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Senate Resolution 433

By: Senators Tolleson of the 20th, Bulloch of the 11th and Hooks of the 14th

ADOPTED SENATE

A RESOLUTION

- 1 Requesting that the Congress of the United States oppose legislative efforts to expand the
- 2 reach and scope of the Clean Water Act; and for other purposes.
- 3 WHEREAS, over the past 35 years, the federal Clean Water Act (CWA) has governed the
- 4 nation's waters and has helped ensure that Americans enjoy some of the cleanest rivers and
- 5 lakes in the world; and
- 6 WHEREAS, the CWA has struck a proper balance between protecting our clean water and
- 7 maintaining state, local, and federal regulatory authority and responsibilities; and
- 8 WHEREAS, states and local governments exercise abundant care over the water and land use
- 9 decisions that are within their jurisdiction; and
- 10 WHEREAS, proposed federal legislation, The Clean Water Restoration Act, is intended to
- make extreme changes to the CWA that threaten to destroy the careful intergovernmental
- balance that has been the hallmark of the law during its long history; and
- 13 WHEREAS, this legislation would give the United States Environmental Protection Agency
- 14 (EPA) and the United States Army Corps of Engineers (the Corps) authority over all
- 15 interstate and intrastate waters and their tributaries, including nonnavigable waters, thereby
- 16 granting to Congress authority far beyond the original scope of the CWA; and
- 17 WHEREAS, if passed, this legislation would dramatically expand the reach of the federal
- bureaucracy and would fundamentally erode the ability of state and local governments to
- 19 manage their own water resources; and
- 20 WHEREAS, the legislation would also grant the EPA and the Corps the authority to regulate
- 21 public or private activities affecting these newly defined waters regardless of whether the

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22 activity is occurring in, or may impact, water at all, creating nearly limitless federal

- 23 permitting requirements that further intrude upon local government land use decisions; and
- 24 WHEREAS, a recent nation-wide poll shows that 63 percent of Americans surveyed oppose
- 25 the proposed extreme changes to the CWA, 47 percent of whom strongly oppose any change
- 26 in the CWA that would give the federal government veto power over state and local
- 27 governments when it comes to local land and water use decisions.
- NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
- 29 request that the Congress of the United States oppose legislative efforts to expand the reach
- 30 and scope of the Clean Water Act, thereby preserving the traditional power of states over
- 31 land and water use decisions.
- 32 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
- 33 to transmit an appropriate copy of this resolution to each member of the Georgia
- 34 congressional delegation.