

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

2  
3  
4  
5  
6

7  
8

9.0

- 1
- 2
- 3
- 4

5  
6  
7

8  
9  
0  
1

2  
3  
4

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

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

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

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

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

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED:**

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

**ADOPTED:** \_\_\_\_\_, 2019    **ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk