



CHARTER TOWNSHIP OF HIGHLAND

205 North John Street • Highland, Michigan 48357 • (248) 887-3791

FEB 28 2003

February 28, 2003

Water Docket
Environmental Protection Agency
Mailcode 4101T
1200 Pennsylvania Avenue NW
Washington, DC 20460

03-05-03 P02:44 IN

Attn: Docket ID No. OW-2002-0050

Enclosed are four copies of a resolution passed by the Highland Township Board at their meeting on Wednesday, February 26, 2003. Please include them in the EPA Public Comment Docket.

Sincerely,

A handwritten signature in black ink that reads "Mary L. McDonell". The signature is written in a cursive, flowing style.

Mary L. McDonell
Highland Township Clerk

Enclosures



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**Resolution #03-04: TO SUPPORT A BROADER DEFINITION OF WATERS
PROTECTED BY THE CLEAN WATER ACT Docket ID #OW-2002-0050**

At a regular meeting of the Charter Township of Highland Board of Trustees held on the 26th day of February, 2003:

Present: Patricia M. Pilchowski, Mary L. McDonell, Judith A. Kiley, Judy Dietrich, Thomas P. Dunleavy, Lawrence Pepera, Nancy Sharp

Absent: None

The following resolution was offered by Mr. Dunleavy and supported by Mrs. Kiley:

WHEREAS: The U.S. Army Corps of Engineers and the Environmental Protection Agency have requested public input regarding issues related to what waters are subject to Federal jurisdiction under the Clean Water Act (CWA) and other laws designed to protect the environment and particularly have requested public input regarding how "waters of the United States" shall be defined; and

WHEREAS: Clean water is essential for drinking, for recreational, industrial, commercial and agricultural uses and for aquatic life and wildlife; and

WHEREAS: For 30 years, the Clean Water Act has played an essential role in protecting and restoring our nation's waterways; and

WHEREAS: This progress would not have been possible if the Act had not applied to all our nation's waters; and

WHEREAS: A more restrictive definition of the waters subject to the Clean Water Act would be detrimental to the health, safety, and welfare of Highland Township for the following reasons:

- A. Scientific studies repeatedly show the interconnectedness of surface waters, wetlands, and groundwaters. Therefore, adequate protection of navigable waters relies on protection of non-navigable tributaries and adjacent wetlands; and

- B. Isolated wetlands provide essential groundwater recharge services. In recent years, Southeastern Michigan aquifer levels have been declining, negatively affecting the amount of water available for residential, commercial and industrial use; and
- C. Smaller, isolated wetlands have been shown to provide as many ecological services to the Huron River Watershed as larger wetlands contiguous to waterbodies; and
- D. Flood control is dependent on proper management of the entire watershed draining to the Huron River; and

WHEREAS: Enforcement of water protection for isolated, ephemeral, non-navigable or adjacent waterbodies at the state level, without federal support under the Clean Water Act, would be inadequate because 1. Enforcement by the state of Michigan of existing water protection programs is underfunded and regularly inadequate; and 2. Without the leverage provided by Clean Water Act requirements, state compliance with water protection rules would be much less likely to occur; and


WHEREAS: Highland Township has non-navigable waters that provide recreation for out-of-state visitors;

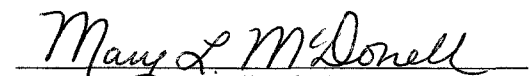
THEREFORE BE IT RESOLVED: That Highland Township affirms that the definition of U.S. waters subject to the Clean Water Act should include, in addition to traditionally navigable waters, all non-navigable tributaries, intermittent and ephemeral streams, waters that pass through man-made conveyances, and all wetlands whether or not there is a visible connection to surface waters.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the EPA Public Comment Docket #OW-2002-0050.

Yeas: Pilchowski, McDonell, Kiley, Dietrich, Dunleavy, Pepera, Sharp
 Nays: None
 Abstain: None

RESOLUTION DECLARED ADOPTED


 Patricia M. Pilchowski, Supervisor


 Mary L. McDonell, Clerk

I, Mary L. McDonell, the duly elected Clerk of Highland Township, hereby certify that the attached is a true and correct copy of a resolution adopted by the Charter Township of Highland Board of Trustees of the County of Oakland, State of Michigan on the 26th day of February, 2003.


Mary L. McDonell, Township Clerk