

## **A RESOLUTION**

### **A RESOLUTION OPPOSING THE PROPOSED EXPANSION OF FEDERAL CONTROL UNDER THE CLEAN WATER ACT**

**WHEREAS**, the Environmental Protection Agency (“EPA”) and the Army Corps of Engineers (“Corps”) have released a 371 page draft regulation for Definition of Waters of the U.S. under the Clean Water Act; and

**WHEREAS**, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of “navigable waters” in the Clean Water Act; and

**WHEREAS**, the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act; and

**WHEREAS**, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection to a body of water miles away currently defined as “navigable”; and

**WHEREAS**, expanding federal regulation in this manner will continue an unacceptable level of uncertainty in the permitting process, increase permitting costs for applicants, and have a significant negative impact on the cost of infrastructure construction and maintenance; and

**WHEREAS**, the U.S. Supreme Court previously reprimanded these agencies for overreaching their authority and Congress has expressed concern with this effort to re-define the scope of federal power under the Clean Water Act;

**NOW, THEREFORE, BE IT RESOLVED** that Greenville County Council hereby opposes additional regulations that have been proposed by the EPA to expand the current definition of “Waters of the United States” and to increase federal oversight and enforcement with respect to the Clean Water Act and Waters of the United States.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Environmental Protection Agency, the Army Corps of Engineers, and the entire South Carolina Congressional delegation.

**DONE IN REGULAR MEETING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014**

**GREENVILLE COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
Bob Taylor, Chairman  
Greenville County Council

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Joseph Kernell,  
County Administrator

**ATTEST:**

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Theresa B. Kizer, Clerk to Council  
Greenville County, South Carolina