

Minutes of a regular meeting of the Chippewa County Board of Commissioners, held at the Chippewa County Courthouse, 319 Court St., Sault Ste. Marie, Michigan on the 9th day of May, 2016 at 5:30 p.m.

PRESENT: Scott Shackleton, Don McLean, Jim Martin, Rudy Johnson and Conor Egan

ABSENT: None

The following preamble and resolution was offered by Commissioner Johnson and seconded by Martin.

16-10

EPA AND ARMY CORP OF ENGINEERS IMPLEMENTATION FOR REGULATION FOR DEFINED WATERS OF THE US UNDER THE CLEAN WATER ACT

WHEREAS, in August 2015, the U.S. Environmental Protection Agency (EPA) and the Army Corp 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 6th 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 Chippewa County Board of Commissioners wholly support preventing the furtherance of the U.S. Environmental Protection Agency and the Army Corp 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

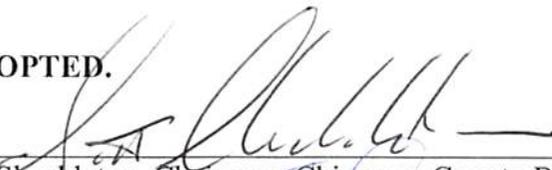
BE IT FURTHER RESOLVED that copies of this Resolution be provided to all Michigan counties, Governor Rick Snyder, the Michigan Association of Counties and representative members of the Michigan congressional delegation.

A VOTE WAS TAKEN AS FOLLOWS

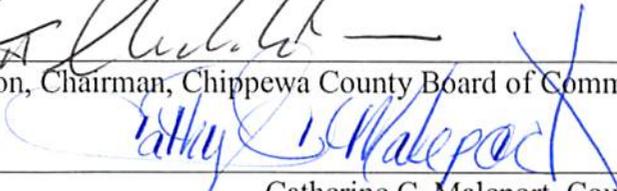
AYES: Shackleton, McLean, Martin and Johnson

NAYS: Egan

RESOLUTION DECLARED ADOPTED.



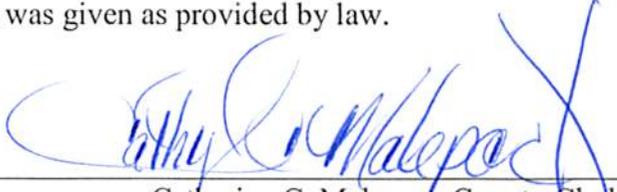
Scott Shackleton, Chairman, Chippewa County Board of Commissioners



Catherine C. Maleport, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF CHIPPEWA)

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the County Board of Commissioners of Chippewa County at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Catherine C. Maleport, County Clerk