

**Subject:** Testimony before the House Energy and Natural Resources Committee as a proponent of Sub. Senate Bill 156, 135<sup>th</sup> General Assembly

**By:** Martin McAllister, speaking on behalf of The Friends of Scioto Brush Creek, Inc.

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Chairman Kick, Vice Chair Lear, Ranking Member Elgin Rogers and other members of the Committee:

Thank you for allowing me the opportunity to testify on Sub. Senate Bill 156. My name is Martin McAllister. I have served the people of Ohio for over 40 years in the field of conservation. I have been retired from public service for nearly a decade, after having served the Department of Natural Resources for 27 years. In 1998 I helped found a non-profit organization in Scioto County called The Friends of Scioto Brush Creek, Inc. The mission of this watershed group is to *maintain and improve the water quality of Scioto Brush Creek through education, awareness and involvement of local residents.*

For over 25 years, the volunteers with the Friends of Scioto Brush Creek have been a strong voice for this exceptionally high-quality stream. Over 2,000 local students have participated in our annual hands-on, science-based, stream-side classroom. We award scholarships to local high school seniors, conduct land and water-based cleanups along the stream and provide subsidies to township governments conducting community cleanups of their own in the watershed. We also own and manage land in the watershed. We have recently petitioned the Ohio Department of Natural Resources to consider designating Scioto Brush Creek as an official State Scenic River. But with one caveat: we would like to see SB 156 become law *first*.

You may be asking yourself *why*. Why would the Friends of Scioto Brush Creek think this bill is so important when much of it simply addresses administrative functions and reassignment of Ohio Revised Code section numbers? The reason is because the confusing nature of the original scenic river law too often resulted in worthy streams being passed over for designation. This is partly due to the fact that landowners often misunderstood the law and believed that it *gave* the Director of ODNR powers over private land along a designated stream. This is disappointing when the *original* language was actually written to *limit* the director's authority to public projects within a thousand feet of the river.

The members of the Friends of Scioto Brush Creek are mostly local residents - people who care deeply about the stream and the many rare and endangered life forms that call it home. However, they are also passionate about private property rights. The organization has been asked many times over the years about pursuing scenic river designation for the stream, but we have always waited. We've waited for the language in the law to be revised so that the dual interests of our members can be honored. That of conserving the stream while making it clear that private property rights will not be infringed.

Senate Bill 156 does just that and I urge the House to pass this bill and send it to Governor DeWine for signature.

The Friends of Scioto Brush Creek thank the Committee for your time and your service.