

OFFICE OF
KAY WILLIAMS
CLERK
KAYWILLIAMS@SUPERIOR-TWP.ORG

TOWNSHIP HALL
3040 NORTH PROSPECT STREET
COR. PROSPECT & CHERRY HILL RDS.
YPSILANTI, MICHIGAN 48198
TELEPHONE: (734) 482-6099
FAX: (734) 482-3842

CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN

FEB 21 2003

February 20, 2003

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

ATTN: Docket ID No. OW-2002-0050

Enclosed please find a certified copy of a Resolution adopted by the Superior Charter Township Board on February 18, 2003 concerning waters subject to the Clean Water Act.

Your consideration of this Resolution is appreciated.

Sincerely,



Kay Williams
Superior Charter Township Clerk

cc. Senator Debbie Stabenow
Senator Carl Levin
Representative John Dingell
Huron River Watershed Council

**SUPERIOR CHARTER TOWNSHIP BOARD
WASHTENAW COUNTY, MICHIGAN
FEBRUARY 18, 2003**

**A RESOLUTION
CONCERNING WATERS SUBJECT TO THE CLEAN WATER ACT**

WHEREAS Superior Charter Township has non-navigable waters that provide recreation, natural beauty, and enjoyment for our residents as well as visitors from other parts of Michigan, the United States, and the entire world; and

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 Superior Charter Township for the following reasons:

1. 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
2. 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
3. Smaller, isolated wetlands have been shown to provide as many ecological services to local watersheds as larger wetlands contiguous to waterbodies; and
4. Flood control is dependent on proper management of the entire watershed draining into our larger rivers and lakes; 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, Michigan compliance with water protection rules would be much less likely to occur; and

NOW THEREFORE BE IT RESOLVED that the Superior Charter Township Board declares that the definition of waters of the United States 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.

CERTIFICATE

I, Kay Williams, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board for Superior Township, County of Washtenaw, State of Michigan, at the regular meeting held on February 18, 2003, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Kay Williams
Kay Williams, Clerk
Charter Township of Superior

Dated: February 18, 2003