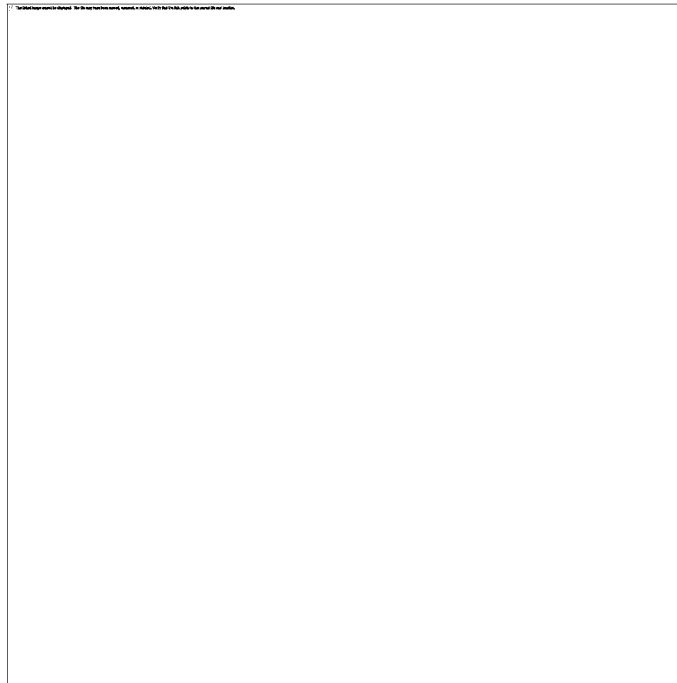


Message

From: Don Parrish [donp@fb.org]
Sent: 1/24/2018 4:02:12 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, E]
Subject: FW: What They Are Saying: SCOTUS' WOTUS Ruling

From: Waters Advocacy Coalition [mailto:watersadvocacy@gmail.com@mail121.suw91.mcdlv.net] **On Behalf Of** Waters Advocacy Coalition
Sent: Wednesday, January 24, 2018 11:00 AM
To: Don Parrish
Subject: What They Are Saying: SCOTUS' WOTUS Ruling

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January 24, 2018

What They Are Saying: SCOTUS' WOTUS Ruling

Good morning and welcome back to your regular briefing from the Waters Advocacy Coalition.

Are you still making sense of [this week's Supreme Court ruling](#), which clarified that district courts have jurisdiction over legal challenges to the 2015 waters of the U.S. rule? Catch up on our special update [HERE](#).

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Now to the latest reactions...

What Key Stakeholders Are Saying About SCOTUS' WOTUS Ruling

North Dakota Attorney General Wayne Stenehjem (R), **who led the coalition of 13 states that obtained the first preliminary injunction against the 2015 WOTUS rule**: "This is a major victory for North Dakota and our economy. We have argued from the beginning that the District Court here in North Dakota is the proper place for this litigation. **It is significant that the Supreme Court unanimously agreed with our position so we can continue our challenge to this unacceptable federal overreach.**"

