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**Opponent Testimony of David Rutter**  
**House Bill 175**  
**Presented to the Ohio Agricultural and Conservation Committee**  
**May 19, 2021**

Chairman Koehler, Vice Chair Creech, Ranking Member Brent and Members of the Ohio House Agriculture and Conservation Committee, thank you for the opportunity to testify before this committee today on House Bill 175 (HB 175). My name is David Rutter. I am an environmental planner with nearly 15 years working in water planning that includes state endorsed watershed action plans, nine element watershed plans, drinking water, managing 208 water quality management plans, and helping to develop water trails. In other words, I know a little bit about water, how it gets polluted, and how hard it is to clean it up when it's been damaged.

Ohio's current laws and classification of Waters of the State put us at the forefront in recognizing the critical nature of our water resources and protecting them. HB 175 will lead to more pollution and more damage and put us in a race to the bottom. The majority of Ohio's waterways are small streams. They are also the most effective at keeping pollutants out of our larger waterways, especially those that only flow when it rains. These streams due to their small size provide the most contact between the soil, plants, and microbes that take up excess nutrients and excess water. When these streams are altered or destroyed greater volumes of polluted water reach our larger waterways that we rely on for drinking, business, and recreation. Past damage is what Ohio has been working for decades to fix through watershed action plans, TMDLs, nine element plans, and mitigation projects. Removal of these waterbodies from state oversight will jeopardize the investments that have already been made by the state, local communities, and residents.

In the past couple of years Ohio has committed tens of millions of dollars to the H2Ohio program to reduce excess nutrients into our lakes and rivers. Small ephemeral streams and isolated wetlands play a crucial role in helping to reduce these pollutants. These are the bodies that our farm field drain to and if they are not protected and fully functional those nutrients will get into the larger streams, reducing water quality, increasing costs to treat for drinking water, increasing harmful algal blooms making it unhealthy for people to even recreate on the water.

Please do not overlook the recreational implications. The sales of human powered water craft have been steadily increasing for the past decade in Ohio. In the past year they skyrocketed as the need to socially distance pushed people to find more things to do outdoors. These people spend a lot of money buying gear, traveling across the state, buying food, to explore the vast number of streams and lakes in Ohio. If the water is unsafe they will stop.

My last point, and it maybe should have been the first but it needs to be made absolutely clear. **There is no substitute for water.** It is necessary for everything that we do. Without it there is no business, no farming, NO LIFE. HB 175 will ensure that Ohio's rivers and streams are in

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worse shape. Rather than trying to roll back protections for water the legislature should be working to provide funding and support for how we continue to protect water while allowing for growth and development. Just follow the science.

In conclusion, Chairman and Members of the committee, thank you for considering our perspective and our recommendations. I would be happy to answer any questions if you have them.

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