

SUBSTITUTE FOR
SENATE BILL NO. 70

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 360.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 360. ADOPT-A-WATERSHED PROGRAM

SEC. 36001. AS USED IN THIS PART:

(A) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL QUALITY
ACTING IN CONJUNCTION WITH THE DEPARTMENT OF NATURAL RESOURCES.

(B) "PROGRAM" MEANS AN ADOPT-A-WATERSHED PROGRAM ESTABLISHED
UNDER SECTION 36003.

(C) "WATERSHED" MEANS THAT PART OF THE DRAINAGE AREA OF A BODY
OF WATER LOCATED WITHIN THIS STATE.

SEC. 36002. IT IS THE INTENT OF THE LEGISLATURE TO DO BOTH OF
THE FOLLOWING:

1 (A) ENCOURAGE THE MANAGEMENT AND STEWARDSHIP OF NATURAL
2 RESOURCES ON A WATERSHED BASIS, IRRESPECTIVE OF POLITICAL
3 BOUNDARIES.

4 (B) ENCOURAGE THE MEANINGFUL INVOLVEMENT OF THE PUBLIC IN
5 WATER RESOURCE PROTECTION AND RESTORATION EFFORTS. A WATERSHED
6 APPROACH ENCOURAGES REGIONAL AWARENESS OF AND SUPPORT FOR
7 PROTECTION OF WATER RESOURCES, WHILE STREAMLINING THE WORKLOAD AND
8 SAVING TIME AND MONEY FOR ENTITIES INVOLVED WITH THE PROTECTION OF
9 WATER RESOURCES.

10 SEC. 36003. (1) THE DEPARTMENT MAY ESTABLISH AND ADMINISTER A
11 PROGRAM IN COMPLIANCE WITH THIS PART ENTITLED THE ADOPT-A-WATERSHED
12 PROGRAM.

13 (2) THE PROGRAM SHALL INCLUDE PUBLIC INFORMATIONAL ACTIVITIES,
14 BUT SHALL BE DIRECTED PRIMARILY TOWARD BOTH OF THE FOLLOWING:

15 (A) ENCOURAGING AND FACILITATING THE INVOLVEMENT OF VOLUNTEER
16 GROUPS IN PROTECTING BODIES OF WATER THROUGH WATERSHED-BASED
17 CLEANUP, POLLUTION PREVENTION, AND CONSERVATION ACTIVITIES.

18 (B) ASSISTING VOLUNTEER GROUPS IN SELECTING A SPECIFIC
19 WATERSHED IN WHICH TO CONDUCT THE ACTIVITIES SPECIFIED IN
20 SUBDIVISION (A).

21 (3) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM IN CONJUNCTION
22 WITH AND IN COOPERATION WITH OTHER STATE PROGRAMS DESIGNED TO
23 PROTECT WATER RESOURCES. IN DOING SO, THE DEPARTMENT SHALL ENSURE
24 THAT THE SCOPE OF THE PROGRAM DOES NOT OVERLAP OR CONFLICT WITH
25 OTHER SIMILAR WATER QUALITY PROGRAMS BEING ADMINISTERED BY THE
26 DEPARTMENT.

27 (4) THE DEPARTMENT MAY SEEK FUNDING FROM THE UNITED STATES

Senate Bill No. 70 as amended March 8 and 15, 2005

1 ENVIRONMENTAL PROTECTION AGENCY AND OTHER AVAILABLE FUNDING SOURCES
2 TO ADMINISTER THE PROGRAM.

3 (5) THE DEPARTMENT MAY ENTER INTO AGREEMENTS WITH A VOLUNTEER
4 GROUPS TO IMPLEMENT THE PROGRAM. AN AGREEMENT WITH A VOLUNTEER
5 GROUP SHALL IDENTIFY THE WATERSHED AND DESCRIBE THE
6 RESPONSIBILITIES OF THE VOLUNTEER GROUP, WHICH SHALL INCLUDE, BUT
7 NEED NOT BE LIMITED TO, ALL OF THE FOLLOWING:

8 (A) CLEANUP, POLLUTION PREVENTION, AND CONSERVATION ACTIVITIES
9 IN THE WATERSHED.

