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FEB 26 2003

February 26, 2003

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

ATTN: Docket ID No. OW-2002-0050


03-03-03 A10:57 IN

To Whom It May Concern:

Attached is a certified resolution adopted by the Hamburg Township Board at their regular meeting of February 18, 2003, supporting the Clean Water Act. This resolution also requests a formal public hearing to be held prior to the adoption of the proposed rule changes.

Thank you for your consideration in this matter.

Sincerely,


Joanna G. Hardesty
Hamburg Township Clerk

RESOLUTION SUPPORTING THE CLEAN WATER ACT

HAMBURG TOWNSHIP

At a regular meeting of the Hamburg Township Board of Trustees, held at the Hamburg Township Hall located at 10405 Merrill Road, Hamburg Township, Livingston County, Michigan, on Tuesday, February 18, 2003 beginning at 7:30 p.m., there were:

PRESENT: Menzies, Hardesty, Hohl, Majoros, Balon-Vaughn, Wiley, Dillman

ABSENT: _____

Moved by Hardesty, and supported by Dillman to adopt the following preamble and resolution.

WHEREAS, the U.S. Army Corp 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 Action (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 Hamburg Township 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 ground water 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

A. Enforcement by the State of Michigan of existing water protection programs is under funded and regularly inadequate; and

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

WHEREAS, Hamburg Township has non-navigable waters that provide recreation for out-of-state visitors.

NOW THEREFORE BE IT RESOLVED, that Hamburg 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 Hamburg Township requests the Army Corp of Engineers and the Environmental Protection Agency to conduct a formal public hearing prior to the adoption the proposed rule changes.

A roll call vote was taken as follows:

AYES: Menzies, Hohl, Hardesty, Balon-Vaughn, Majoros, Wiley, Dillman

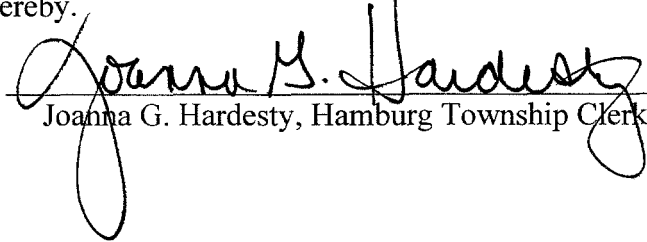
NAYS: _____

The Resolution was declared adopted.

CERTIFICATION

I, Joanna G. Hardesty, being the duly elected Clerk of the Township of Hamburg, Livingston County, Michigan, hereby certify that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board, and the vote taken thereon, at the meeting described in the introductory paragraph, at which time a quorum was present and remained throughout; (2) the original of such resolution is on file in the Clerk's office; (3) the meeting was conducted, and public notice thereof was given, pursuant to

and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and have been or will be made available as required thereby.


Joanna G. Hardesty, Hamburg Township Clerk