

13428 (Mar. 24, 2025). Specifically, the notice states that the Agencies will hold a series of at least six listening sessions seeking input on the scope of “relatively permanent” waters, “continuous surface connection,” and jurisdictional ditches. *Id.* at 13430-31. The Agencies are also accepting written recommendations from the public through the public docket. *Id.* at 13430. In doing so, the Agencies “will seek to provide clear and transparent direction regarding the definition [of ‘waters of the United States’] and will prioritize practical implementation approaches, provide for durability and stability, as well as for more effective and efficient jurisdictional determinations, permitting actions, and other actions consistent with relevant decisions of the Supreme Court.” *Id.*

Based on these developments, the parties respectfully request that the Court continue to stay the case for an additional six months, until October 14, 2025, to allow the Agencies time to conduct the listening sessions, receive and review public comments, and to undertake any further action as appropriate, and to allow Plaintiff to consider the new guidance and evaluate its claims in light of it. Any such action could potentially resolve the litigation or narrow the existing dispute. At the conclusion of the stay, the parties plan to confer and file a joint status report.

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CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2025, I filed the foregoing using the Court's CM/ECF system, which will electronically serve all counsel of record registered to use the CM/ECF system.

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