



News Release

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U.S. Supreme Court sides with the States in WOTUS Decision

Attorney General Herbert H. Slatery III applauds the United States Supreme Court's unanimous decision to reverse the Sixth Circuit ruling in *Waters of the United States* (WOTUS).

The Supreme Court's decision to require the rule be challenged in federal district courts, a more local and direct route than being limited to the U.S. Court of Appeals, helps protect the States and individual property owners from unlawful federal overreach.

This week's U.S. Supreme Court decision is another positive step for the States in challenging the Obama-era rule.

"The Courts have consistently sided with the States, and this is another important decision," General Slatery said. "As we have stated from the outset, the WOTUS Rule is unlawful under the Clean Water Act, U.S. Supreme Court precedent, and the U.S. Constitution."

In 2015, the Sixth U.S. Circuit Court of Appeals sided with the states and issued a nationwide stay blocking enforcement of the U.S. Environmental Protection Agency's WOTUS Rule. On June 27, 2017, EPA Administrator Scott Pruitt announced his intent to rescind the rule.

The WOTUS Rule's broad assertion of authority unlawfully encroaches on the States' traditional role as the primary regulators of land and water resources. The Rule asserts sweeping federal authority over usually dry channels, roadside ditches, and isolated streams. The Rule also asserts federal authority over land covered by water only once every one hundred years.

