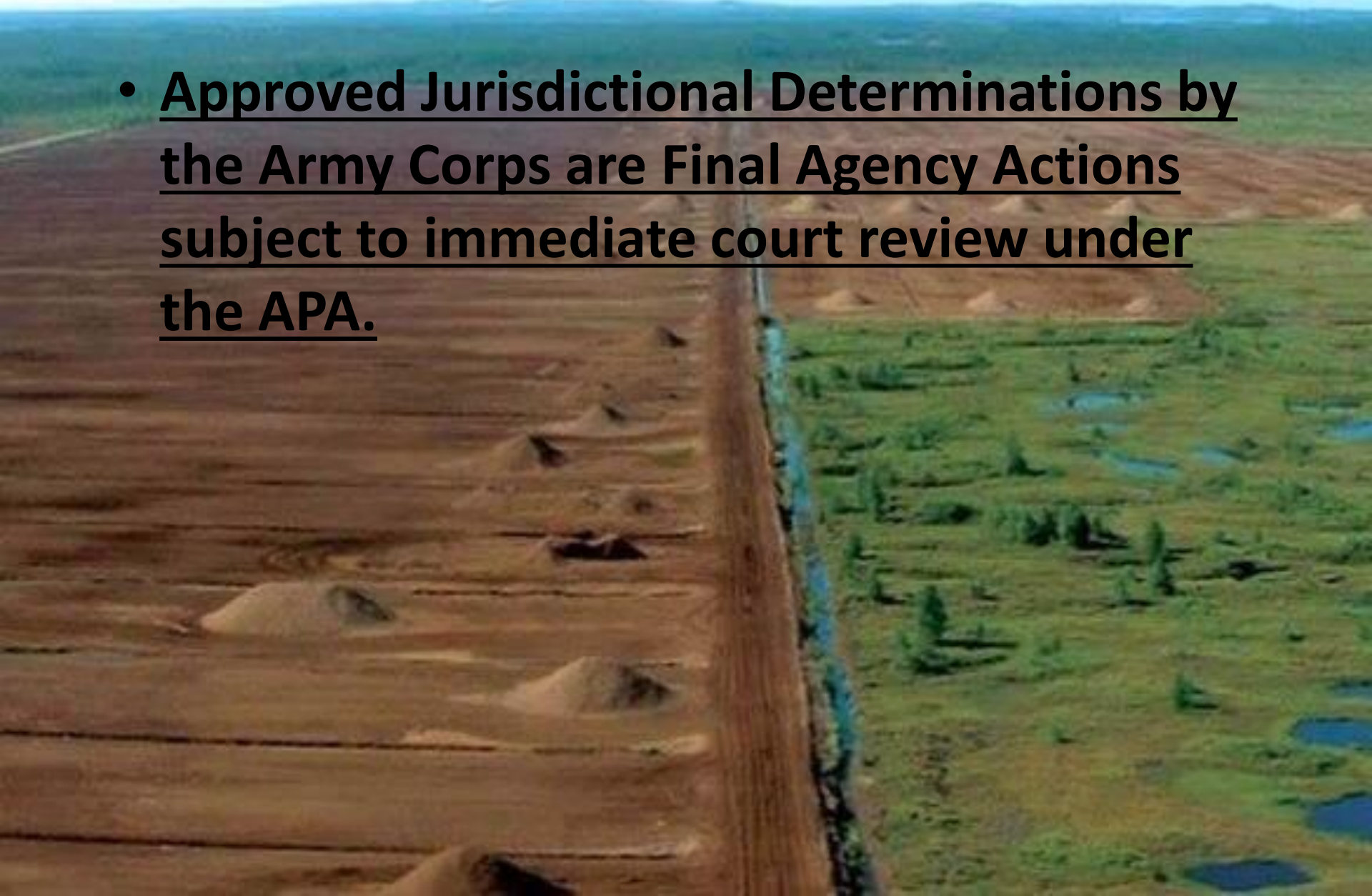


# Army Corps v. Hawkes

*United States Army Corps of Eng'rs v. Hawkes Co.*, 136 S. Ct. 1807 (2016)

- **Approved Jurisdictional Determinations by the Army Corps are Final Agency Actions subject to immediate court review under the APA.**



A scenic sunset over a body of water with mountains in the background. The sun is low on the horizon, casting a golden glow across the sky and reflecting on the water. The mountains are silhouetted against the bright sky. The overall mood is peaceful and serene.

