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## NEW WOTUS RULE BLOCKED IN FLORIDA

By: **Katherine R. English, Esq.**

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The new definition of the Waters of the United States Rule (WOTUS) adopted by the US Environmental Protection Agency has been blocked from implementation in Florida. See the Order [here](#). A coalition of twenty-four states, including Florida, joined by eighteen business groups intervening on the side of the states, sued US EPA and the Army Corps of Engineer in the United States District Court for the District of North Dakota. The states challenged the revised definition of WOTUS which took effect on March 20, 2023. The judge granted a preliminary injunction on behalf of the states on April 12, 2023, finding that the factors for granting such relief all weighed strongly in favor of the states. The Order states in part, “The Court finds that the new 2023 rule is neither understandable nor ‘intelligible’ and its boundaries are unlimited’ raising a number of statutory interpretation and constitutional concerns.

The new WOTUS rule is now enjoined in 26 states, including the plaintiffs in this case together with Texas and Idaho, where injunctions of blocking the implementation of the new WOTUS rule have previously been issued.

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*A note to the reader: This article is intended to provide general information and is not intended to be a substitute for competent legal advice. Competent legal counsel should be consulted if you have questions regarding compliance with the law.*

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