

**RESOLUTION 14-12
BOROUGH OF TARENTUM
ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA**

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

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

Whereas, both agencies are seeking the rule change to give the federal government more authority and control by expanding the definition of "navigable waters" in the Clean Water Act; and

WHEREAS, the rule change proposed by the EPA and the Corps will 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, the change will stall the development of businesses, take control of lands, and negatively impact borough-owned and maintained infrastructure such as roadside ditches and flood-control channels; and

WHEREAS, the proposed rule change, if adopted, will cause significant harm to local farmers, adversely impacting Pennsylvania's number one industry; and

WHEREAS, the definitions in the rule could bring MS4 stormwater systems under greater regulation and expense through Total Maximum Daily Load (TMDL); and

WHEREAS, the costs to farmers, the borough and taxpayers will be enormous creating another unfunded mandate; and

WHEREAS, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some vague connection or "significant nexus", miles away, to a body of water currently defined as "navigable";

NOW THEREFORE BE IT RESOLVED this 21st day of July, 2014, that the Council of the Borough of Tarentum, Allegheny County strongly opposes the EPA and Corps of Engineers expansion of the Clean Water Act, as proposed in the Waters of the U.S. regulation; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to U.S. Senator Robert Casey, U.S. Senator Pat Toomey, Congressman Mike Doyle, and the Pennsylvania State Association of Boroughs.

RESOLVED this 21st day of July, 2014

ATTEST:



William Rossey, Borough Manager

BOROUGH OF TARENTUM



Timothy Rapp, President of Council

EXAMINED AND APPROVED by me this 21st day of July, 2014



Mayor Carl Margetta, Jr.