The Honorable James Oberstar
Chairman
House Transportation & Infrastructure Committee
via facsimile: 202.225.0699

Dear Chairman Oberstar:

Thank you for introducing H.R. 2421, the Clean Water Restoration Act of 2007, to clarify the scope of the Federal Water Pollution Control Act, or Clean Water Act. The Supreme Court’s decision in Rapanos v. United States (2006) and the subsequent implementing guidance jointly issued by the Environmental Protection Agency and the Army Corps of Engineers have, at best, caused total confusion about and, at worst, narrowed the applicability of the Clean Water Act’s protections against the addition of pollutants to our surface water resources. Your introduction of the Clean Water Restoration Act of 2007 is an important effort toward ensuring Arizona’s, indeed the nation’s, crucial and limited surface water resources are protected for all present and future uses in these times of long-term drought, climate change and explosive growth.

The implementation of the Clean Water Act in Arizona long has protected Arizona’s wetlands, streams, canals, and lakes for drinking, wildlife, recreation, tourism and irrigation, to name a few important uses of our water resources. Arizona and the federal government combined properly have spent millions since the enactment of the Federal Water Pollution Control Act to assess water quality throughout our state and to protect those uses through point source permitting, Total Maximum Daily Load studies and monitoring, Section 319 non-point source grants, and other Clean Water Act programs. The Clean Water Restoration Act of 2007 offers a recognition and ratification of these critical efforts to protect the scarce and precious water resources in our arid state.

While we have some outstanding water pollution control laws in Arizona, we rely on the federal Clean Water Act to protect Arizona’s surface water quality for many of our water uses. Therefore, I support your effort to maintain the clean water protections we have enjoyed for more than three decades and denounce any effort to the contrary. Arizona’s water resources are far too precious to waste.

Yours very truly,

Janet Napolitano
Governor

cc: AZ Congressional Delegation