

APR 21 2003

EXEC. OFF. CLERK

TOWN OF GOSHEN RESOLUTION

Resolution: Affirming all Surface Waters as protected under the Clean Water Act

Docket ID No: OW-2002-0050

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 nations 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 the Town of Goshen for the following reasons:

- A. Scientific studies repeatedly show the interconnectedness of surface waters, wetlands and groundwaters. therefor, 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, Town of Goshen aquifer levels have been declining, negatively affecting the amount of water available for residential, commercial and industrial use: and
- C. Flood control is dependent on proper management of the entire watershed.

WHEREAS: enforcement of water protection for isolated, ephemeral, non navigable or adjacent water bodies at the state level, without federal support under the Clean Water Act, would be inadequate because

1. Enforcement by the State of New York of existing water protection programs is under funded

2. Without leverage provided by the Clean Water Act requirements, state compliance with water protection rules would be much less likely to occur

THEREFOR BE IT RESOLVED: that the Town of Goshen Board members 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 they are visibly connected to surface waters.

BE IT FURTHER RESOLVED, that copies of this resolution be distributed to the White House and the New York State Congressional Delegation,

BE IT FURTHER RESOLVED, that this resolution be forwarded to Environmental Protection Agency with a recommendation for its acceptance and placement in the appropriate document or this the appropriate committee for action.

April 2, 2003

The Honorable Christine Todd Whitman
Administrator, U.S.Environmental Protection Agency
Ariel Rios Building, Room 3000; 1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

The Honorable George Dunlon

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF GOSHEN

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SS:

Town Board Resolution - Certificate No. 337

WILLIAMSON LAW BOOK CO., ROCHESTER, N.Y. 14609

I, Cecelia Walker, Town Clerk of the

Town of Goshen Orange County, New York,
DO HEREBY CERTIFY, that I have compared the foregoing with the original resolution

adopted by the Town Board of the Town of Goshen

at a meeting of said Board held on the 10th day of April,

~~19x~~ 2003, and that the foregoing is a true and correct transcript of said original resolution and of the whole thereof, and that said original resolution is on file in my office.

I DO FURTHER CERTIFY that each of the members of said Town Board had due notice

of said meeting, and that Honey Bernstein, Supervisor, and

Richard Roberts, Ann Elizabeth Dunlevy Kenneth Newbold, and

Douglas Bloomfield Councilmen were present at such meeting, and

~~Town Justice~~ _____ was absent.

Name

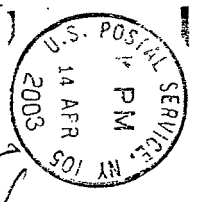
Title

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

Town of Goshen, this 11th day of April, ~~19x~~ 2003

Town Clerk.

COMMISSIONER
of Conservation
of Pennsylvania
24 Bedford
Cross Farm
Pahony



Administrators Christine Hartman
Environmental Protection Agency
Water Docket - Mail Code 41411
1225 Pennsylvania Avenue, NW
~~Washington~~ DC 20460

ATT: Docket ID # 02-00000000