

## **RESOLUTION NO. 2025-3**

### **A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, COLORADO, EXPRESSING OPPOSITION TO FEDERAL AGENCIES INTENTIONS TO ACQUIRE STATE, LOCAL AND PRIVATE LAND UNILATERALLY WITHOUT LOCAL GOVERNMENT COLLABORATION OR USE OF ESTABLISHED PROCESSES**

WHEREAS, the National Interest Electric Transmission Corridors (NIETC) program, enables the federal government to designate specific areas for the development of electric transmission lines with the authority to preempt state and local control over transmission line siting, and potentially allows for the use of eminent domain to acquire land for such projects; and

WHEREAS, the use of eminent domain is a privilege exercised in extremely rare cases of dyer public need by officials duly elected by the people and this privilege should only be used when all just negotiations have failed to produce reasonable results and the use of eminent domain should not be extended to agencies removed from public view or private industry; and

WHEREAS, policies such as the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 et seq., established a national policy to promote the enhancement of the environment and requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions; and

WHEREAS, the Council on Environmental Quality (CEQ) regulations implementing NEPA at 40 C.F.R. 1501.8 specifically recognize the importance of including local governments as cooperating and coordinating agencies due to their unique expertise, jurisdiction, and proximity to proposed projects; and

WHEREAS, local governments possess specialized knowledge, historical perspective, and practical experience concerning their respective regions that are critical to evaluating potential environmental, social, and economic impacts of federal actions; and

WHEREAS, the inclusion of local governments as cooperating and coordinating agencies ensures that analyses are comprehensive, well-informed, and reflective of local priorities, which leads to better project outcomes and enhanced public trust; and

WHEREAS, the Board of Trustees of the Town of Holly believe that the most effective governance takes place at the local level and the protection of local interests are best achieved through community engagement and transparency; and

WHEREAS, the NIETC program greatly lacks transparency and has a significant absence of engagement of the local communities, Prowers County and the Town of Holly as a governing body.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, COLORADO, THAT:**

1. Support for Local Government Participation: The Board strongly opposes the exclusion of local governments, including Prowers County and the Town of Holly, as cooperating and coordinating agencies under NEPA, pursuant to 40 C.F.R. 1501.8, to provide special expertise and ensure that local concerns and priorities are addressed.

2. Landowners' Rights: Landowners reserve and retain surface and subsurface rights, and fair compensation must be provided for any takings resulting from federal actions. The improper use of eminent domain to seize private property without just cause or fair compensation is expressly opposed.
3. Advocacy for Local Control: The Board urges federal agencies and policymakers to uphold and strengthen local government participation in any local projects, ensuring that local governments have a meaningful voice in decisions that affect their communities.
4. Impact Study Request: We additionally request comprehensive impact studies for all proposed projects to ensure thorough evaluation of environmental, economic, and social effects within Prowers County and the Town of Holly limits.
5. Hydrological Studies: Hydrological studies should include detailed water use plans for proposed energy projects to ensure sustainable water management and protection of local water resources.
6. Check Cultural Sites: The evaluation process must include a thorough review of potential impacts on cultural and historical sites, ensuring their preservation and compliance with applicable laws.

PASSED, APPROVED, AND ADOPTED THIS 12<sup>th</sup> DAY OF FEBRUARY, 2025 BY THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, COLORADO.



A handwritten signature in blue ink, which appears to read "Blaine Ice", is written over a horizontal line.

Blaine Ice, Mayor Pro Tem

ATTEST:

A handwritten signature in blue ink, which appears to read "Cynthia S. Humrich", is written over a horizontal line.

Cynthia S. Humrich, Clerk/Treasurer

A copy of this resolution shall be transmitted to the Governor of Colorado, relevant federal agencies and the Colorado Congressional Delegation to emphasize the importance of local government involvement in these processes.