



Attorney General Doug Peterson

# News Release

FOR IMMEDIATE RELEASE

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## **WOTUS Rule—Preliminary Injunction Hearing**

Today, Judge Erickson, in the District Court for the Southeastern Division of the District of North Dakota, issued an order enjoining the EPA's Waters of the United States rule.

Attorney General Peterson stated, "Today's order enjoining the EPA from implementing the new WOTUS rule is an important first step for Nebraska and other states that have challenged the federal government's 'exceptionally expansive' view of the EPA's authority under the Clean Water Act.

"I applaud the work of Attorney General Peterson in protecting the citizens of Nebraska through this lawsuit against the EPA," said Governor Ricketts. "Judge Erickson is exactly right when he said in his opinion, 'The risk of irreparable harm to the states is both imminent and likely.'"

The Court's ruling was largely based on the view that Nebraska, and the other plaintiff states, are likely to succeed in challenging the rule because it appears to be a violation of the EPA's rulemaking authority. Today's ruling supports the state's position that the EPA has exceeded its authority in promulgating the Waters of the U.S.

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