

RESOLUTION TO PROTECT THE "CLEAN WATER ACT"

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;

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

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

Whereas, This progress would not have been possible if the Act had not applied to all our nation's waters,

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 CITY OF ANN ARBOR for the following reasons:

- A. Scientific studies repeatedly show the interconnectedness of surface waters, wetlands, and ground waters. 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 water bodies; 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 water bodies 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 under funded 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;

RESOLVED, That the CITY OF ANN ARBOR 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.

Submitted by: Mayor John Hieftje
Date: April 7, 2003