

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF OPPOSING H.R. 961-	)	RESOLUTION NO. 95-2204
THE FEDERAL CLEAN WATER ACT	)	
REAUTHORIZATION BILL OF 1995	)	Introduced by the Land Use Committee

WHEREAS, Metro is the Clean Water Act Section 208 agency, as designated by the Environmental Protection Agency (EPA), for taking a lead role in regional planning efforts with regard to nonpoint source water pollution abatement and land use planning in the Portland metropolitan region; and

WHEREAS, On May 16th, 1995 the U.S. House of Representatives passed H.R. 961 - *The Clean Water Act Reauthorization Bill of 1995*, which significantly weakens the water quality protections now in force as part of the current Clean Water Act; and

WHEREAS, H.R. 961 if signed into law would result in curtailment of current and future efforts to reduce water pollution from urban, industrial and agricultural runoff, which according to the Oregon Department of Environmental Quality are now the most significant causes of degraded water quality in the nation; and

WHEREAS, H.R. 961 would also significantly reduce existing protections for the nation's wetlands, which provide numerous important environmental functions including filtration and clean-up of water pollution, flood storage, critical fish and wildlife habitat, and groundwater recharge; and

WHEREAS, Nonpoint source and stormwater pollution remain a major source of pollution in our state's rivers and streams. H.R. 961 fails to adequately address nonpoint source issues and would repeal the federal stormwater permit process; and

WHEREAS, Metro surveys have found that citizens of the region value clean rivers and streams and support environmental efforts that improve and restore water quality and protect natural areas; and

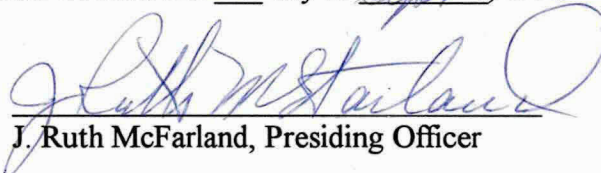
WHEREAS, H.R. 961 puts at risk wetlands, streams and natural areas managed by Metro; and

WHEREAS, The Senate is about to begin consideration of its own version of the Clean Water Act Reauthorization; now, therefore,

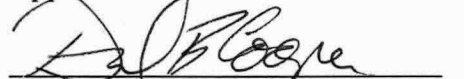
BE IT RESOLVED

1. That the Metro Council opposes excessive changes to the Clean Water Act as proposed in H.R. 961 - *The Clean Water Act Reauthorization Bill of 1995*, and urges members of the U.S. Senate to retain levels of water quality and wetlands protection similar to those contained in the current version of the Federal Clean Water Act.

ADOPTED by the Metro Council this 21 day of Sept, 1995

  
J. Ruth McFarland, Presiding Officer

Approved as to Form:

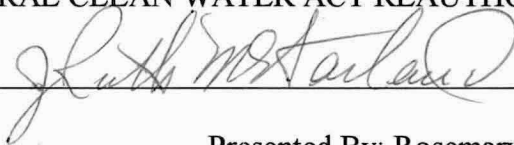
  
Daniel B. Cooper, General Counsel

Copy to  
S. Lee 9/7

~~Sept 14~~ - Council  
meeting  
Sept. 12  
Land Use Com.

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 95-2204 FOR THE PURPOSE OF OPPOSING H.R. 961 - THE FEDERAL CLEAN WATER ACT REAUTHORIZATION BILL OF 1995

 Sept 6, 1995

Date: August 28, 1995

Presented By: Rosemary Furfey

## FACTUAL BACKGROUND

The Clean Water Act (CWA) of 1972 was adopted with bi-partisan support to address the serious condition of water quality in U.S. rivers and streams. Two decades ago, sewage and toxic pollution made many U.S. waters unfit for human uses. Some bodies of water such as the Cuyahoga River in Ohio, were so polluted they even caught on fire. In Oregon, the polluted Willamette River could no longer sustain its thriving salmon populations.

Since implementation of the CWA, there has been marked improvement in the water quality of U.S. waters and achievement of designated uses for swimming and fishing in coastal, river, lake and estuary waters throughout the U.S. The CWA requires strict wastewater effluent discharge standards to rivers and oceans, requires national assessments of water quality, emphasizes nonpoint source pollution controls and controls industrial discharges.

Though national water quality improvements have been impressive, there is still a need to improve water quality, particularly in urban areas. For example, the Oregon Department of Environmental Quality has identified two water quality limited streams in the Metro region: the Tualatin River and the Columbia Slough. Others, such as Johnson Creek, may be named in the near future.

The CWA does not, however, address many of the sources of pollution that we now know significantly degrade U.S. waters. Polluted run-off -- rainfall and snowmelt carrying toxic pollutants and sediments -- continue to impair more U.S. waters than any other source and is virtually unregulated under the CWA. U.S. wetlands continue to disappear and untreated sewage continues to enter U.S. waters, including the Willamette River and Columbia Slough. Jurisdictions and special districts throughout the Metro region are actively implementing programs to address these issues and educate the public about how to reduce pollutants entering rivers and streams.

## FACTUAL ANALYSIS

The U.S. House of Representatives on May 16, 1995 passed legislation which would dramatically weaken the Clean Water Act. This legislation, H.R. 961 -- *The Federal Clean Water Act Reauthorization Bill of 1995*, would make a wide range of changes to the CWA which will change many of its standards and programs. It would also have direct statewide implications for water quality, water-related recreational and economic activities dependent on clean rivers and

streams.

H.R. 961 will reverse many of the important gains in water quality improvements achieved since 1972. This bill will:

- repeal existing stormwater permitting programs for urban areas;
- change the definition of wetlands to one without scientific credibility and changes the regulatory administration of wetland permitting;
- waive secondary sewage treatment requirements when discharging into the ocean;
- weaken the definition and standards for pollution control technologies; and
- further weakens the nonpoint source pollution control requirements and use of best management practices.

There are several implications for the Portland metropolitan region if this bill is enacted. It can be expected that the current and future nonpoint source pollution control programs in the Metro region will not be implemented with a weakened CWA. Cities, counties and special districts are spending millions of dollars to address combined sewer overflow issues in the Willamette River and Columbia Slough, improve water quality in the Tualatin River watershed, develop nonpoint source management programs, and educate the public about how to protect rivers and streams. H.R. 961 puts these investments at risk because clean water in the Metro region is dependent on activities upstream in the Willamette River and Columbia River watersheds.

Numerous surveys document that citizens in the Metro region value clean water and enjoy water-related sports and recreation activities. Citizens in this region value natural areas and the rivers and streams associated with them. The future livability and economic viability of this region is tied to its environmental quality. For example, many high technology firms are moving to the Metro region because of its plentiful supply of clean water. H.R. 961 will result in deterioration of water quality in the Metro region and by extension will affect the economic health of the region.

The City of Portland and Association of Bay Area Governments have recently passed similar resolutions opposing excessive changes to the Clean Water Act as proposed in H.R. 961 -- *The Clean Water Act Reauthorization of 1995*.

There are no direct impacts to Metro's budget as a result of this resolution.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 95-2204.