

TOWN OF HARPERSFIELD

RESOLUTION NO. 012 OF THE YEAR 2010

Councilman Morris Riddell Jr. offered the following resolution and moved its adoption:

TITLE: OPPOSITION TO RECENTLY PROPOSED TOTAL MAXIMUM DAILY LOAD ALLOCATIONS FOR THE CHESAPEAKE BAY WATERSHED IN NEW YORK STATE.

WHEREAS, clean water and healthy watersheds are a priority for all New York local governments; and

WHEREAS, the United States Environmental Agency Region 3 is implementing a Chesapeake Bay TMDL regulatory structure intended to limit nitrogen, phosphorus and sediment discharges into the Chesapeake Bay watershed; and

WHEREAS, New York State represents 10% of the Chesapeake Bay watershed area, New York accounts for 10% of the total watershed area which is mostly forested (76%), is home to 4% of the total population in the watershed and includes 19 counties, 650,000 residents and 2,000 New York family farms; and

WHEREAS, New York State Department of Environmental Conservation projects the federally-designed TMDL program will cost New York State as much as \$250 million over the next 15 years, without being able to satisfy USEPA's regulatory goal; and

WHEREAS, the best way to achieve the important public benefit of clean water at a regional level is through locally led conservation efforts, rather than a top-down federal, one-size-fits-all regulatory approach such as the USEPA's TMDL for the Chesapeake Bay watershed; and

WHEREAS, New York State, unlike the rest of its Chesapeake Bay watershed partners, has since 1985 been implementing programs and creating structures to achieve its portion of the watershed water quality which meets the TMDL thresholds set for water entering Chesapeake Bay; and

WHEREAS, USEPA's proposed TMDL regulation imposes disproportionately heavier restrictions for water quality in New York in order to help other states meet their overall TMDL goal, ignores New York's excellent record of environmental accomplishments over the past 25 years using the state and local conservation efforts and thereby forces unrealistic costs on businesses, governments and residents within the watershed areas; and

WHEREAS, the USEPA mandated TMDL allocations for NYS by

2025 are unattainable even with the elimination of animal agriculture and utilizing every best management practice available in the watershed area; and

WHEREAS, we oppose USEPA's one size fits all federal regulatory control that usurps state and local jurisdiction and authority in order to impose their TMDL, instead of working collaboratively with State agriculture and environmental protection agencies, Soil and Water Conservation Districts and local communities to address Bay watershed water quality concerns.

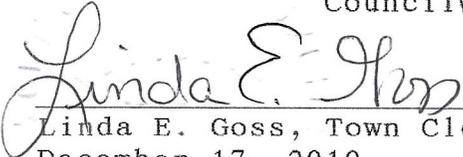
NOW, THEREFORE BE IT RESOLVED, that while the Town of Harpersfield fully supports responsible efforts to improve water quality in all watersheds including the Chesapeake Bay watershed and protect our State's environmental and natural resources, we object to the unfair and unattainable mandate the Chesapeake Bay TMDL forces upon our local governments, local communities and family farms; and

BE IT FURTHER RESOLVED, that the Town of Harpersfield urges its Congressional and State representatives to intercede with USEPA, and enact legislation if required to delay the implementation of the Chesapeake Bay TMDL and request that USEPA report to them on their response and adaptations regarding the aforementioned concerns; and

BE IT FURTHER RESOLVED, that this resolution be sent to all appropriate state and federally elected officials, EPA Administrator Lisa Jackson, Regional Administrator Shawn M. Garvin from Region 3, Regional Administrator Judith A. Enck from Region 2 and NYSDEC Acting Commissioner Peter Iwanowicz.

Seconded by Councilman Harold Bedford with a roll call vote as follows:

Adopted:	Supervisor	James Eisel Sr.	Aye.
	Councilman	Harold Bedford	Aye.
	Councilman	Morris Riddell Jr.	Aye.
	Councilwoman	Catherine Straus	Aye.

  
Linda E. Goss, Town Clerk  
December 17, 2010