

Introduced by the County Services Committee of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION IN SUPPORT OF THE DRAFT CLEAN WATER GUIDANCE ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY AND CORPS OF ENGINEERS

RESOLUTION #11-194

WHEREAS, in 1972, Congress passed the Clean Water Act to protect all "waters of the United States" for almost 30 years, both the courts and the agencies responsible for administering the Act interpreted it to broadly protect our Nation's waters; and

WHEREAS, the central role the 1972 Clean Water Act has played in maintaining and restoring clean water and healthy watersheds, essential to the Act's success is the fact that, for nearly 30 years, virtually all natural surface waters were recognized as "waters of the United States" and protected from pollution and destruction; and

WHEREAS, unfortunately, the effectiveness of the Act was threatened by Supreme Court decisions in 2001 (*SWANCC*) and 2006 (*Rapanos*) and subsequent agency guidance that have removed or jeopardized Clean Water Act protections for over 20 million wetland acres and an estimated 59% of the stream miles on which our communities depend; and

WHEREAS, the Clean Water Act (CWA) is the cornerstone of surface water quality protection in the United States, due to lost protections, drinking water sources for 117 million Americans is at risk of additional pollution; and

WHEREAS, the Obama Administration has taken an important first step to restore and clarify Clean Water Act protections by releasing Clean Water guidance, which outlines the "waters of the United States" covered by the Act; and

WHEREAS, agency clarification of the "waters of the United States" could resolve many of the problems caused by the Supreme Court decisions, returning America to most of the longstanding protections of the Clean Water Act and restoring clarity and certainty to Clean Water Act implementation, in a manner consistent with current law and longstanding precedent; and

WHEREAS, the Board of Commissioners believes it is vital to protect the health, safety, and welfare of the citizens of Ingham County, and see the importance of protecting clean water and healthy watersheds to ensure clean and safe drinking water supplies and outdoor recreation, and to protect bridges, roads, hospitals, treatment plants, and other critical infrastructure.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby supports the draft clean water guidance issued by the Environmental Protection Agency and the Corps of Engineers on April 27, 2011 and urge the EPA and the Corps of Engineers to promptly finalize the guidance and follow through with all available steps to strengthen the Clean Water Act's legal and scientific foundation in a manner that will provide greater long-term certainty for landowners and protection for streams, wetlands, and other waters.

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BE IT FURTHER RESOLVED, that the County Clerk's Office will forward a copy of this resolution to the Environmental Protection Agency.

COUNTY SERVICES: Yeas: De Leon, Copedge, Celentino, Schor, Dragonetti
Nays: Vickers **Absent:** None **Approved 6/21/11**