

## E&E News

### Texas judge won't toss Obama-era WOTUS

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Three states and a coalition of agriculture and industry groups asked a Texas judge to throw out the Obama-era Clean Water Rule. Robert Nunnally/Flickr

A Texas judge today said he will not scrap the Obama administration's Clean Water Rule.

In a short **order** this afternoon, U.S. District Court for the Southern District of Texas Judge George Hanks Jr. declined a request by challengers of the Waters of the U.S., or WOTUS, rule to scrap the 2015 determination of which waterways and wetlands are subject to Clean Water Act protections (**Greenwire**, July 26).

Hanks, an Obama appointee, stood by his decision to send the rule back to EPA and the Army Corps of Engineers instead.

The agencies last month repealed the 2015 rule and are expected to eventually replace it. Each action will be subject to fresh legal challenges (**Greenwire**, Oct. 24).

Hanks also declined a request by challengers, a group composed of states and industry groups, to freeze the litigation for 75 days.