

RESOLUTION NO. 2010-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC. IN OPPOSITION TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S ("EPA") PROPOSAL TO ENACT NEW STRINGENT NUMERIC NUTRIENT WATER QUALITY STANDARDS TO BE APPLICABLE FOR ALL LAKES, FLOWING WATERS, CLASS III WATERS, AND COASTAL WATERS THROUGHOUT AND ADJACENT TO THE STATE OF FLORIDA AS AN AMENDMENT TO 40 CFR, PART 131.43 AND THE CLEAN WATER ACT, AT SEC. 303(c); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Directors of the Palm Beach County League of Cities, Inc. (the Board has become aware of proposed new rules dealing with the numeric nutrient content of various classes of waters located in and adjacent to the State of Florida; and

WHEREAS, the Board has submitted this important issue to its Environmental Committee for review; and

WHEREAS, members of the League's Environmental Committee have attended public hearings held on these issues of which there have been three (3) held in the State of Florida; and

WHEREAS, although the Board recognizes the critical importance of clean waters, it is believed that the rules currently under review have been proposed in reaction to a lawsuit filed against the EPA administrator by a number of environmental organizations in Florida alleging that the agency had failed to comply with its responsibility under the Clean Water Act to force the State of Florida to expeditiously adopt numeric criteria; and

WHEREAS, while the Board acknowledges the necessity of the adoption of new rules to maintain the highest quality of waters throughout the State of Florida, it appears that the deadlines proposed are really litigation driven as opposed to being based on scientific needs or technical procedures; and

WHEREAS, due to the above-referenced litigation, the State of Florida is the only state that has been singled out by the EPA with these imminent deadlines and federal oversight; and

WHEREAS, the Environmental Committee has reported to the Board that the extremely restrictive criteria the EPA is proposing will be fiscally impractical to meet, thus resulting in adverse economic impacts to the state's overall economy; and

WHEREAS, the current proposal treats all waters throughout the State of Florida the same even though South East Florida is significantly different from the rest of South

Florida and Palm Beach County is significantly different from the rest of South East Florida; and

WHEREAS, if this current proposal is approved, every major industry will be affected including agriculture, power generation, mining, seaports and even recreational facilities; and

WHEREAS, the Board of Directors of the Palm Beach County League of Cities, Inc. believes that the methodology utilized is arbitrary and that the current proposal is not in the best interests of the citizens of the State of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC., THAT:

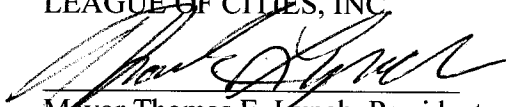
SECTION 1: The Board of Directors of the Palm Beach County League of Cities, Inc. (the "Board") hereby opposes the proposal of the EPA to enter into a consent order in the federal lawsuit subjecting the State of Florida to federal criteria; and respectfully requests our leaders in Washington, Tallahassee and at the local levels to intervene and demand that statewide numeric nutrient criteria be established through a science-driven process with adequate time to address concerns of regulated communities and with appropriate realistic time-frames for achieving compliance.

SECTION 2: The Board hereby requests that this resolution be sent directly to the EPA to be considered as public comment testimony in opposition to the proposed measures and to all other interested parties by March 29, 2010.

SECTION 3: This resolution shall take effect immediately upon adoption by the Board of Directors of the Palm Beach County League of Cities, Inc.

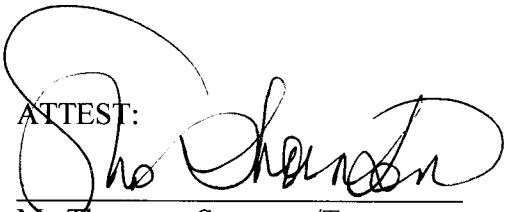
PASSED AND ADOPTED this 24th day of February, 2010.

BOARD OF DIRECTORS OF
THE PALM BEACH COUNTY
LEAGUE OF CITIES, INC



Mayor Thomas E. Lynch, President
(SEAL)

ATTEST:



Mo Thornton, Secretary/Treasurer