

25 pre-2015 regulations, including ephemeral and intermittent streams that are
26 tributaries of the Colorado River; and

27 **WHEREAS**, the Colorado River is the primary source of drinking water for
28 the City of Austin, and protecting its tributaries is essential to protecting this drinking
29 water supply; and

30 **WHEREAS**, degradation of the waters that flow into the Colorado River
31 could have a serious fiscal impact on our water treatment facilities; and

32 **WHEREAS**, many creeks in the City of Austin and within its extraterritorial
33 jurisdiction run dry parts of the year, including Barton, Shoal, Walnut, and
34 Williamson, and these waterways could lose their Clean Water Act protections under
35 the proposed new Rule, along with their tributaries; and

36 **WHEREAS**, climate change is projected to lengthen and intensify periods of
37 drought, thereby increasing the number of streams that are ephemeral or intermittent;
38 and

39 **WHEREAS**, climate change is also projected to lead to heavier rain events
40 during wet periods, thereby resulting in greater volumes of water flowing from
41 ephemeral and intermittent streams into the Colorado River during wet periods; and

42 **WHEREAS**, the City of Austin has expended considerable resources on creek
43 restoration, erosion control, channel stability, flood control, and water quality
44 improvements, and the proposed rule would undermine these efforts; and

45 **WHEREAS**, the Clean Water Rule finalized in 2015 by the EPA and the
46 Army Corps of Engineers (Corps) reflected input from stakeholders nationwide
47 received during more than 400 meetings and from over one million public comments

48 submitted during a 207-day comment period, the majority of which supported the
49 rule; and

50 **WHEREAS**, the City of Austin submitted a letter to EPA on August 7, 2014
51 expressing support for what became the 2015 Clean Water Rule; **NOW**,
52 **THEREFORE**,

53 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

54 The City Manager is directed to communicate to the EPA and the Corps to
55 preserve a broad definition of “Waters of the United States” that includes Clean
56 Water Act protections for headwater, ephemeral and intermittent streams and
57 wetlands, as defined by the 2015 Clean Water Rule.

58 **BE IT FURTHER RESOLVED:**

59 The City Manager is directed to encourage the residents of Austin and public
60 to submit similar public comments during the EPA’s 60-day public comment period
61 that ends April 15, 2019.

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64 **ADOPTED:** _____, 2019 **ATTEST:** _____

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Jannette S. Goodall
City Clerk