

EPA's powers challenged in Supreme Court

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The U.S. Supreme Court heard arguments Tuesday in what reportedly might become a landmark case involving federal environmental powers.

At issue is the extent of federal jurisdiction under the Clean Water Act -- is it limited to lakes and rivers or does it also include remote wetlands, The Christian Science Monitor reported Tuesday.

In dispute is the relationship between the CWA, as Congress created it, and U.S. Environmental Protection Agency's rules that are designed to enforce the law.

The CWA act specifically extends federal authority to all "navigable waters." The EPA and the Army Corps of Engineers interpret that as meaning their authority under the CWA extends far upstream and even to waters with no hydrologic connection to a tributary of navigable waters, the Monitor said.

Opponents argue that interpretation would extend EPA powers to even a saturated residential lawn located near a storm drain. They say upstream properties should be governed by state regulations.

Proponents claim federal authority should extend far enough upstream to control water pollution.

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