



## EPA: Water transfers will not need permits

Activists criticize move, agency says Clean Water Act will ensure safety

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WASHINGTON - The movement of billions of gallons of water around the country for drinking, irrigation and other uses will not require permits under the Clean Water Act, even though the water could contain contaminants, the Bush administration announced Monday.

The new rule will allow water to be diverted from one body to another without a discharge permit, which is typically required when pollutants are released directly into streams, rivers and other surface waters.

Instead, Environmental Protection Agency officials said, the agency will focus on preventing contaminants from entering water sources in the first place. In addition, safe drinking water laws ensure water is clean before it flows into households, and other parts of the Clean Water Act — such as water quality standards — will still protect supplies.

"Clean water permits should focus on water pollution, not water movement," Benjamin H. Grumbles, the EPA's assistant administrator for water, said in a statement. He later noted that the decision reaffirmed the agency's 30-year view of the Clean Water Act.

Environmental groups criticized the decision, saying it continues to allow pollution to flow into the nation's waterways.

"You could take a really scuzzy canal system ... and pump it into a drinking water supply," said David Guest, managing director of the Florida office for Earthjustice. In 2006, in response to a lawsuit filed by the group, a federal judge directed the South Florida Water Management District to obtain a discharge permit to pump tainted water from drainage canals into Lake Okeechobee.

The EPA's decision Monday comes down on the other side of the issue, and could affect pending court cases, including the appeal in the South Florida case, said James Nutt, the lead counsel for the water management district.

Thousands of water transfers occur across the country each year. They provide water for city dwellers, irrigation projects, dams and ecological restoration. The EPA has never routinely required them to be permitted under the Clean Water Act.

Municipal water districts that rely on water transfers applauded the decision.

"The problem isn't the transfer, it's the introduction of the pollutant in the first place," said Chips Barry, the general manager of the Denver Water Department. Denver receives 45 percent to 55 percent of its drinking water through two tunnels that bore through the Rocky Mountains, releasing the water into the South Platte River before it is piped to the city. "In some cases, the imported water is cleaner than the water in stream in the first place."

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