long as you want but you must write something personal here to validate this questionnaire.)

You can expand this space to meet your needs.

This space is for your personal comments. Please make sure you validate this document by writing in this space.

Please delete below this line before sending to Congress.

For more information
Go to www.landrights.org to check us out.

Social Networking Update: The American Land Rights Association now has a Page on Facebook. Please sign on as a Friend or Fan. Please click on the Like button.

Also Executive Director Chuck Cushman is also on Facebook.com. You can also find the American Land Rights Association and Chuck Cushman on LinkedIn.com. We are especially active on LinkedIn.com so send an invitation to connect and join up.

American Land Rights is on Twitter as AmLandrights. Chuck Cushman is also on Twitter under SaveYourLand.

-----Please forward this message as widely as possible. The more people who get this document the better chance you have to compete with the greens.

Remember, the deadline to get your testimony into Congress is Friday, October 7th.

Thank you in advance for your support.

Chuck Cushman
Executive Director
American Land Rights Association
(360) 687-3087
ccushman@pacifier.com

If you wish to unsubscribe, reply to this e-mail with “unsubscribe” in the subject line. If you know of others who would like to receive these alerts, reply with their e-mail addresses.

(Open space for your personal comments.) (If needed, use additional sheets or attach a personal letter)

To validate your comments please fill in completely (PRINT or TYPE) and be sure to sign.

Signature _____ Name _____

E-Mail _____ Fax _____

Phone _____

Address _____

Town _____ State _____ Zip _____

Please mail by Friday, September 23rd. Please do not fail to send this comment questionnaire even if late.