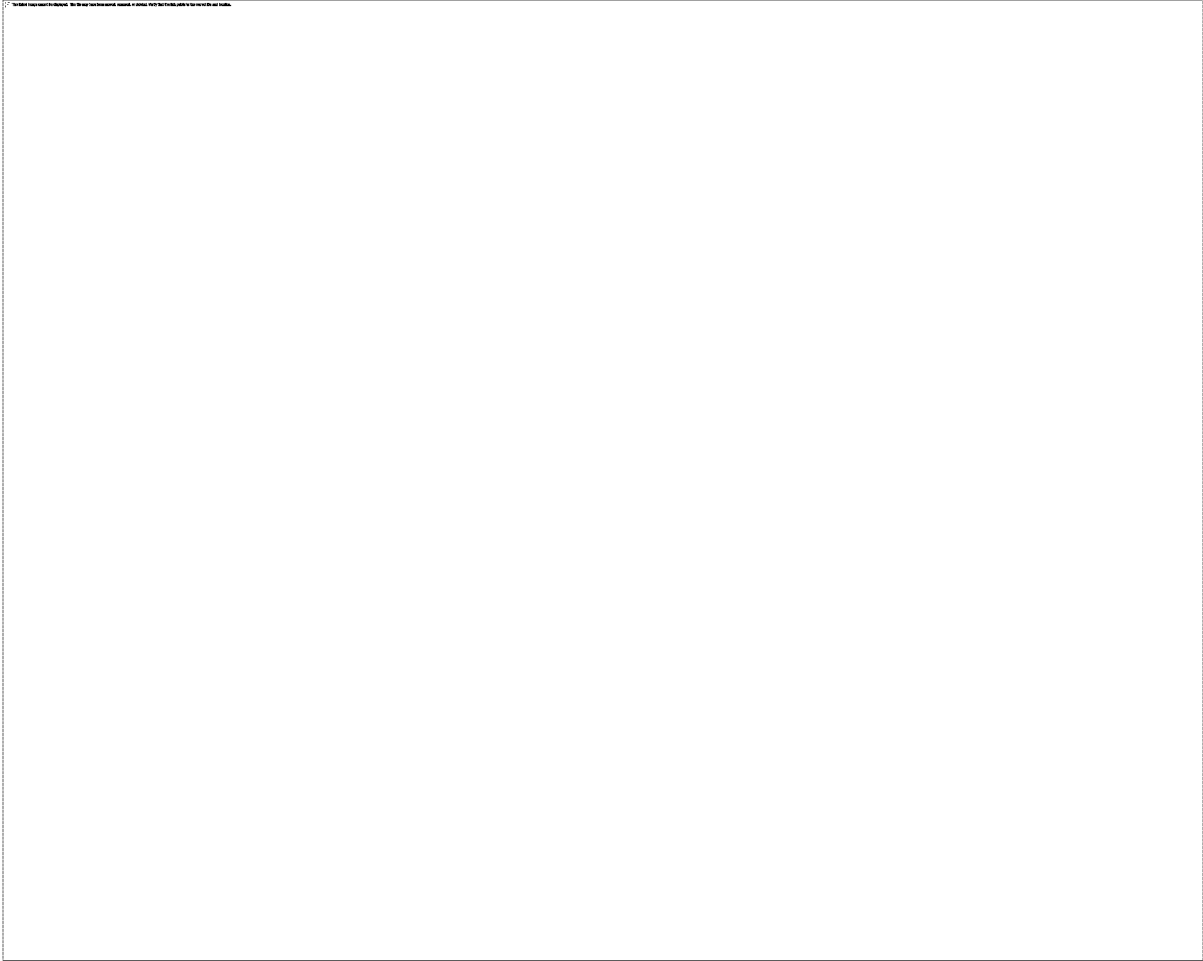
Montana Attorney General Tim Fox (R): "By moving forward with the lawsuit, the coalition of states hope to prevent any future presidential administration from violating federal law through the issuance of regulations in an attempt to circumvent Congress."

Arkansas Attorney General Leslie Rutledge (R): "The swift and strategic response of our coalition of attorneys general in 2015 was the best way to address the political agendas of our overreaching federal government."

National Association of Manufacturers Senior Vice President and General Counsel Linda Kelly: "We are fighting this overreaching and unfair rule in court because it threatens manufacturing jobs and fails to take a balanced approach to protecting clean water. We took our case to the highest court to seek clarity for manufacturers and to cut through the costly and wasteful procedural legal limbo. **We are pleased that the Supreme Court decided to help clarify what the law requires by taking action on this case.** That is a win for manufacturers. ... **We will continue to advocate a new rule that conforms to the Clean Water Act, protects our nation's waters and provides clarity for manufacturers and landowners around the country.**"

American Farm Bureau Federation General Counsel Ellen Steen: "This Supreme Court decision brings greater clarity to an important issue that has bogged down the litigation over this and other Clean Water Act regulations for years. **That is a positive result, but it also creates uncertainty and confusion in the short term, because the Sixth Circuit must soon lift its nationwide stay of the 2015 rule.** ... AFBF is considering its options to avoid application of the 2015 rule while EPA moves forward with an appropriate long-term solution that provides clear rules and clean water without requiring a federal permit to plow a field."

Pacific Legal Foundation Vice President for Litigation James S. Burling: "The EPA's 'waters of the United States' rule may be the most brazen—and lawless—expansion of bureaucratic power in American history. The regulators who imposed it tried to shield it from review by limiting opportunities for the public to bring challenges. **The Supreme Court struck a blow for liberty by rejecting this ploy and guaranteeing access to justice for the EPA's victims.** ... If the EPA had succeeded in blocking victims of the WOTUS rule from seeking redress, other agencies would have tried similar ploys. The Supreme Court's rejection of the EPA's power play strengthens everyone's right to challenge bureaucratic abuses, all across the governmental landscape."



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