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January 31, 2020

New Regulations Narrow Reach of Clean Water Act

The U.S. Environmental Protection Agency and the Army Corps of Engineers have jointly issued [new regulations](#) to redefine what types of water bodies are covered by the Clean Water Act. Dubbed the "Navigable Waters Protection Rule," the new regulations are the culmination of the Trump administration's efforts to undo the broad interpretation of federal jurisdiction embodied in the Obama administration's 2015 "Clean Water Rule." According to the preamble, the new regulations maintain "federal authority over those waters that Congress determined should be regulated by the Federal government under its Commerce Clause powers, while adhering to Congress' policy directive to preserve States' primary authority over land and water resources." The agencies contend that the new rule "increases the predictability and consistency of Clean Water Act programs by clarifying the scope of 'waters of the United States' federally regulated under the Act." A comprehensive summary of the new regulations, by Marc Bruner and [Andrea Driggs](#), is available [here](#).

