



**STATE OF MISSISSIPPI
DEPARTMENT OF AGRICULTURE AND COMMERCE**

ANDY GIPSON
COMMISSIONER

PRESS RELEASE

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Commissioner Andy Gipson Pushes Back Against Proposed State Environmental Land and Water Regulations

JACKSON, Miss. – In response to state environmental regulators' proposed new sweeping land and water use regulations that would affect landowners' rights, Ag Commissioner Andy Gipson has submitted comments to the Mississippi Department of Environmental Quality (MDEQ) opposing the new regulations. A copy of the Commissioner's comments is available here:
<https://agnet.mdac.ms.gov/agManage/uploads/3450.pdf>.

The MDEQ has proposed a series of new "Waters of the State" regulations and permits, now known as the State Water Alteration Program (SWAP), that would extend state environmental regulatory reach to include even temporary water streams and ditches, such as intermittent or ephemeral streams. These are proposed state regulations similar to those previously attempted by the federal EPA under its years-long "Waters of the United States" (WOTUS) Clean Water Act rules struck down by the United States Supreme Court in the 2023 *Sackett* decision. MDEQ's proposed new regulatory SWAP system can be reviewed at <https://www.mdeq.ms.gov/wots/>.

"At a time when Mississippi landowners, farmers and ranchers have been celebrating the rollback of federal EPA WOTUS rules since the *Sackett* decision, it was surprising to me that our state DEQ regulators in Mississippi are proposing extensive new land and water use regulations under a Waters of the State style SWAP program," said Gipson. "I became aware of this issue in early 2026 after talking to Mississippi landowners, economic developers and others in the construction industry, and I was compelled to weigh in on the side of less regulations and more landowner rights."

Gipson continued, "Equally concerning is that our surrounding states have not attempted to impose new state regulations. As my comments pointed out, following the *Sackett* decision, states like Tennessee have voted to rollback their similar state regulations. I believe Mississippi should take the approach of less regulation, not more, so that Mississippi doesn't find ourselves at a competitive disadvantage, either in terms of economic development or regulatory structure, compared to our surrounding states. Mississippi landowners deserve more freedom, not less."

The deadline for public comment on the new waters of the state SWAP rules was last week. Gipson submitted his comments on October 5, calling on the MDEQ to resist the temptation to adopt the new environmental regulations.

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