



GROUNDWATER MANAGEMENT DISTRICTS ASSOCIATION

RESOLUTION No. 4

"PL92-500, FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972"

WHEREAS, the staff of the Environmental Protection Agency, in administering the provisions of PL92-500 (The Federal Water Pollution Control Act Amendments of 1972) in accordance with Environmental Protection Agency's interpretation of the Act, has created many legal and economic questions and issues with the Act's implementation; and

WHEREAS, the purposes of PL92-500 would be better served and water quality better maintained if irrigation return flows were treated as non-point source agricultural runoff under Sec. 208 of PL92-500; and

WHEREAS, the time schedules of the Act are not achievable and the appeal procedures established by EPA regulations are arbitrary, capricious, unreasonable and deny due process; and

WHEREAS, the EPA has received court mandate to revise its water quality regulations in agricultural and other categories and has asked for suggestions concerning such revisions:

BE IT THEREFORE RESOLVED, that the Groundwater Management Districts Association, in order to obtain a more realistic approach to irrigation return flow, and particularly so that obligations of individuals or entities with respect to such return flows will be clear and understandable both to the public and to the officials administering the law, urges Congress to amend PL92-500 to:

1. Preserve the benefits to water users and the nation as a whole by treating irrigation return flows as non-point

source agricultural runoff so that procedures and strategies may be developed locally, by people with practical knowledge of the details of the situation in their areas;

2. Modify the time schedules of the Act so that such schedules will be realistic and achievable;
3. Eliminate the wasteful economic burden on a permittee who has been found not to be discharging pollutants from a point source; and
4. Require executive agencies to adopt practices and procedures for appeals to provide due process; and

BE IT FURTHER RESOLVED, that until such amendments have been accomplished the Groundwater Management Districts Association urges that water quality regulations under PL92-500 be revised by the various executive agencies to require that the National Pollution Discharge Elimination System shall apply only to point sources where substantial water quality problems are found to exist by a state or as a result of Sec. 208 studies.

ADOPTED, this 9th day of December, 1976.