

Environment and Natural Resources

S.B. 156

Primary Sponsors: Sens. Reineke and Hackett

Effective date: October 24, 2024

Wild, scenic, and recreational rivers

- Transfers the authority to administer the Wild, Scenic, and Recreational River Program from the Division of Parks and Watercraft to the Division of Natural Areas and Preserves (DNAP) in the Department of Natural Resources (ODNR).
- Narrows DNAP's scope of authority granted under the law by clarifying that its authority is restricted to watercourses that are designated as wild, scenic, and recreational *rivers*, rather than wild, scenic, or recreational river *areas* as in former law.
- Clarifies that a watercourse designation does not affect private property rights or authorize the ODNR Director, DNAP Chief, or any governmental agency or political subdivision to restrict the use of private land adjacent to a designated river.
- Also specifies that the law does not give any right to those parties to enter on private land.
- Notwithstanding the general narrowing of authority, expands the types of watercourses that are subject to designation as a wild, scenic, or recreational river to include headwaters of those rivers.
- Alters what constitutes a wild, scenic, or recreational river to align those provisions of law to the general narrowing of authority granted to DNAP.
- Requires DNAP to perform specified duties regarding publicly owned land along a designated river, including requiring the DNAP Chief to both:
 - Adopt rules governing the use, visitation, and protection of scenic river lands and other specified publicly owned lands that are administered by DNAP and that are within the watersheds of wild, scenic, and recreational rivers; and
 - Provide for the establishment of facilities and improvements within the state system of wild, scenic, and recreational rivers, scenic river lands, and other specified publicly owned lands that are necessary for their visitation, use, restoration, and protection and that do not impair their natural character.
- Clarifies that certain public entities must obtain approval from the ODNR Director or the Director's representative if specified construction activities are performed within 1,000 feet of a wild, scenic, or recreational river.

- Modifies the notification requirements when a river is designated a wild, scenic, or recreational river by requiring the Director to post the Director’s intention to declare a watercourse a wild, scenic, or recreational river on DNAP’s website.
- Clarifies the roles of the ODNR Director and the DNAP Chief, stipulating that the Director designates and the Chief administers the management of the designated wild, scenic, or recreational river.
- Allows the DNAP Chief to accept, receive, and spend gifts, devises, or bequests of money, land, or other properties for the Wild, Scenic, and Recreational River Program.
- Eliminates the authority of the DNAP Chief to condition any expenditures, maintenance activities, or construction of facilities on the adoption and enforcement of adequate floodplain zoning or land use rules.
- Requires the DNAP Chief to submit to the Governor and the General Assembly a biennial report of the status and condition of each wild, scenic, and recreational river and activities conducted within each river corridor.

Boating safety

- Increases, from \$30,000 to \$60,000, the maximum annual grant that the Division of Parks and Watercraft may award to governmental entities and nonprofit organizations for boating safety education programs.
- Designates April as “Powerboat Safety Month” to emphasize the dangers of carbon monoxide poisoning that can occur on a powerboat.