

Neal McAliley Quoted in Law360: “Biggest Environmental Cases to Watch in 2024”

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Neal McAliley was quoted in *Law360*, in an article titled “Biggest Environmental Cases to Watch in 2024.” The article discusses upcoming game-changing environmental law decisions, including two U.S. Supreme Court cases affecting the practice of administrative law and rulings on the extent of the federal government’s jurisdiction under the Clean Water Act. McAliley commented on the challenges to the rule defining what constitutes “waters of the United States” (WOTUS). “In the preamble to the WOTUS rule, the agencies assert that ‘continuous surface connection’ means that a wetland just has to abut the surface water, not that there needs to be a continuous surface water connection,” McAliley said. “This distinction makes a big difference in practice, and the agencies’ interpretation of that term will greatly increase the number of wetlands that are regulated, so the challenges to the WOTUS rule will affect the scope of Clean Water Act jurisdiction.” [Read the article.](#) Subscription may be required.

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Neal McAliley

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