

RESOLUTION
of
UPPER COLORADO RIVER COMMISSION

In re: S. 2280

WHEREAS, *National Wildlife v. Gorsuch, et al.* (U. S. District Court, District of Columbia), 16 ERC 2025, January 29, 1982, held that the Defendant, Anne Gorsuch, as Administrator of the Environmental Protection Agency, is required by Sections 301(a) and 402(a) of the Clean Water Act, 33 USC §§ 1311(a) and 1342(a), to regulate dams as point sources of pollution under the National Pollutant Discharge Elimination System; and

WHEREAS, the Court directed that the Environmental Protection Agency issue regulations under Section 402 of the Clean Water Act, 33 U.S.C. 1342(a), covering dams as a point source category; and

WHEREAS, the Court rejected the Environmental Protection Agency's position that the releases from reservoirs were not subject to the National Pollutant Discharge Elimination System; and

WHEREAS, Senator Murkowski (for himself and Senator McClure) introduced S. 2280 to exempt dams from the requirements of the National Pollutant Discharge Elimination System.

NOW, THEREFORE, BE IT RESOLVED that the Upper Colorado River Commission, at its Adjourned Regular Meeting, Denver, Colorado, May 13, 1982, does hereby express its support for the passage of S. 2280 which would amend the Clean Water Act to eliminate the application of NPDES permits to discharges from reservoirs;

BE IT FURTHER RESOLVED that the Executive Director of this Commission is directed to transmit copies of this resolution to the Chairman of the Senate Committee on Environment and Public Works, to each of the Senators of the Upper Basin States, to each of the members of the House of Representatives from the Upper Basin States, to the Administrator of the Environmental Protection Agency, and to each of the Governors of the member States of this Commission.

CERTIFICATE

I, PAUL L. BILLHYMER, Executive Director and Secretary of the Upper Colorado River Commission, do hereby certify that the above Resolution was adopted by the Upper Colorado River Commission at the Adjourned Regular Meeting held in Denver, Colorado on May 13, 1982.

WITNESS my hand this 18th day of May, 1982.



PAUL L. BILLHYMER
Executive Director and Secretary