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February 10, 2016

The Honorable Mike Conaway  
Chairman  
House Committee on Agriculture  
2430 Rayburn House Office Building  
Washington, DC 20515

The Honorable Collin Peterson  
Ranking Member  
House Committee on Agriculture  
2204 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Conway and Ranking Member Peterson:

The National Association of REALTORS® (NAR) is pleased that the House Agriculture Committee is holding an oversight hearing on “The Impacts of EPA’s Actions on Rural Economies,” with EPA Administrator Gina McCarthy as the primary witness.

NAR encourages the Committee to question the Administrator carefully about the potential impacts of the Waters of the U.S. (WOTUS) rulemaking by the U.S. EPA and the Army Corps of Engineers to define which U.S. water bodies are regulated under the Clean Water Act. NAR is deeply concerned that this controversial rule will impede economic development and hurt property rights in rural communities across the country.

For example, by increasing jurisdiction over ephemeral streams (which may only flow for a few hours after a rain event), the rule would contribute to the lack of clarity for large property owners to determine what kinds of permits are required to develop the property. By regulating more ditches and other man-made water conveyance systems, this rule could hinder the ability of local water resource agencies to construct new water infrastructure facilities, which would slow development and construction in rural areas.

There is significant disagreement between the federal agencies, the states, local governments, and the regulated community about the scope and effect of the rulemaking. The confusion is so significant that the 6th Circuit Court of Appeals has imposed an unprecedented temporary nationwide stay on implementation of the rule while the court gathers additional information on the rule’s legality and impacts.

If the stay is lifted and EPA implements the WOTUS rule, its impacts will be far-reaching. For this reason, NAR urges the Committee to work with House leadership to override President Obama’s veto of S.J. Res. 22 and stop the rule before it undermines the nation’s economy and the rights of property owners.

Sincerely,

A handwritten signature in black ink that reads 'Tom Salomone'.

Tom Salomone  
2016 President, National Association of REALTORS®

cc: House Committee on Agriculture



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