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SENATE JOINT RESOLUTION NO. 213

Offered January 24, 2000

Requesting the Joint Legislative Audit and Review Commission (JLARC) to study the progress made by the Department of Environmental Quality toward full implementation of the Water Quality Monitoring, Information and Restoration Act.

Patron—Whipple

Referred to Committee on Rules

WHEREAS, the 1997 General Assembly enacted the Water Quality Monitoring, Information and Restoration Act; and

WHEREAS, the 1996 and 1998 Virginia Water Quality Assessment Reports document that the percentage of all free-flowing streams and rivers monitored for water quality throughout the Commonwealth decreased from approximately 65 percent to 35 percent during a four-year period; and

WHEREAS, the 1998 Virginia Water Quality Assessment Report concluded that 48 percent of those waters monitored are threatened or impaired for at least one designated use; and

WHEREAS, a 1996 report by the Chesapeake Bay Foundation entitled "Virginia's Waters Still at Risk" found that the Department of Environmental Quality's (DEQ) assessment of water quality monitoring data severely underestimated the amount of impaired waters throughout the Commonwealth, concluding that 65 percent of all waters monitored were polluted to some extent; and

WHEREAS, DEQ has strongly opposed the U.S. Environmental Protection Agency's inclusion of the main stem of the Chesapeake Bay and several tidal tributaries in Virginia's most recent Impaired Waters List and is currently operating under a federal directive to restore more than two thousand miles of impaired streams and rivers over the next ten years; and

WHEREAS, the Water Quality Monitoring, Information and Restoration Act imposes numerous requirements upon DEQ, specifically related to increased environmental monitoring, reporting and communication; and

WHEREAS, the Water Quality Monitoring, Information and Restoration Act is designed to provide vital information to allow the citizens of Virginia to understand the conditions of the Commonwealth's waters; and

WHEREAS, the Water Quality Monitoring, Information and Restoration Act requires DEQ to make water quality information readily available to the public (e.g., by defining water segments in a specific and easily identifiable manner); and

WHEREAS, the activities required by the Water Quality Monitoring, Information and Restoration Act have not been fully implemented; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Legislative Review and Audit Commission (JLARC) be requested to study the progress made by DEQ toward full implementation of the Water Quality Monitoring, Information and Restoration Act. The study shall include, but not be limited to, the effectiveness of DEQ in meeting its legislative directives relating to water quality, fish tissue and sediment monitoring, reporting, inspections, cleanup plans and citizen notification provisions.

All agencies of the Commonwealth shall provide assistance to JLARC for this study, upon request.

JLARC shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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