

New Clean Water Rule Signed

The U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers signed the new Clean Water Rule (Waters of the United States or WOTUS) on Thursday, January 23. This new rule replaces the 2015 WOTUS rule that has previously been withdrawn by the administration.

Florida Farm Bureau staff have not reviewed the finalized rule text but if similar to the draft rule released for public comment, the new rule will provide:

- Much needed clarity between what is considered federal waters and what is state waters
- A better understanding of excluded waters from federal regulation (i.e. a property owner should not have to hire lawyers and engineers to make that determination).
- Regional flexibility so that determination can be made on what is considered a regional average. The Corps of Engineers cannot make determination during periods of high rainfall or flooding.

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