



**Senate Agriculture and Natural Resources Committee
House Bill 175 Proponent Written Testimony
November 30, 2021**

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Chairman Schaffer, Vice Chair Huffman, Ranking Member Fedor, thank you for the opportunity to provide written testimony in support of House Bill 175.

Formed in 1910, Ohio REALTORS® is the state's largest professional trade organization with nearly 36,000 members representing both residential and commercial practitioners, as well as auctioneers and appraisers. We also represent homeowners, homebuyers, investors and support policies to protect private property rights.

Before articulating our proponent position, we assert that clean water is essential to the citizens of the Great State of Ohio. We also believe protections for clean water and enhanced economic growth can be achieved simultaneously. With record low housing inventory and record high housing prices, we urge the legislature to take every reasonable step to reduce barriers to housing development. We believe House Bill 175 is a thoughtful step in the right direction.

House Bill 175 would align state law with federal "Waters of the United States" framework which addressed "ephemeral streams" in the current Navigable Waters Protection Rule (NWPR). Before the current NWPR, the National Association of REALTORS® (NAR) worked tirelessly over the course of several years to bring clarity to an issue that created confusion among housing developers and added tens of thousands of dollars to housing development costs. The NAR said the federal regulation of ephemeral streams "overreached its statutory jurisdiction by giving the federal government authority to regulate isolated and minor water features, such as ephemeral streams and manmade ditches."

According to the National Association of Homebuilders¹, for every \$1,000 increase in the cost of a new house 153,967 households are priced out from buying a home. These home price increases come from costs that are passed on to homebuyers due to extensive regulatory red tape that simply add more and more cost to homebuilding. Of course, we are supportive of a healthy balance of reasonable regulations to protect the health and safety of consumers. However, unclear regulatory definitions that depend on case-by-case analyses or overly expansive definitions, such as Ohio's current definition of "ephemeral stream," increase costs and make it more difficult to build critically needed housing and infrastructure.

¹ [MSA_2021.xlsx \(nahb.org\)](#)



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Many legislators have asked what policy can be adopted to help encourage the development of more affordable housing. Although there is no “silver bullet,” the legislature can make meaningful changes to make housing development more affordable, by passing House Bill 175.

Ohio REALTORS® encourages sensible, responsible regulations that strike an appropriate balance between private property rights and the need for protection of water and wetlands, which this legislation would not change. House Bill 175 will bring consistency and transparency in the construction permitting and development process while protecting water quality and private property rights and we urge passage of this commonsense bill.

Thank you for the opportunity to submit proponent testimony for House Bill 175.