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# PRESS RELEASE

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Contact: ECOS Executive Director Ben Grumbles, (202) 266-4929 or [bgrumbles@ecos.org](mailto:bgrumbles@ecos.org)

Environmental Council of the States (ECOS)

## **Supreme Court Ruling Underscores Importance of State Wetland Stewardship**

**Washington, DC** – Today, the Supreme Court ruled in *Sackett v. EPA*, reversing a decision by the U.S. Court of Appeals for the 9th Circuit that the Sackett’s land contains waters that are covered by the Clean Water Act (CWA) and therefore require a federal permit. The court’s decision relies on a more stringent jurisdictional test outlined in *Rapanos* in which wetlands with a continuous surface connection to a water of the United States are considered “adjacent” and covered by the CWA, rather than the “significant nexus” test also articulated in *Rapanos*, applied by the 9th Circuit, and used in previous EPA and Army Corps’ guidance.

“This decision underscores the increasingly important role of state environmental stewards in protecting wetlands and watersheds,” said Ben Grumbles, ECOS Executive Director. As stated in a recently updated [ECOS resolution on state assumption of the CWA Section 404 program](#), ECOS “supports U.S. Congressional action to authorize and appropriate adequate funding for states that assume the Section 404 permitting program and to broaden the eligibility of the existing U.S. EPA wetland grant program to support both development and implementation activities.”

*ECOS is the national nonprofit, nonpartisan association of state and territorial environmental agency leaders. For more information, visit [www.ecos.org](http://www.ecos.org).*