

Resolution No. 16-1057

Whereas, the State of Arkansas allows private pipeline companies unusually broad and exceptional eminent domain authority, and,

Whereas, the State of Arkansas does not require proof of necessity prior to awarding that authority, and,

Whereas, the Laws of the State of Arkansas do not allow municipal governments, municipal utilities, or state agencies to effectively participate in the siting of private pipelines, and,

Whereas, Diamond Pipeline's admission before the Arkansas Public Service Commission that they did not know they had routed a 20" crude oil pipeline within half a mile of a water intake valve serving thousands of Arkansans clearly shows the need for better communication between pipeline companies and the general public during the siting process, and,

Whereas, the State of Arkansas does not require a comprehensive Environmental Impact Statement for the entire route of such projects, and,

Whereas, the State of Arkansas does not require advanced notification of such projects, or an opportunity for the general public to comment on, or engage in the siting process, and,

Whereas, landowners, local governments and agencies, and the general public currently have no right to obtain substantive information on the routes for such projects during the siting process, and,

Whereas, the use of the people's right to eminent domain demands a level of transparency and accountability not currently reflected in the State Law regarding pipeline companies, and,

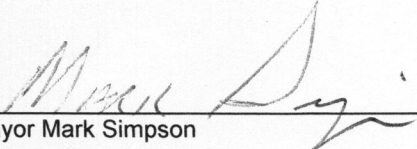
Whereas the City of Clarksville acknowledges these issues have the potential to impact local residents, and,

Whereas the City of Clarksville supports the State's efforts to examine these issues and to protect the property rights of the citizens of the City of Clarksville and the State of Arkansas,

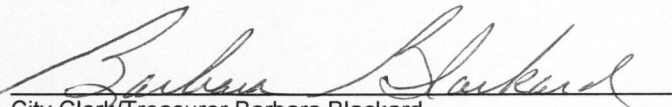
Now, therefore, be it resolved by the City of Clarksville, Arkansas, that:

1. The City of Clarksville does hereby support legislative efforts to review the laws on eminent domain in order to ensure that said laws support the rights of private citizens to be secure in their lands, and furthermore, supports a legislative review of the laws regarding pipeline siting, permitting, and construction in the State.

IT IS SO RESOLVED this 12<sup>th</sup> day of December, 2016.

  
\_\_\_\_\_  
Mayor Mark Simpson

ATTEST:

  
\_\_\_\_\_  
City Clerk/Treasurer Barbara Blackard

