

SENATE BILL No. 70

January 25, 2005, Introduced by Senators BIRKHOLZ, ALLEN and GOSCHKA and referred to the Committee on Natural Resources and Environmental Affairs.

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:

1 PART 360. ADOPT-A-WATERSHED PROGRAM

2 SEC. 36001. AS USED IN THIS PART:

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

5 (B) "PROGRAM" MEANS THE ADOPT-A-WATERSHED PROGRAM PROVIDED FOR
6 IN SECTION 36003.

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

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

1 (A) ENCOURAGE A WATERSHED MANAGEMENT APPROACH IN MANAGING THE
2 WATER RESOURCES OF THE STATE. SINCE WATER FLOWING THROUGHOUT A
3 WATERSHED DRAINS INTO THE SAME BODY OF WATER, POLLUTION SOURCES
4 THROUGHOUT THE WATERSHED CAN AFFECT WATER QUALITY IN THAT BODY OF
5 WATER. A WATERSHED MANAGEMENT PROVIDES A STABLE FOUNDATION FOR
6 CONFRONTING THE SOURCE OR SOURCES OF PERSISTENT WATER QUALITY
7 ISSUES.

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

14 SEC. 36003. (1) THE DEPARTMENT SHALL ADMINISTER A PROGRAM
15 ENTITLED THE ADOPT-A-WATERSHED PROGRAM.

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

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

21 (B) ASSISTING VOLUNTEER GROUPS IN SELECTING A SPECIFIC
22 WATERSHED IN WHICH TO CONDUCT THE ACTIVITIES SPECIFIED IN
23 SUBDIVISION (A).

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

1 OTHER SIMILAR WATER QUALITY PROGRAMS BEING ADMINISTERED BY THE
2 DEPARTMENT.

3 (4) THE DEPARTMENT MAY SEEK FUNDING FROM THE UNITED STATES
4 ENVIRONMENTAL PROTECTION AGENCY AND OTHER AVAILABLE FUNDING SOURCES
5 TO ADMINISTER THE PROGRAM.

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

11 (A) CLEANUP, POLLUTION PREVENTION, AND CONSERVATION ACTIVITIES
12 IN THE WATERSHED.

13 (B) PROGRAMS, SEMINARS, AND OTHER EDUCATIONAL AND PROMOTIONAL
14 ACTIVITIES.

15 (C) ENVIRONMENTAL TESTING AND MONITORING ACTIVITIES IN THE
16 WATERSHED.

17 (D) FUND-RAISING.

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

20 (A) FUNDING.

21 (B) SUPPORT PERSONNEL.

22 (C) ENVIRONMENTAL TESTING AND MONITORING EQUIPMENT.

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

24 (E) TRAINING MATERIALS AND OTHER EDUCATIONAL AND PROMOTIONAL
25 MATERIAL.

26 SEC. 36005. (1) THE DEPARTMENT SHALL PROVIDE VOLUNTEER GROUPS
27 CONDUCTING ACTIVITIES UNDER THIS PART WITH DATA INFORMATION SHEETS

1 AND SHALL REQUEST THAT THE VOLUNTEER GROUPS RECORD ON THE DATA
2 INFORMATION SHEETS INFORMATION CONCERNING THE FOLLOWING:

3 (A) THE SPECIFIC LOCATION OF THE WATERSHED.

4 (B) WILDLIFE IN THE WATERSHED.

5 (C) THEIR ENVIRONMENTAL TESTING AND MONITORING ACTIVITIES.

6 (D) THEIR CLEANUP, POLLUTION PREVENTION, AND CONSERVATION
7 ACTIVITIES.

8 (E) INFORMATION THAT MAY ASSIST THE DEPARTMENT IN
9 ADMINISTERING THE PROGRAM.

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

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

19 SEC. 36007. THE DEPARTMENT MAY PROMULGATE RULES TO IMPLEMENT
20 THIS PART.