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BILL ANALYSIS

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Senate Bill 70 (Substitute S-1)
Sponsor: Senator Patricia A. Birkholz
Committee: Natural Resources and Environmental Affairs

Date Completed: 2-22-05

CONTENT

The bill would add Part 360 to the Natural Resources and Environmental Protection Act to permit the Department of Environmental Quality (DEQ), in conjunction with the Department of Natural Resources, to administer an "Adopt-A-Watershed Program" in which volunteer groups would participate in cleanup, conservation, and pollution prevention activities.

The bill would define "watershed" as that part of the drainage area of a body of water located within the State.

The Program would have to be directed primarily toward encouraging and facilitating the involvement of volunteer groups in protecting bodies of water through watershed-based cleanup, pollution prevention, and conservation activities; and assisting volunteer groups in selecting a specific watershed in which to conduct these activities. The Program also would have to include public informational activities.

Before a volunteer group conducted watershed management activities on private property, the group first would have to obtain written permission from the owner of that property.

The DEQ would have to administer the Program in conjunction and cooperation with other State programs designed to protect water resources. In doing so, the Department would have to ensure that the scope of the Program did not overlap or conflict with other similar water quality programs it was administering. The DEQ could seek funding from the United States Environmental Protection Agency and other available funding sources to administer the Program.

The DEQ could enter into agreements with volunteer groups to implement the Program. An agreement would have to identify the watershed and describe the group's responsibilities, including all of the following: cleanup, pollution prevention, and conservation activities in the watershed; programs, seminars, and other educational and promotional activities; environmental testing and monitoring activities in the watershed; and fund-raising.

In implementing the Program, the DEQ could provide volunteer groups with funding; support personnel; environmental testing and monitoring equipment; signs identifying the watershed and volunteer group; and training materials and other educational and promotional material.

The DEQ would have to provide volunteer groups with data information sheets, and request that the groups record the following information on the sheets: the specific location of the

watershed; wildlife in the watershed; the group's environmental testing and monitoring activities; the group's cleanup, pollution prevention, and conservation activities; and other information that would assist the Department in administering the Program.

Annually, the DEQ would have to prepare a report on the implementation and progress of the Adopt-A-Watershed Program. In its report, the Department would have to include information it had compiled from the data information sheets submitted by the volunteer groups. The Department would have to provide copies of the report to the Governor, the Senate, and the House of Representatives; post it on its website; and make copies of it available to the public upon request.

The DEQ could promulgate rules to implement the Program.

The bill states a legislative intent to do both of the following:

- "Encourage the management and stewardship of natural resources on a watershed basis, irrespective of political boundaries."
- "Encourage the meaningful involvement of the public in water resource protection and restoration efforts. A watershed approach encourages regional awareness of and support for protection of water resources, while streamlining the workload and saving time and money for entities involved with the protection of water resources."

Proposed MCL 324.36001-324.36007

Legislative Analyst: Claire Layman

FISCAL IMPACT

This bill would allow the DEQ to create a new program encouraging watershed management. While most of the work would be completed by volunteer groups, the DEQ would serve in an administrative role, which would require staff time and materials. The bill would permit the DEQ to provide funding, support personnel, equipment, signs, training, and educational materials for the program. No funding would be available unless an appropriation were made, and existing resources would have to be used for the other activities. The level of support services provided by the Department would depend upon the agreements between the DEQ and each volunteer group. The bill would permit the Department to seek funding from the Environmental Protection Agency or other sources for administration of the program.

Fiscal Analyst: Jessica Runnels

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.