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EPA's revised WOTUS rule misses the mark for states' rights and regulatory certainty

ARLINGTON, Va. -- With today's release of their revised 'Waters of the U.S.' rule, the U.S. Environmental Protection Agency (EPA) and Army Corps of Engineers have disregarded the U.S. Supreme Court, local regulators and public stakeholders' expertise and concerns. National Association of State Departments of Agriculture Ted McKinney shares the frustration agriculture departments across the country feel.

"The ruling in Sackett vs. EPA was a chance for EPA and the Army Corps to correct a deeply flawed, prematurely released rule and work to truly improve water quality outcomes. It is baffling that the revised rule does not accurately address all the issues and questions raised by the Supreme Court in the Sackett decision, nor does it address many of the questions stakeholder groups raised about the WOTUS rule EPA released at the end of last year," McKinney said.

NASDA repeatedly [asked for engagement with](#) and [offered input](#) to EPA and Army Corps, yet the agencies made the decision to exclude active participation not only from regulated stakeholders but also from states who share in the regulatory responsibility.

NASDA remains ready and willing to work with the agencies on a durable, clearly defined rule and aiding farmers, ranchers and local regulators in interpreting how to implement the current rule.

NASDA is a nonpartisan, nonprofit association which represents the elected and appointed commissioners, secretaries and directors of the departments of agriculture in all 50 states and four U.S. territories. NASDA enhances American food and agricultural communities through policy, partnerships and public engagement. To learn more about NASDA, please visit www.nasda.org.

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