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Jim Price Featured in Missouri Municipal Review for 2023 Clean Water Act Amendment Discussion

Spencer Fane attorney Jim Price's analysis of the 2023 Clean Water Act amendment was recently featured in the January / February edition of the *Missouri Municipal Review* under the title, "EPA, Army Amend WOTUS Rule in Response to Supreme Court's Sackett II Ruling."

In the feature, previously published on the Spencer Fane Environmental and Energy Law Solutions blog, Jim outlines how the U.S. Environmental Protection Agency (EPA) and Army Corps of Engineers reconfigured the "Waters of the United States" (WOTUS) definition to conform with the recent *Sackett v. EPA* (*Sackett II*) case, which ruled in favor of Sackett. Jim writes, "*Sackett II* struck down the agencies' previous definition asserting authority over properties with a 'significant nexus' to wetlands and streams. The Supreme Court held the agencies exceeded the authority granted to them by Congress under the Clean Water Act."

The new amendment to the 2023 Clean Water Act definition of WOTUS both removed and clarified certain references in favor of a continuous surface connection between federally protected waters and adjacent wetlands, streams, and other waters, although Jim notes jurisdictional determinations will still be necessary to provide certainty.

At the firm, Jim serves as co-chair of the Environmental Law practice group and concentrates his practice on environmental regulation and compliance, environmental litigation, toxic torts, and business transactions involving environmental issues.

Read Jim's article, "The EPA and Army Amend 'Waters of the United States' Rule in Response to the Supreme Court's Sackett II Ruling," on the Spencer Fane blog.