

WOTUS: Key Elements for the Clean Water Community

- The draft rule:
 - Maintains exemption for waste treatment systems
 - Exempts groundwater from federal jurisdictional reach.
 - Does not change the regulatory status of water transfers.
 - Exempts incidental stormwater discharges from lands used for biosolids application under the agricultural stormwater discharge exemption.



WOTUS: Clarifications NACWA Will Seek

- Clarify MS4s are covered by the waste treatment system exemption
- Ditches
- Clarify, in writing, the rule does not make green infrastructure (GI) installations jurisdictional
- Regulatory exemption of recycled water projects
- Address differences in how states have implemented CWA jurisdiction in the past in the rule preamble
- Implications of the rule on SSOs