

By: Senator(s) Dawkins

To: Environment Prot, Cons
and Water Res

SENATE BILL NO. 2763

1 AN ACT TO REQUIRE WATERSHED HEALTH MONITORING AND
2 ASSESSMENTS; TO CREATE AN EXECUTIVE AND LEGISLATIVE OVERSIGHT
3 COMMITTEE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** The Legislature finds that a comprehensive
6 program of monitoring is fundamental to making sound public policy
7 and programmatic decisions regarding watershed health. Monitoring
8 provides accountability for results of management actions and
9 provides the data upon which an adaptive management framework can
10 lead to improvement of strategies and programs. Monitoring is
11 also a required element of any watershed plan submitted to the
12 federal government for approval. While numerous agencies and
13 citizen organizations are engaged in monitoring a wide range of
14 watershed health parameters, there is a greater need for
15 coordination of monitoring efforts, for using limited monitoring
16 resources to obtain information most useful for achieving relevant
17 local, state and federal requirements regarding watershed health,
18 and for making the information more accessible to those agencies
19 and organizations implementing watershed health programs and
20 projects.

21 It is the intent of the Legislature to encourage the
22 refocusing of existing agency monitoring activities necessary to
23 implement a comprehensive watershed health monitoring program.
24 The program should: be based on a framework of greater
25 coordination of existing monitoring activities; require monitoring
26 activities most relevant to adopted local, state and federal
27 watershed health objectives; and facilitate the exchange of

28 monitoring information with agencies and organizations carrying
29 out watershed health, and water resources management planning and
30 programs.

31 **SECTION 2.** (1) A monitoring oversight committee is hereby
32 established. The committee shall be comprised of the directors or
33 their designated representatives of:

- 34 (a) The Department of Environmental Quality;
- 35 (b) The Department of Wildlife, Fisheries and Parks;
- 36 (c) The Soil and Water Conservation Commission;
- 37 (d) The Department of Marine Resources;
- 38 (e) The Department of Transportation; and
- 39 (f) The Department of Health.

40 (2) The Executive Director of the Department of
41 Environmental Quality, or his designee, shall chair the committee.
42 The chair shall convene the committee as necessary to develop, for
43 the consideration of the Governor and Legislature, a comprehensive
44 and coordinated monitoring strategy and action plan on watershed
45 health. In addition, the committee shall invite participation by
46 other state, local and federal agencies, universities and other
47 entities as appropriate.

48 (3) A legislative oversight committee is created consisting
49 of four (4) legislators. Two (2) of the legislators shall be
50 members of the House of Representatives appointed by the Speaker
51 of the House of Representatives. The other two (2) legislators
52 shall be members of the Senate appointed by the President of the
53 Senate. The monitoring oversight committee shall provide
54 briefings to the legislative oversight committee on a quarterly
55 basis on the progress of the monitoring oversight committee is
56 making on the development of the coordinated monitoring strategy
57 and action plan, and the establishment of an adaptive management
58 framework. The briefings shall include information on how the
59 monitoring strategy will be coordinated with other government
60 efforts, expected benefits and efficiencies that will be achieved,

61 recommended funding sources and funding levels that will ensure
62 stable sources of funding for monitoring, and the efforts and
63 cooperation provided by agencies to improve coordination of their
64 activities.

65 (4) The monitoring committee shall make recommendations to
66 individual agencies to improve coordination of monitoring
67 activities.

68 (5) The committee shall:

69 (a) Define the monitoring goals, objections and
70 questions that must be addressed as part of a comprehensive
71 statewide monitoring and adaptive management framework;

72 (b) Identify and evaluate existing monitoring
73 activities for inclusion in the framework, while ensuring data
74 consistency and coordination and the filling of monitoring gaps;

75 (c) Recommend statistical designs appropriate to the
76 objectives;

77 (d) Recommend performance measures appropriate to the
78 objections and targeted to the appropriate geographical, temporal
79 and biological scales;

80 (e) Recommend standardized monitoring protocols for
81 watershed health;

82 (f) Recommend procedures to ensure quality assurance
83 and quality control of all relevant data;

84 (g) Recommend data transfer protocols to support easy
85 access, sharing and coordination among different collectors and
86 users;

87 (h) Recommend ways to integrate monitoring information
88 into decision making;

89 (i) Recommend organizational and governance structures
90 for oversight and implementation of the coordinated monitoring
91 framework;

92 (j) Recommend stable sources of funding that will
93 ensure the continued operation and maintenance of the state's
94 watershed health monitoring programs, once established; and

95 (k) Identify administrative actions that will be
96 undertaken by state agencies to implement elements of the
97 coordinated monitoring program.

98 (6) In developing the coordinated monitoring strategy, the
99 monitoring committee shall coordinate with other appropriate
100 state, federal and local monitoring efforts, including, but not
101 limited to, the National Marine Fisheries Service, and the United
102 States Fish and Wildlife Service. The committee shall also
103 consult with water management planning districts, professional
104 organizations and other appropriate groups.

105 (7) The chair shall provide an interim report to the
106 Governor and the members of the appropriate legislative committees
107 by March 1, 2006, on the progress made in implementing this
108 section. By December 1, 2006, the committee shall provide a
109 monitoring strategy and action plan to the Governor, and the
110 members of the appropriate legislative committees for achieving a
111 comprehensive watershed health monitoring program. The strategy
112 and action plan shall document the results of the committee's
113 actions in addressing the responsibilities described in subsection
114 (5) of this section. In addition, the monitoring strategy and
115 action plan shall include an assessment of existing state agency
116 operations related to a monitoring, evaluation and adaptive
117 management of watershed health and shall recommend any operational
118 or statutory changes and funding necessary to fully implement the
119 enhanced coordination program developed under this section. The
120 plan shall make recommendations based upon the goal of fully
121 realizing an enhanced and coordinated monitoring program by June
122 30, 2008.

123 **SECTION 3.** This act shall take effect and be in force from
124 and after July 1, 2005.