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# The National Law Journal Quotes Locke Lord's Ben Cowan on Looming Regulatory Uncertainty Pending Implementation of EPA's Amended Definition of 'Waters of the U.S.' Rule

The National Law Journal

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Chair of Locke Lord's Renewable Energy Section and Houston Environmental Partner [Ben Cowan](#) was quoted on the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers' issuance of a final rule that amends the definition of "waters of the United States" to align with the U.S. Supreme Court's decision in *Sackett v. EPA*. Cowan notes the rule is a "straightforward implementation" of the Sackett decision but explained that the agencies have not released any implementation guidance.

"Now we have the EPA rule, and all the EPA rule says is there needs to be a continuous surface connection," he said. "It doesn't provide any more insight into what that exactly looks like on the ground. So that's where the Corps' implementation is going to be key."

Cowan explains that while the definition of "waters of the United States" was being updated, the Corps paused jurisdictional determinations. "But now that the rule is out, the Corps will resume its work and the regulated community is going to be waiting to see how the Corps goes about their business now," he said.

[Read the full National Law Journal article](#) (subscription may be required).

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