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Biden's WOTUS Rule Enjoined in 26 States

Reflections on Water

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After the U.S. District Court for the District of North Dakota's [April 12 ruling](#), the majority of the United States can no longer implement or enforce the Biden administration's definition of waters of the United States (WOTUS). This comes as a major blow to the administration that has repeatedly touted the so-called "durability" of its 2023 WOTUS definition.

The North Dakota decision enjoining rule in 24 states follows a Texas District Court decision [enjoining the rule in Texas and Idaho](#). This means that the majority of states must now implement the pre-2015 framework to determine if waters are federally regulated.

The pre-2015 framework also remains in the crosshairs as the [U.S. Supreme Court prepares its decision in the Sackett case](#).

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