

**House Bill 4578**

**Sponsor: Rep. Liz Brater**

**Committee: Conservation and Outdoor  
Recreation**

**Complete to 8-10-00**

**A SUMMARY OF HOUSE BILL 4578 AS INTRODUCED 4-27-99**

The bill would add a new part, Part 6, to the Natural Resources and Environmental Protection Act (NREPA) to require the Department of Environmental Quality (DEQ) to 1) compile and publish annually an environmental report, which would include an assessment of the environmental health of the state; 2) make recommendations to the legislature on a comprehensive set of performance measures, after receiving public testimony on them; 3) develop a comprehensive set of environmental quality indicators for, among other things, air, water, wildlife, forests, waste, energy use, and land use; and 4) make a joint funding recommendation to the legislature to address the concerns in the report and/or to gather more information to assess the indicators.

Environmental Report. The DEQ would be required to compile the environmental data that it collects into a single report, and make it available to the public. The DEQ would be required to cooperate with the Department of Natural Resources (DNR) and other departments, as appropriate, to prepare the report. The report would have to be submitted to the governor, the chairs of the legislative standing committees that have jurisdiction over environmental quality and natural resource issues, and the chairs of the Senate and House appropriation subcommittees on natural resources and environmental quality. The report would also have to be made available to the public electronically and in paper format upon request.

The bill would specify that the content of the report be guided by the core performance measures agreed to in negotiations between the U.S. Environmental Protection Agency (EPA) and the Environmental Council of the States, beginning with the agreement negotiated for the 1998 fiscal year. Subsequent reports would have to reflect any revisions to the 1998 agreement. However, the report would have to include, but not be limited to, the following information:

Toxic releases and off-site transfers: state totals for releases and off-site transfers reported according to the federal Toxic Releases Inventory. This data would have to be reported both in total, and for releases to air, water, and land.

- Air quality: state ambient air quality data for criteria pollutants; state emission totals for criteria pollutants from major stationary sources; exceedances of National Ambient Air Quality Standards; and size and location of nonattainment areas.

- Surface water quality: percentage of the state's surface waters supporting and not supporting designated uses; areas with impaired water quality; and number, location, and volume of combined sewage overflows reported to the department.

- Drinking water: number, location, and amount of exceedances of maximum contaminant levels; percentage of public water supplies with exceedances.
- Solid waste: statewide total of solid waste landfilled; proportion of waste imported as a percentage of state total landfilled and state or county of origin of imported.
- Hazardous waste: statewide total of waste generated, imported and exported, and disposed in Michigan; proportion of waste imported as a percentage of the state total disposed in Michigan.

The report would also have to include information on core performance measures (defined under the bill to mean a hierarchical collection of environmental indicators, program outcome measures, and program output measures that are relevant nationwide, and used for strategic planning, program planning, and tracking progress in achieving environmental program goals and objectives) for which data are currently collected and readily available. The DEQ could modify core performance measures to make use of currently collected and readily available data, and would be required to report on the activities it engaged in to adopt a comprehensive set of core performance measures.

Comprehensive Performance Measures. The bill would require that the department make recommendations to the legislature on a comprehensive set of performance measures by January 15, 2001, and receive public testimony prior to making the recommendations. The performance measures would have to reflect the core performance measures defined under the bill, and any additional measures necessary to reflect state environmental program priorities and goals. The DEQ would also have to estimate the cost of establishing these measures and benefits of receiving greater flexibility in spending federal funds awarded to the state to administer environmental protection programs.

Advisory Committee. The DEQ would have to convene an advisory committee to guide the development of the recommendations on comprehensive performance measures. The committee would consist of one representative each from the Departments of Environmental Quality, Natural Resources, and Agriculture, three experts from the universities, and two representatives each from environmental, business, agricultural, and natural resources interests. Committee meetings would have to comply with the provisions of the Open Meetings Act.

The advisory committee would be required to review the types of data collected and managed by state departments that would be relevant to the development of performance measures; and to identify useful data already collected by the state, and missing data that should be collected to fully implement a comprehensive set of performance measures. The committee could also recommend ways to ease data reporting and management burdens to facilitate use of the data collected. In addition, department representatives serving on the committee would have to assist the committee in fulfilling its duties.

The advisory committee's duties would end when the legislature received its recommendations on a comprehensive set of performance measures. After that, the DEQ would be required to convene a new advisory committee every three years to review the status of

implementation and the need for revisions to respond to changing priorities. The membership of subsequent advisory committees would be the same as the original one.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.