



Legislation Text

File #: 19-0197, **Version:** 1

Resolution for Support for a Strong Clean Water Act and Strong Clean Water Rule

This resolution supports a strong Clean Water Act and Clean Water Rule, which the U.S. EPA is currently looking to revise.

Prepared by: Missy Stults, Sustainability and Innovations Manager

Prepared by: Councilmember Bannister

Reviewed by: Environmental Commission

Reviewed by Howard S. Lazarus, City Administrator

Whereas, The Clean Water Act was enacted in 1972 to safeguard the nation's lakes, rivers, wetlands, and waterways against pollution, and, in particular, "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters," ensuring fishable and swimmable waters and elimination of pollution discharges everywhere;

Whereas, Because the Clean Water Act's suite of pollution prevention, control, and clean-up regulations and programs apply to "Waters of the United States" (WOTUS), the definition of that phrase in the Act is critical;

Whereas, In 2015, the Environmental Protection Agency (EPA) released a new rule clarifying that WOTUS include headwater, ephemeral, and intermittent streams, and wetlands;

Whereas, Over 1,000 peer-reviewed scientific studies support this clarification, in that they confirm that such streams and wetlands affect the quantity and quality of water in larger bodies of downstream water;

Whereas, Further, these streams and wetlands supply drinking water, protect against floods, filter pollutants, and therefore provide extraordinary value for the protection of public health, recreational resources, and economic livelihood;

Whereas, While the WOTUS are better off today than in 1972, most assessed waters still do not meet the Clean Water Act's goals;

Whereas, The nation continues to lose these important wetlands, despite their ecological benefits;

Whereas, The Clean Water Act's purposes cannot be fulfilled unless these streams and wetlands remain in the definition of WOTUS;

Whereas, Strong federal standards are needed because water does not respect local and state boundaries; Whereas, An EPA and U.S. Army Corps of Engineers (Corps) proposed revision to the definition of WOTUS would radically restrict the definition of WOTUS, including by rolling back protections for the aforementioned streams and wetlands without specified surface water connections to other waterways, certain ponds, interstate waters, and more;

Whereas, A recent EPA analysis found that at least 18% of streams and roughly half of the nation's wetlands would lose protection under this proposed rollback, putting all of the Nation's waters at risk because polluting or destroying these resources has the potential to impact the water quality of rivers and larger bodies downstream; and

Whereas, The City of Ann Arbor has adopted a Sustainability Framework that includes the goals of sustainable systems, clean air and water, and healthy ecosystems;

RESOLVED, That the City of Ann Arbor City Council directs the City Administrator to notify Congresswoman Dingell and Senators Peters and Stabenow in writing that the City opposes the proposed revision, and supports the current, broader definition of "Waters of the United States," which includes streams and wetlands;

RESOLVED, That the City of Ann Arbor City Council directs the City Administrator to direct City lobbying resources to oppose the proposed revision; and

RESOLVED, That the City of Ann Arbor City Council ask the City Administrator to send a copy of this approved resolution, upon passage, to each person or party mentioned herein.

Sponsored by: Councilmembers Bannister, Smith, Hayner, Ramlawi, Eaton and Mayor Taylor