



Supreme Court to hear case that could affect US water quality

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The Supreme Court is slated to hear arguments Monday in a case involving Idaho landowners and the Environmental Protection Agency that could potentially redefine the United States' clean water laws.

The first case of the new Supreme Court term began in 2007 when Michael and Chantell Sackett sued after they were informed they needed a permit to build a home on their own land because the property contained wetlands, [The Hill](#) reported. The court already studied the situation, albeit with different arguments, in 2012 when the justices ruled 9-0 that the Sacketts have the right to challenge the Clean Water Act.

In a case directly ruling on whether the family could build, a federal court sided with the U.S. government and said the Sacketts needed to have authorization to build because it had a "significant nexus" connecting it to other regulated waters.

The Sacketts are now challenging the "significant nexus" threshold and are asking for the conservative-majority court to favor the "continuous surface water connection" threshold, which would apply to fewer wetlands, as proposed by the late Justice Antonin Scalia.

The case has attracted briefs from environmental groups, the National Association of Home Builders, the libertarian Cato Institute, the U.S. Chamber of Commerce, 18 Native American tribes, 167 members of Congress, and others.

"This is a very, very, big deal for the Clean Water Act. It will determine, likely, whether the Clean Water Act can protect half of the water bodies in the country, and if it can't, meeting the water quality goals of the law that we all count on will be virtually impossible," Natural Resources Defense Council attorney Jon Devine told [The Hill](#).

"This case is not about prohibiting construction or development, it's about what safeguards are in place when someone does so," he said.