10 (B) PROGRAMS, SEMINARS, AND OTHER EDUCATIONAL AND PROMOTIONAL
11 ACTIVITIES.

12 (C) ENVIRONMENTAL TESTING AND MONITORING ACTIVITIES IN THE
13 WATERSHED.

14 (D) FUND-RAISING.

15 (6) BEFORE A VOLUNTEER GROUP PARTICIPATING IN THE PROGRAM
16 CONDUCTS WATERSHED MANAGEMENT ACTIVITIES ON PRIVATE PROPERTY, THE
17 VOLUNTEER GROUP SHALL FIRST OBTAIN WRITTEN PERMISSION FROM THE
18 OWNER OF THAT PROPERTY.

<<(7) A VOLUNTEER WHO ENTERS ON TO PRIVATE PROPERTY WITH THE
OWNER'S ORAL OR WRITTEN CONSENT FOR THE PURPOSE OF CONDUCTING WATERSHED
MANAGEMENT ACTIVITIES UNDER THIS PART HAS THE STATUS OF A LICENSEE FOR
THE PURPOSES OF DETERMINING LIABILITY IN THE EVENT OF INJURY CAUSED BY A
CONDITION OF THE LAND.>>

19 SEC. 36004. IN IMPLEMENTING THIS PART, THE DEPARTMENT MAY
20 PROVIDE ALL OF THE FOLLOWING TO VOLUNTEER GROUPS PARTICIPATING IN
21 THE PROGRAM:

22 (A) FUNDING.

23 (B) SUPPORT PERSONNEL.

24 (C) ENVIRONMENTAL TESTING AND MONITORING EQUIPMENT.

25 (D) SIGNS IDENTIFYING THE WATERSHED AND VOLUNTEER GROUP.

26 (E) TRAINING MATERIALS AND OTHER EDUCATIONAL AND PROMOTIONAL
27 MATERIAL.

1 SEC. 36005. (1) THE DEPARTMENT SHALL PROVIDE VOLUNTEER GROUPS
2 PARTICIPATING IN THE PROGRAM WITH DATA INFORMATION SHEETS AND SHALL
3 REQUEST THAT THE VOLUNTEER GROUPS RECORD ON THE DATA INFORMATION
4 SHEETS INFORMATION CONCERNING THE FOLLOWING:

5 (A) THE SPECIFIC LOCATION OF THE WATERSHED.

6 (B) WILDLIFE IN THE WATERSHED.

7 (C) THEIR ENVIRONMENTAL TESTING AND MONITORING ACTIVITIES.

8 (D) THEIR CLEANUP, POLLUTION PREVENTION, AND CONSERVATION
9 ACTIVITIES.

10 (E) INFORMATION THAT MAY ASSIST THE DEPARTMENT IN
11 ADMINISTERING THE PROGRAM.

12 (2) THE DEPARTMENT SHALL COMPILE INFORMATION OBTAINED FROM THE
13 DATA INFORMATION SHEETS RECEIVED UNDER SUBSECTION (1) AND SHALL
14 INCLUDE THIS INFORMATION IN THE REPORT PREPARED UNDER SECTION
15 36006.

16 SEC. 36006. THE DEPARTMENT SHALL ANNUALLY PREPARE A REPORT ON
17 THE IMPLEMENTATION AND PROGRESS OF THE PROGRAM. THE DEPARTMENT
18 SHALL PROVIDE THE GOVERNOR, SENATE, AND HOUSE OF REPRESENTATIVES
19 WITH A COPY OF THE REPORT, POST THE REPORT ON WEBSITE, AND MAKE
20 COPIES OF THE REPORT AVAILABLE TO THE PUBLIC UPON REQUEST.

21 SEC. 36007. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT
22 THIS PART.