

**CITY OF BALTIMORE
COUNCIL BILL 14-0185R
(Resolution)**

Introduced by: Councilmembers Kraft, Scott, Henry, Middleton, Mosby, Holton, Welch,
Reisinger, Stokes, Branch, Clarke, Curran, President Young
Introduced and adopted: September 8, 2014

A COUNCIL RESOLUTION CONCERNING

**In Support of the Definition of “Waters of the United States” Under the Clean Water Act
Proposed by the Environmental Protection Agency and the Army Corps of Engineers.**

FOR the purpose of supporting the Environmental Protection Agency’s (“EPA”) and the Army Corps of Engineers’ (the “Corps”) proposed definition of “Waters of the United States” under the Clean Water Act; helping to enhance the protection of our nation’s public health and aquatic resources, and increasing the Clean Water Act’s program predictability and consistency by clarifying the scope of the “Waters of the United States” protected under the Act.

Recitals

The waters of the United States are a treasured resource. In Maryland, the clean water that they provide protects public health, recreational resources, and economic livelihood.

The Clean Water Act is the fundamental federal law protecting the waters of the United States from pollution, degradation, and destruction. Strong federal standards are needed to provide these protections because water does not respect political boundaries. More than one thousand peer-reviewed, scientific studies have confirmed that headwater intermittent and ephemeral streams and wetlands affect the quantity and quality of water in larger bodies of water downstream.

Critical streams and wetlands which supply drinking water, protect against floods, and filter pollutants were once protected under the Clean Water Act. Federal policy changes over the last decade, however, have left these streams and wetlands vulnerable to degradation and destruction. These vulnerable waters of the United States, now unprotected and vulnerable, directly impact sources of drinking water for over 117 million Americans, including 3,990,016 residents here in Maryland.

Both the EPA and the Corps have proposed a clarification of the definition so that there is no misunderstanding all tributary streams, regardless of size or frequency of flow are covered under the Clean Water Act. Of particular importance is the fact that an additional proposal not only leaves in place all of the existing agricultural exemptions but also creates new exemptions for agricultural practices related to conservation.

According to Clean Water Action, this will restore protections to 2,210 miles of streams in Maryland that 77% of its residents depend upon for drinking water. In the greater Baltimore area that constitutes roughly 1.6 million people, including every one of our City residents.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, that the
2 Council supports the proposed definition of “*Waters of the United States*” under the Clean Water
3 Act and urges the Environmental Protection Agency and the Army Corps of Engineers to take
4 whatever actions deemed necessary to finalize these important protections for our nation’s
5 resources.

6 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor; the
7 Administrator of the U.S. Environmental Protection Agency; the Assistant Secretary of the
8 Army, Department of the Army, Civil Works; The Maryland House and Senate Delegations to
9 the 113th Congress; and the Mayor’s Legislative Liaison to the City Council.