# **WOTUS**

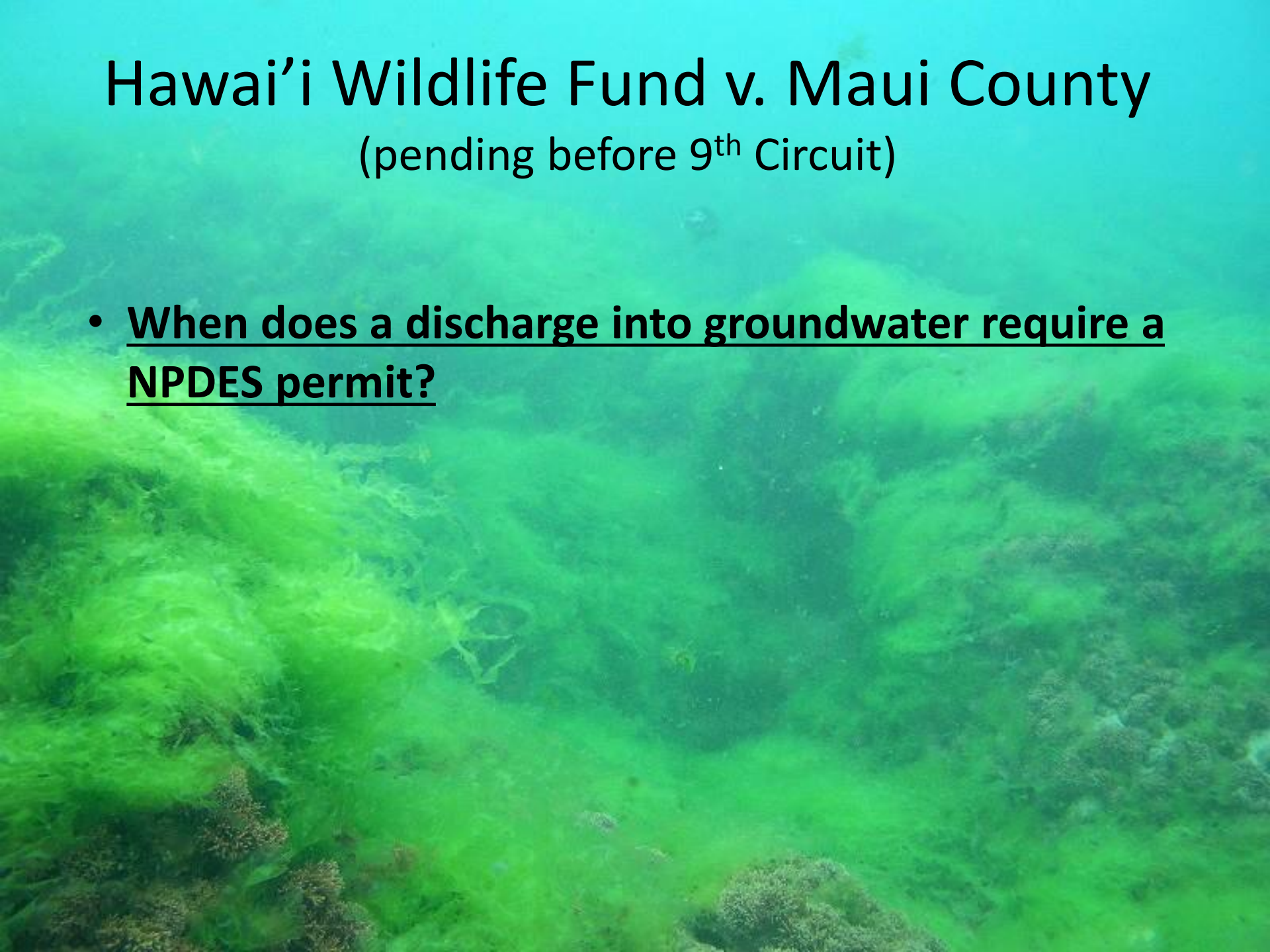
## **(Where Ought [I] To Undertake Suit?)**

**33 U.S.C. § 1369(b)(1)**

# Hawai'i Wildlife Fund v. Maui County

(pending before 9<sup>th</sup> Circuit)

- When does a discharge into groundwater require a NPDES permit?



# Proposed Changes to NPDES Permitting: (40 CFR Pts 122–24)

- EPA can object to zombie permits.
- Permits must contain anti-degradation provisions.
- POTWs have more application requirements.

