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Administrator Zeldin Announces EPA Will Revise Waters of the United States Rule

Clearer, streamlined permitting will cut compliance costs, reduce cost of living, follow Supreme Court rulings

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WASHINGTON – U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin announced today that EPA will work with the United States Army Corps of Engineers to deliver on President’s Trump’s promise to review the definition of “waters of the United States.” The agencies will move quickly to ensure that a revised definition follows the law, reduces red-tape, cuts overall permitting costs, and lowers the cost of doing business in communities across the country while protecting the nation’s navigable waters from pollution. Given the U.S. Supreme Court’s watershed decision in *Sackett v. Environmental Protection Agency*, it is time for EPA to finally address this issue once and for all in a way that provides American farmers, landowners, businesses, and states with clear and simplified direction. Administrator Zeldin was joined by Senate Agriculture Chairman John Boozman (R-AR), Senator Kevin Cramer (R-ND), Senator Joni Ernst (R-IA), Senator Katie Britt (R-AL), Western Caucus Chairman Doug LaMalfa (R-CA-01), Representative Derrick Van Orden (R-WI-03), and Farm Bureau President Zippy Duvall for the announcement.

“We want clean water for all Americans supported by clear and consistent rules for all states, farmers, and small businesses,” said EPA Administrator Zeldin. “The previous Administration’s definition of ‘waters of the United States’ placed unfair burdens on the American people and drove up the cost of doing business. Our goal is to protect America’s water resources consistent with the law of the land while empowering American farmers, landowners, entrepreneurs, and families to help Power the Great American Comeback.”

“Farmers and ranchers are the best stewards of the land and need water regulations that are clear and practical, not burdensome,” said U.S. Secretary of Agriculture Brooke Rollins. “Thank you, Administrator Zeldin, for your leadership on this critical rule. USDA supports EPA’s revisions to WOTUS that provide certainty and recognize the key role that agriculture plays in protecting our natural resources. We’ll keep pushing for policies that let producers focus on what they do best—feeding, fueling and clothing our nation.”

The definition of “waters of the United States” guides Clean Water Act implementation, including whether farmers, landowners and businesses must secure costly permits before they can pursue a project. To date, EPA has failed to follow the law and implement the Supreme Court’s clear holding in *Sackett*. It is critical that Americans know which waters are subject to federal jurisdiction under the Clean Water Act to grow our economy and lower costs for American families while protecting human health and the environment.

EPA will start its review by expeditiously obtaining input from stakeholders who were sidelined during the previous administration. The agency will seek targeted information on the key challenges that Americans are facing. The agency will also undertake a rulemaking process to revise the 2023 definition of “waters of the United States” with a focus on clarity, simplicity and improvements that will stand the test of time. While this rulemaking process proceeds, the agency will provide guidance to those states implementing the pre-2015 definition of “waters of the United States” to ensure consistency with the law of the land.

A priority for the Trump Administration will be working cooperatively with state partners, empowering them and local officials to protect their treasured water bodies while accelerating economic opportunity. As a result, decisions will be made efficiently and effectively while benefiting from local knowledge and expertise.

EPA’s review will be guided by the Supreme Court’s decision in *Sackett v. Environmental Protection Agency*, which stated that the Clean Water Act’s use of “waters” encompasses only those relatively permanent, standing or continuously flowing bodies of water forming streams, oceans, rivers and lakes. The *Sackett* decision also clarified that wetlands would only be covered when having a continuous surface connection to waterbodies that are “waters of the United States” in their own right.

Please see additional information on Waters of the United States <<https://epa.gov/wotus>>.

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