Protect Arizona’s Waters
Support the Clean Water Restoration Act (H.R. 2421 and S.1870)

Arizona’s Rivers, Lakes and Streams
Arizona’s rivers, lakes, streams and other waterways are important to our environment, economy, wildlife and way of life. These waterways provide Arizonans with clean water to drink and safe places to swim, boat and fish. We have made significant strides in cleaning up our other waterways since Congress passed the Clean Water Act over 35 years ago. That progress is now in jeopardy as a result of recent court challenges by polluters and federal agency policies. To protect the Colorado River, the Gila River and our other waterways, Congress should pass the Clean Water Restoration Act and restore protections to all of America’s waters.

Waters at Risk
For decades, the Clean Water Act has covered all of the nation’s waters, from the Colorado River to its source water streams and associated wetlands. Two recent U.S. Supreme Court decisions, Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers in 2001 and Rapanos v. U.S. in 2006, and U.S. EPA and U.S. Army Corps of Engineers policies have thrown that longstanding certainty into doubt. Nearly 60 percent of stream miles in the continental U.S. do not flow year-round and there are millions of acres of wetlands that are associated with these smaller streams or that are considered “isolated” from other waters. As a result of the Supreme Court decisions and the agencies’ policies, these smaller waters are in danger of losing federal Clean Water Act protections. These streams and wetlands at risk support the state’s larger river and lakes by supplying water, filtering out pollution, slowing flood waters, and providing habitat to fish, birds and other wildlife.

- The US Army Corps of Engineers recently suspended its decision that two reaches of the Santa Cruz River are traditionally navigable. As a result, streams that flow into the Santa Cruz and their related wetlands could lose Clean Water Act protection.
- In Arizona, 94 percent of streams only flow for part of the year and 56 percent of streams are headwater streams with no other streams flowing into them. These are some of the waters most at risk of losing Clean Water Act protection.
- More than 810,000 Arizonans get their drinking water from public water supplies that are fed at least in part by headwater or seasonal streams. Nationwide, over 110 million Americans get their drinking water from public supplies fed by these types of streams.

Pass the Clean Water Restoration Act
To protect Arizona’s rivers and lakes, we must safeguard the streams and wetlands that feed and clean them. The Clean Water Restoration Act (H.R. 2421 and S. 1870) would reaffirm longstanding Clean Water Act protections to all of America’s waterways as Congress originally intended. The bill would:

- Adopt a statutory definition of “waters of the United States” based on decades-old definition in U.S. EPA’s and U.S. Army Corps of Engineers’ regulations (40 CFR 122.2 and 33 CFR 328.3);
- Delete the word “navigable” from the Clean Water Act to clarify that the Act is principally intended to protect the nation’s waters from pollution, not just maintain navigability;
- Make findings that articulate the basis for Congress’ assertion of constitutional authority over the nation’s waters, including smaller waters and so-called “isolated” waters.

For More Information:
Christy Leavitt
(202) 683-1250
christyl@environmentamerica.org
www.environmentarizona.org