

ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk  
101 COURT STREET, MUNISING, MI 49862

**RESOLUTION #2016-04**

**WHEREAS**, in August 2015, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) implemented a regulation for the Definition of Waters of the U.S. under the Clean Water Act, which has since been temporarily halted by the 6<sup>th</sup> U.S. Circuit Court of Appeals; 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 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**, that under the rule change, Michigan’s Wetlands Law will be in violation of the Clean Water Act; and

**WHEREAS**, if Michigan loses delegated authority and must work directly with the Corps, the agency can take months or years to answer a permit application, and can even deny permits with impunity; and

**WHEREAS**, the change will cause significant harm to local farmers, stall the development of businesses, take control of land used for sustainable food production out of our local providers’ hands, and negatively impact county-owned and maintained infrastructure such as roadside ditches and county drains; and

**WHEREAS**, Michigan has robust programs to protect water quality in our state; and

**WHEREAS**, the rule change would bring enormous costs to our farms, municipalities and taxpayers.

**THEREFORE**, in consideration of the foregoing, BE IT RESOLVED that the Alger County Board of Commissioners of Alger County wholly support preventing the furtherance of the U.S. Environmental Protection Agency and the Army Corps of Engineers proposed rule expanding the definition of “Waters of the United States” and requiring these agencies to work with state and local governments on rule development; and

**BE IT FURTHER RESOLVED** that copies of this Resolution be provided to all Michigan counties, Gov. Rick Snyder, the Michigan Association of Counties and members of the Michigan congressional delegation.

Approved at a meeting of the Alger County Board of Commissioners held in compliance with Act 267, Public Acts of Michigan, 1976, as amended, on the 16<sup>th</sup> day of February, 2016.

  
Jerry Doucette, Chairman  
Alger County Board of Commissioners

