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Senator Crapo determined to block changes to Clean Water Act

By Agri-Pulse Staff

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Reacting to the Senate Environment and Public Works Committee's 12-7 vote Thursday approving changes to the Clean Water Act, Senator Mike Crapo (R-ID) placed a "hold" on the bill, signaling his readiness to filibuster the bill if necessary.

Charging that S. 787, the Clean Water Restoration Act, would significantly expand federal government power, Crapo joined the other Republicans on the committee in voting against the bill. He warned that "This bill threatens the current Clean Water Act statute and would allow for government regulation of virtually all interstate and intrastate waters and their tributaries, including rivers, intermittent streams, mudflats, sandflats, prairie potholes, wet meadows, playa lakes, natural ponds and others. It also would grant federal regulators new and expanded authority over activities affecting these waters, which has serious implications for commerce."

Crapo said he intends "to use every tool and privilege afforded to slow or stop this ill-conceived attack on Idaho's sovereignty over managing its water."

Crapo criticized the Baucus/Klobuchar/Boxer bill for re-writing the Clean Water Act to replace "navigable" with "waters of the United States." He said this change in language "goes beyond restoring the regulatory environment that existed before the [U.S. Supreme Court 2001 and 2006] Rapanos and SWANCC decisions. In fact, it expands the scope of the Act by changing the standard for triggering federal jurisdiction. I have grave reservations about fundamentally altering the intent and scope of the Clean Water Act, and I look forward to opposing this bill if it ever makes it to the floor of United States Senate."

The bill was introduced as a result of the Supreme Court rulings in *Solid Waste Agency of Northern Cook County (SWANCC) v. Corps of Engineers* in 2001 and *Rapanos v. United States* in 2006. The Court ruled in those cases that "navigable waters" only applies to large, continuously flowing bodies of water.

For details on the Senate Environment and Public Works Committee's vote, go to: <http://www.agri-pulse.com/uploaded/20090618H1.pdf>