

**RESOLUTION NO. 193**

**TITLE: OPPOSITION TO RECENTLY PROPOSED TOTAL MAXIMUM DAILY LOAD  
ALLOCATIONS FOR THE SUSQUEHANNA RIVER IN NEW YORK STATE  
WATERSHED AFFAIRS**

**WHEREAS**, Delaware County supports the reasonable, cost effective and science-based protection of natural resources while protecting the economic integrity of the county; and

**WHEREAS**, Delaware County has demonstrated its commitment to protecting water quality by adopting (August 1999, Resolution No. 213 ) and implementing its Delaware County Action Plan county-wide; and

**WHEREAS**, even though Delaware County in partnership with other New York State counties have made significant improvements in water quality with regard to phosphorus, nitrogen, and sediment since the mid-1980's, it has been summarily dismissed by the Environmental Protection Agency (EPA) while other signatory states in the basin have increased their pollution footprint; and

**WHEREAS**, the New York State Department of Environmental Conservation (NYSDEC) provided reasonable and achievable thresholds for pollutant loading reductions from various sources for phosphorus, nitrogen and sediment through the Watershed Implementation Plan (WIP); and

**WHEREAS**, EPA has rejected the NYSDEC WIP as they believe it was significantly flawed; and

**WHEREAS**, EPA allocations would require all farms to meet Concentrated Animal Feeding Operations (CAFO) standards, a standard that would bankrupt most farms; and

**WHEREAS**, EPA allocations would require approximately 50% of the existing impervious surfaces (parking lots) to be retrofitted with stormwater best management practices, an exercise that would be detrimental to local businesses; and

**WHEREAS**, EPA allocations would require wastewater treatment facilities to upgrade nitrogen and phosphorus reduction strategies that would place an unaffordable tax burden on village taxpayers and result in businesses leaving the basin; and

**WHEREAS**, EPA allocations would dictate even the smallest population centers to be classified as an MS-4, a stormwater classification that would require those communities to spend millions of dollars to treat stormwater for a relatively small amount of nutrient reduction.

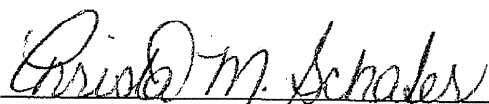
**NOW, THEREFORE BE IT RESOLVED**, the Delaware County Board of Supervisors strongly opposes this USEPA unfunded TMDL mandate which is untenable and economically destructive.

**BE IT FURTHER RESOLVED**, that this resolution be sent to all appropriate county, state and federally elected officials that have a represented interest in the Susquehanna River Basin, EPA Administrator Lisa Jackson, Regional Administrator Shawn M. Garvin from Region 3, Regional Administrator Judith A. Enck from Region 2 and NYSDEC Commissioner Acting Commissioner Peter Iwanowicz.

State of New York  
County of Delaware

I, Christa M. Schafer, Clerk of the Board of Supervisors of Delaware County, do hereby certify that the above is a true and correct copy of a resolution adopted by said Board on the 27<sup>th</sup> day of October 2010 and the whole thereof.

**IN WITNESS WHEREOF**, I have  
hereunto set my hand and affixed the seal of  
said Board at Delhi, New York, this 27<sup>th</sup> day  
of October 2010.

  
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Clerk, Delaware County Board of Supervisors