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June 8, 2015

The Honorable James M. Inhofe
Chairman
U.S. Senate Committee on Environment and Public Works
205 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Inhofe:

On behalf of its 1.1 million members, the National Association of REALTORS® requests your support for S. 1140, the “Federal Water Quality Protection Act”, when it is marked up in the Senate Environment and Public Works Committee later this week. The bill would require the withdrawal of the joint rulemaking recently finalized by the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) revising the definition of “waters of the United States” (WOTUS) under the Clean Water Act (CWA).

The WOTUS rule would significantly expand the EPA’s jurisdiction under the Clean Water Act (CWA) and would apply CWA authority to many more natural and man-made waters, including streams, ponds, wetlands, and ditches. The final rule lacks the clarity needed to promote effective regulatory protection for the country’s navigable waters. The rule will have a chilling effect on activity throughout all sectors of the economy - including real estate - and will increase the cost of home and property ownership.

S. 1140 does not roll back any existing environmental protections or prevent the agencies from regulating where they provide a legal, policy and scientific basis for their regulatory decisions. It simply acknowledges that the administrative process for the current proposal was flawed and opportunities for meaningful input and consultation could strengthen the rulemaking while minimizing unnecessary red tape. Additionally the agencies would have to carefully consider all public comments before putting forward a new proposed rule – as should have been done under the current rulemaking process.

Please support passage of S. 1140. NAR looks forward to working with you and the Congress to protect high value water bodies and wetlands while minimizing unnecessary red tape and permitting burden on the real estate market and the rest of the economy.

Sincerely,



Chris Polychron
2015 President, National Association of REALTORS®

cc: U.S. Senate Committee on Environment and Public Works

