

**May 19, 2020**

**ATTORNEY GENERAL RAOUL SEEKS PRELIMINARY INJUNCTION TO STOP FEDERAL GOVERNMENT FROM REMOVING WATERWAY PROTECTIONS**

**Chicago** — Attorney General Kwame Raoul today joined a multistate coalition [in filing a motion for a preliminary injunction](#) in a lawsuit challenging the federal government's unlawful final rule redefining the "waters of the United States" under the Clean Water Act. Raoul and the coalition argue that the rule should be enjoined pending the court's decision on the coalition's lawsuit in order to prevent widespread harm to national water quality and to avoid disruption to state and local water pollution control programs.

"The water in too many regions of our country falls short of meeting water quality standards, and the solution is not to weaken standards," Raoul said. "I am committed to partnering with my colleagues around the nation to protect waterways – from small creeks to the Great Lakes – from pollution."

The definition of "waters of the United States" under the Clean Water Act is critical to maintaining a strong federal foundation for water pollution control and water quality protection that preserves the integrity of the nation's waters. While the Clean Water Act has resulted in dramatic improvements to water quality in the United States, its overriding objective has not yet been achieved. Many of the nation's waters fail to meet water quality standards. The 2015 Clean Water Rule provided much-needed clarity and consistency in federal Clean Water Act protections. It specifically includes within the scope of protected waters, the headwaters of rivers and creeks as well as other non-traditionally navigable waters, such as wetlands and ephemeral streams. These bodies of water have a significant impact on downstream water quality and reduce the risk of floods by storing stormwater.

Raoul and the coalition filed a lawsuit on May 1, challenging the rule narrowing the definition of "waters of the United States" to remove protections for all ephemeral streams, many wetlands and other waters that were previously covered under the Clean Water Act. Under the new rule, more than half of all wetlands and at least 18 percent of all streams would be left without federal protections.

In the motion, Raoul and the coalition argue that a preliminary injunction is necessary to prevent significant and irreparable harm to waterways across Illinois and the rest of the country. The rule weakens water quality protections for numerous waterways, allowing pollution into formerly protected streams and wetlands. In doing so, the rule threatens the habitat of many fish, birds, and other animal species, and paves the way for the filling of wetlands, hamstringing a critical instrument for flood mitigation. The rule's sweeping changes to the regulatory landscape also threaten widespread disruption of state and local water and wetlands programs. In order to protect the integrity of the nation's waters and maintain programs that advance the Clean Water Act's water quality objectives, Raoul and the coalition state it is essential that this damaging final rule does not go into effect.

Joining Raoul in filing the motion are the attorneys general of California, Connecticut, the District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington and Wisconsin, the California State Water Resources Control Board, the North Carolina Department of Environmental Quality, and the city of New York.