

Ashley Peck

Partner
801.799.5913
Salt Lake City
aapeck@hollandhart.com

Podcast: SCOTUS Takes on WOTUS as Oil, Gas Industry Clamors for Regulatory Clarity

Insight — October 24, 2022

The US Supreme Court recently held oral arguments in a case that the oil and gas industry is hoping will end some of the back-and-forth regulatory scramble over whether certain wetlands and water sources fall under federal jurisdiction. The high court is examining whether the Waters of the US regulation, or WOTUS, uses the proper test when evaluating wetlands.

In *Sackett v. EPA*, the Supreme Court could clarify how WOTUS is defined, with that determination potentially affecting pipelines and other energy projects. And the Supreme Court's eventual decision will likely affect the Biden administration's work on rulemakings to finalize a more detailed WOTUS definition.

Holland & Hart partner Ashley Peck joins S&P Global editor Ellie Potter on the S&P Global Commodity Insights Capitol Crude: The US Energy Policy Podcast on October 24, 2022. They discuss the *Sackett v. EPA* case, what stood out from the oral arguments, and the ramifications for the energy sector. Peck also provides insights on how companies should approach project permitting in the face of such legal and regulatory uncertainty.

Access the S&P Global Commodity Insights Capitol Crude podcast episode here: Listen: SCOTUS takes on WOTUS as oil, gas industry clamors for regulatory clarity.

Subscribe to get our Insights delivered to your inbox.

This publication is designed to provide general information on pertinent legal topics. The statements made are provided for educational purposes only. They do not constitute legal or financial advice nor do they necessarily reflect the views of Holland & Hart LLP or any of its attorneys other than the author(s). This publication is not intended to create an attorney-client relationship between you and Holland & Hart LLP. Substantive changes in the law subsequent to the date of this publication might affect the analysis or commentary. Similarly, the analysis may differ depending on the jurisdiction or circumstances. If you have specific questions as to the application of the law to your activities, you should seek the advice of your legal counsel.