



Mid-Ohio Regional
Planning Commission

111 Liberty Street, Suite 100
Columbus, Ohio 43215

T 614.228.2663
TTY 800.750.0750

www.morpc.org

July 23, 2015

Hon. Sherrod Brown
713 Hart Senate Office Building
Washington, DC 20510

Subject: MORPC Interested Party Position on USEPA Clean Water Rule and S. 1140

Dear Senator Brown:

On behalf of the Mid-Ohio Regional Planning Commission (MORPC), I am writing to express our interested party position on the Clean Water Rule and S. 1140.

MORPC works on behalf of our more than 60 local government and regional organization members to develop innovative and responsive public policies and legislation that will foster economic prosperity, enhance the quality of life, and secure a competitive advantage for Central Ohio. Our membership is representative of the rural, urban, and suburban communities that comprise our growing region.

MORPC's work places a high priority on water quality and quantity, pollution reduction, and public health. We do this with a balanced approach by working with government officials, the agricultural community, universities, residents, and business leaders. We strive to implement this approach through a thoughtful collaborative process that supports regional prosperity and best represents our members and their interests.

On June 29, 2015, the US Environmental Protection Agency (USEPA) released a new Clean Water Rule, commonly referred to as Waters of the United States (WOTUS). The rule strives to protect water quality, better define terms, and simplify the permit review process. MORPC appreciates the intent of the new Clean Water Rule. Streams and wetlands are scientifically shown to have the greatest impact on downstream water quality and form a foundation to our nation's water resources.

On July 9, 2015, MORPC's members overwhelmingly endorsed an interested party position on both the Clean Water Rule and S. 1140 (legislation that seeks to repeal and revise the implementation of the new rule). As an interested party, MORPC wishes to ensure consideration of the viewpoints, concerns, and priorities of our local governments and to share these with our Congressional delegation, USEPA, and the U.S. Army Corps of Engineers.

All of our members agree that the intent of the new Clean Water Rule should be to protect our water quality and to better define terms to simplify the permit review process. However, there is strong disagreement on whether the recently issued rule meets that intent. As such, our board cannot reach consensus on either supporting or opposing S. 1140 or the Clean Water Rule.

Below are the arguments that reflect the variety of support and concern with S. 1140 and the Clean Water Rule heard from MORPC's local government and associate members as well as our community, agricultural, environmental, transportation, and business stakeholders.

William Murdock, AICP
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Chair

Matt Greeson
Vice Chair

Rory McGuinness
Secretary

MORPC local government members opposing S. 1140 and supporting the Clean Water Rule argue the rule:

- focuses on improving water quality as a critical regional priority, especially in light of recent nitrate and algae bloom occurrences which significantly affected major sources of Central Ohio's public water supply
- addresses urgent water quality issues without further delay and allows for revisions should concerns arise with implementation of the rule
- helps maintain and possibly reduce water treatment costs needed to provide clean, safe drinking water to residents and businesses
- shortens the length of the permit process with better definitions that clarify which types of waters are exempt from the permit process

MORPC local government members supporting S. 1140 and opposing the Clean Water Rule argue the rule:

- needs to be delayed and revised to better address concerns of local governments
- did not include robust discussions with state and local governments as legally required and necessary to find practical, workable rules and regulations that achieve our shared goals of protecting water resources, ensuring the safety of our communities, and minimizing unnecessary delays and costs
- is premature and requires additional economic consultation to fully understand the actual costs and impacts to development and transportation projects in light of the ever-expanding reach of federal regulation and ever-growing project review times which result in increased construction costs and delayed implementation of needed transportation projects
- introduces new and unclear definitions that will likely have negative impacts on economic and agricultural development

As an interested party, MORPC intends to serve as a resource for you and your staff to both inform and represent our members' concerns. We will also continue to educate and update our local government members and committees on the status of S. 1140 and the Clean Water Rule. As the legislative and legal efforts surrounding the implementation of the rule develop, MORPC may also revisit its position in response to its membership's concerns.

Please feel free to contact me at (614) 233-4101 or wmurdock@morpc.org, with any questions or for more information regarding this important issue.

Kind regards,



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Executive Director



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Hon. Rob Portman
448 Russell Senate Office Building
Washington, DC 20510

Subject: MORPC Interested Party Position on USEPA Clean Water Rule and S. 1140

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Ms. Stacey Jensen
Regulatory Community of Practice
U.S. Army Corps of Engineers
441 G Street NW
Washington, DC 20314

Subject: MORPC Interested Party Position on USEPA Clean Water Rule and S. 1140

Dear Ms. Jensen:

On behalf of the Mid-Ohio Regional Planning Commission (MORPC), I am writing to express our interested party position on the Clean Water Rule and S. 1140.

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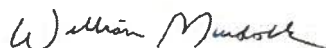
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Ms. Donna Downing
Office of Water (4502-T)
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Subject: MORPC Interested Party Position on USEPA Clean Water Rule and S. 1140

Dear Ms. Downing:

On behalf of the Mid-Ohio Regional Planning Commission (MORPC), I am writing to express our interested party position on the Clean Water Rule and S. 1140.

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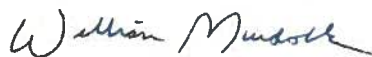
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