The Honorable John D. Dingell  
United States House of Representatives  
Washington, DC 20515

The Honorable James L. Oberstar  
United States House of Representatives  
Washington, DC 20515

Dear Representatives Dingell and Oberstar:

The citizens of New Mexico recognize that our State’s waters are essential to our culture, our health and well-being, and to our economic future. Therefore, I offer my support for the Clean Water Authority Restoration Act of 2007 and join you in protecting our Nation’s waters in accordance with the original intent of the federal Clean Water Act.

In the southwest, water is in particularly limited supply, which underscores the need for well-defined robust federal protection under the Clean Water Act. In New Mexico alone, the aftermath of Supreme Court decisions *SWANCC (2001)* and *Carabel* and *Rapanos (2006)* have left 84 miles of perennial streams, 3,900 miles of intermittent waters, 4,000 playa wetlands, and numerous headwaters, springs, ciénegas and isolated wetlands with limited federal protection. In addition, closed basins which comprise 20 percent of New Mexico’s land area are considered to now fall outside of the jurisdiction of the Clean Water Act. Loss of federal protection leaves these and a significant portion of the Nation’s critical waters exposed to destruction and pollution. In addition, the recent Supreme Court rulings have led to confusion regarding the scope of federal protection under Clean Water Act programs, which in turn has caused uncertainty and the potential for environmental degradation.

The goal of the Clean Water Act is clear and necessary: to restore and protect the chemical, physical, and biological integrity of the waters of the United States. This is a goal that can be achieved only through cooperative efforts that include all states, comprehensive protection at the federal level to support state’s efforts, and by careful and vigilant attention to our aquatic ecosystems. To remove protection afforded by the Clean Water Act from critical portions of our Nation’s aquatic systems and to protect only selected reaches of our waters will result in real costs for our citizens – costs to the economy, the environment and to our quality of life.
The Clean Water Authority Restoration Act of 2007 provides a logical and practical solution by restoring the traditional scope of the Clean Water Act and clarifying the purpose of the Act based on long-standing regulatory definitions. This is not an expansion of federal authority but a return to a clear and comprehensive common goal. This action will also allow continued state-federal partnerships to provide streamlined and efficient regulatory programs such as those that have been in operation for more than 30 years.

The Citizens of New Mexico depend on the protection of a clean environment and sustainable water supply to serve our needs and the quality of life for future generations. If we are to ensure that New Mexico’s waters and the nation’s waters are protected now and for future generations, we must act collectively to restore the purpose, the scope, the clarity and the predictability of the Clean Water Act so that it will once again serve as the primary and comprehensive protection of our Nation’s waters.

Therefore, I fully support the Clean Water Authority Restoration Act of 2007.

Sincerely,

Bill Richardson
Governor of New Mexico

BR/zw

Cc: NM Congressional Delegation:
    Senator Pete Domenici
    Senator Jeff Bingaman
    Representative Steve Pearce
    Representative Heather Wilson
    Representative Tom Udall