

Ohio Senate Agriculture and Natural Resources Committee

Proponent Written Testimony of the
Ohio Water Partnership
Senate Bill 156
December 5, 2023

Chairman Schaffer, Vice-Chair Landis, Ranking Member Hicks-Hudson and members of the Senate Agriculture and Natural Resources Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 156. My name is Jim Samuel, and I serve as executive director of the non-profit trade association, the Ohio Water Partnership.

The Ohio Water Partnership is a broad-based, diverse coalition of businesses advocating for sound water policy. Our mission is to ensure a consistent, effective and equitable approach in protecting and preserving Ohio's natural water resources with a focus on promoting Ohio's competitive advantage in clean, safe, affordable water in all its forms across the state.

From Fortune 500 companies to small businesses, the Ohio Water Partnership includes companies and organizations of all sizes who recognize that the quality of Ohio's water affects their bottom line. As we like to say, *Ohio water means business*.

In our efforts to protect and preserve Ohio's waterways, we support Senate Bill 156 because it modernizes the Wild, Scenic, and Recreational River Program at the Ohio Department of Natural Resources (ODNR) and expands the types of watercourses that will qualify for the program's protections. Through these changes, the Ohio Water Partnership believes Senate Bill 156 helps habitat development and restoration while also promoting access to clean water in accordance with our public policy goals.

Under the legislation, the authority to administer ODNR's Wild, Scenic, and Recreational River program moves from their Division of Parks and Watercraft to the Division of Natural Areas and Preserves. This change better reflects the goals of the program since the Division of Natural Areas and Preserves is a land-managing division focusing on protecting the natural heritage of the Buckeye State. Likewise, the Division already monitors waterways to measure and track their water quality, so the Division has previous experience assisting the state's efforts to combat issue that diminish water quality.

Senate Bill 156 also expands the types of watercourses that qualify as a wild, scenic, or recreational river by eliminating the requirement a qualifying river have an average of at least ten feet of surface water width. Removing this requirement will allow for headwaters of a river to meet the prerequisites necessary for designation as a protected river.

The Ohio Water Partnership supports expanding the types of watercourses that qualify for the scenic river program because it will help improve and preserve access to clean and abundant water. Senate Bill 156 will assist our efforts to improve water quality by adding greater protections on the use of more rivers. In turn, these protections can help Ohio maintain clean and accessible water which is a major economic development advantage for the state.

Additionally, the rulemaking authority granted to the Division of Natural Areas and Preserves will help protect Ohio's water advantage by allowing the Division to enact policies that govern the use of scenic rivers, provide for the establishment of facilities necessary for the restoration and protection of scenic rivers, and conduct projects with the aim of protecting or restoring habitats within or near scenic rivers.

The modernization of the Scenic River program, allowing more watercourses to qualify as a protected river, and granting additional rulemaking authority to the Division of Natural Areas and Preserves should also prove beneficial to travel and tourism within the state by creating more opportunities for outdoor recreation.

To assure the Scenic River program better protects private property rights, Senate Bill 156 specifies the Scenic River program does not authorize ODNR or any governmental agency to restrict the use of private land that is adjacent to a protected river. This change in the law will provide greater clarity to riverfront landowners that their private property rights are not impacted by the designation of a scenic river.

Senate Bill 156 further protects private property rights by increasing the public comment period from 30 days to 60 days after the issuance of the ONDR Director's Intent to Designate notice.

In closing, the Ohio Water Partnership urges your favorable consideration of Senate Bill 156 because it continues moving Ohio forward in our efforts to use water as an economic driver by helping bolster our clean water supply through modernization and expansion of Ohio's Wild, Scenic, and Recreational River Program.

Thank you for the opportunity to testify in support of SB 156, and I welcome any questions from the committee.