

A Message from the President of the Youngstown Columbiana Association of REALTORS®

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WETLAND PRESERVATION AND REGULATIONS ARE DRYING UP SCHOOL FUNDING

By, Patrick Burgan



OK, before you lose your head and start thinking this article is about why we should tear down Kermit's ecosystem for capitalistic gain, listen to Frankie and just "Relax." I believe wetland preservation is vital to our ecosystem and to our environmental balance. However, I also believe the over-protection of lands deemed to be, "wetlands," has stifled the growth of local economies and areas, including our very own Mahoning Valley, in many ways due to an oversensitivity to trying to protect land that may be more beneficial to Jim Henson instead of his little green friend.

Wetland preservation has been and, as the election grow near, will continue to be an increasingly popular, polarizing, and important discussion taking place. Like most of you, I hear "wetlands" and immediately think of distinct lands, flooded by water...or a swampy, marsh land. But did you know that wetlands aren't actually wet? I know, right? Mind blown!

According to the definition of wetlands by the EPA and our own great state of Ohio, Wetlands are actually defined by hydric soil found on the property and its ability to filter all the water that is in that area. According to the EPA, "wetlands are areas where water covers the soil, or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season." Think of it as a giant Brita® filter. And while this filter does provide benefits for our land and ecosystem, the impact these efforts to preserve some of these lands is having a more drastic impact on the development of our local areas and educational opportunities. Cue the eye rolling for some of you, which is fine, but just hear me out.

While groups of people have successfully lobbied and fought to preserve wetlands in our area, the preservation of these lands are directly impacting the funding of our local school systems in need of funding. And while the individuals who are advocate for these wetlands are doing good for our ecosystem, I bring this up because they are likely the same individuals upset about lack of school funding and increased levies that continue to appear on the ballots.

As children prepare to go back to school, hopefully in person as they should, the vital resources our schools need can be obtained by developing on suitable wetlands. I concede to the benefits preservation of these lands have on our ecosystem but humor me and hear another side of the story and learn how wetland preservation laws are a reason our schools are drowning.

Abatement Needed for Regulations

Whenever a developer looks to grow an area, the idea of building on a wetland area is almost a non-starter. Like many of the laws implemented from 2010-2016, bigger government oversight means more challenges for achieving the dreams our country has always took pride in providing. In Ohio specifically, the mitigation process is one of the most convoluted and time-consuming ones in our country. Not only does a developer

need to hire a consultant, commission a study, and invest time into the process, they also have to buy 2.5 acres for every 1 acre of wooded wetland they want to develop on. And with mitigation costing \$130,000 per acre, they have to cover these costs and guess who pays for it: YOU DO! This impacts the building costs of that dream home you were hoping to build and, in some cases, keeps it as only a possibility in your dreams because it is too expensive to take on.

Other states have simpler mitigation and regulatory processes that are not only very clearly defined but are expeditiously carried out because they realize the development of these lands means an annual amount of income the state can use to further take care of the people who look to call those lands, "home." The discouraged developer walks away from project as well as creating an impact that will have longer effects on our schools financially.

Bringing a Different Kind of Green for Schools

In the wake of Covid-19, our schools have seen a challenging time that is going to require them to be more flexible in order to flourish. The idea of using some of these wetlands to develop communities brings a new resident to our communities on these designated areas. What many people fail to miss is the economic value the development on these lands can do for schools. Let's look at an example.

Let's say a questionable piece of property that has been designated a wetland area is being looked at to build residential houses. The property may be 50 total acres and the builder is looking to build out homes on 1 acre lots. The homes the developer is looking to build will have a value of \$250,000 each, which equates to approximately \$5,000 in property taxes each year for each home, of which, approximately 60% goes directly to the school system EVERY YEAR. That means the school system would get \$150,000 every year in additional funds from this new development. But when the developer goes through the regulatory mitigation to procure this land for development, the fees may prevent the developer from buying the entire section because of the fees associated with the land and chooses only to purchase 20 acres to develop. Now while the school system would get approximately \$60,000 each year in additional funds from the building and occupancy of these homes with this decision, they will miss out on the 30 potential remaining properties that could not be developed because of the regulations and fees preventing that from happening. That is an additional \$90,000 the school system does not get. These are valuable funds that can be used to develop green minds instead of preserving green space that is being used as a political pawn rather than actually preserving our ecosystem.

I know this topic is polarizing but the idea of developing on wetlands is not an attack on our ecosystem. While many may position it this way, the real challenge lies in untangling and simplifying the convoluted regulations and governmental oversight that handcuff developers, preventing them from growing our communities and schools. There are many issues we will be asked to solve in November by casting our vote in person. Depending on your vote and the outcome of the election, we may even see more regulations on this topic that will challenge our schools to find ways to fund the development of something that is more important than any piece of land: the minds of our youth.

Patrick Burgan is the 2020 President of the Youngstown Columbiana Association of REALTORS®