

REFERENCE TITLE: monitoring program; fish contaminants; appropriation

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

## **SB 1421**

Introduced by  
Senators Kuby: Alston, Hatathlie, Ortiz; Representatives Garcia, Sandoval

### **AN ACT**

AMENDING TITLE 49, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 49-210.01; APPROPRIATING MONIES; RELATING TO WATER QUALITY  
CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 49, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 49-210.01, to read:

4 49-210.01. Fish contaminant monitoring program; health  
5 assessments; report; notice; definition

6 A. THE DEPARTMENT SHALL DEVELOP A COMPREHENSIVE WATER QUALITY  
7 MONITORING AND ASSESSMENT PROGRAM TO EVALUATE PESTICIDES, METALS AND OTHER  
8 CONTAMINANTS OF CONCERN IN SPORT FISH AS PART OF THE FISH CONTAMINANT  
9 MONITORING PROGRAM. THE PROGRAM SHALL IDENTIFY AND MONITOR CHEMICAL  
10 CONTAMINATION IN SPORT FISH AND ASSESS THE HEALTH RISKS OF CONSUMING SPORT  
11 FISH CAUGHT BY MEMBERS OF THE PUBLIC.

12 B. THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CONSULT WITH THE  
13 ARIZONA GAME AND FISH DEPARTMENT, THE UNITED STATES ENVIRONMENTAL  
14 PROTECTION AGENCY AND LOCAL OR REGIONAL POLITICAL SUBDIVISIONS OR PRIVATE  
15 ENTITIES WITH JURISDICTION OVER WATER BODIES TO DETERMINE ACCEPTABLE  
16 CONTAMINANT THRESHOLDS, PROTOCOLS FOR SELECTING SAMPLING LOCATIONS,  
17 SAMPLING FREQUENCY AND NUMBER AND TYPE OF SPECIES TO BE MONITORED UNDER  
18 THE PROGRAM. THE PROGRAM DEVELOPED BY THE DEPARTMENT OF ENVIRONMENTAL  
19 QUALITY SHALL INCLUDE ALL OF THE FOLLOWING:

20 1. SAMPLING AND ANALYZING FISH FOR PESTICIDES AND METALS FROM ALL  
21 WATERS IN THIS STATE THAT SUPPORT RECREATIONAL FISHERIES WITHOUT REGARD TO  
22 THE WATER BODY'S DESIGNATION UNDER THE CLEAN WATER ACT, WITH A SPECIAL  
23 EMPHASIS ON MONITORING WATER AND FISH IN URBAN AREAS.

24 2. CONDUCTING THE SAMPLING AND MONITORING OF FISH AS PRESCRIBED BY  
25 PARAGRAPH 1 OF THIS SUBSECTION AT EACH SITE AT LEAST ONCE EVERY THREE  
26 YEARS AS PART OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
27 TRIENNIAL WATER QUALITY REVIEWS.

28 3. CONDUCTING ANNUAL SCREENINGS TO IDENTIFY NEW AQUATIC AREAS WHERE  
29 FISH HAVE THE POTENTIAL FOR ACCUMULATING CONTAMINANTS THAT CAN POSE  
30 SIGNIFICANT RISKS TO ECOSYSTEMS AND HUMAN HEALTH. SCREENING SITES THAT  
31 SHOW CONTAMINANT LEVELS OF POTENTIAL CONCERN SHALL BE REASSESSED AT LEAST  
32 ONCE EVERY THREE YEARS.

33 C. THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CONTRACT WITH THE  
34 DEPARTMENT OF HEALTH SERVICES TO PREPARE COMPREHENSIVE HEALTH RISK  
35 ASSESSMENTS FOR SPORT FISH MONITORED IN THE PROGRAM AS FOLLOWS:

36 1. THE ASSESSMENTS SHALL BE BASED ON THE DATA COLLECTED BY THE  
37 PROGRAM AND INFORMATION ON FISH CONSUMPTION AND FOOD PREPARATION.

38 2. AFTER EACH TRIENNIAL WATER QUALITY REVIEW, THE DEPARTMENT OF  
39 ENVIRONMENTAL QUALITY SHALL SUBMIT A HEALTH RISK ASSESSMENT REPORT FOR  
40 THIS STATE'S FISHERIES TO THE ARIZONA WATER PROTECTION FUND COMMISSION  
41 ESTABLISHED BY SECTION 45-2103 AND THE ARIZONA GAME AND FISH COMMISSION.

42 D. THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL ISSUE HEALTH  
43 ADVISORIES WHEN THE DEPARTMENT OF ENVIRONMENTAL QUALITY, IN COOPERATION  
44 WITH THE DEPARTMENT OF HEALTH SERVICES, DETERMINES THAT CONSUMING FISH  
45 FROM A MONITORING SITE PRESENTS A SIGNIFICANT HEALTH RISK. THE ADVISORIES

1 SHALL CONTAIN INFORMATION FOR THE PUBLIC AND PARTICULARLY THE POPULATION  
2 AT RISK CONCERNING HEALTH RISKS FROM CONSUMING THE FISH. THE DEPARTMENT  
3 OF ENVIRONMENTAL QUALITY SHALL NOTIFY THE APPROPRIATE LOCAL HEALTH  
4 DEPARTMENTS OR DISTRICTS, THE DEPARTMENT OF HEALTH SERVICES AND THE  
5 ARIZONA GAME AND FISH DEPARTMENT BEFORE ISSUING A HEALTH ADVISORY. THE  
6 NOTIFICATION SHALL PROVIDE SUFFICIENT INFORMATION FOR THE PURPOSE OF  
7 POSTING SIGNAGE.

8 E. THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CONSPICUOUSLY POST  
9 HEALTH ADVISORY SIGNS IN AREAS WHERE CONTAMINATED FISH MAY BE CAUGHT,  
10 INCLUDING PIERS AND PARKS AND ON COMMERCIAL PASSENGER FISHING VESSELS AND  
11 SHORE AREAS WHERE FISHING OCCURS. THE ARIZONA GAME AND FISH DEPARTMENT  
12 SHALL PUBLISH THE DEPARTMENT OF ENVIRONMENTAL QUALITY'S HEALTH WARNINGS IN  
13 ITS SPORT FISHING REGULATIONS BOOKLET AND SHALL CONSPICUOUSLY POST HEALTH  
14 WARNINGS IN ITS ONLINE WEEKLY FISHING REPORTS. ALL SIGNAGE AND HEALTH  
15 ADVISORIES SHALL BE PROVIDED IN BOTH ENGLISH AND SPANISH.

16 F. FOR THE PURPOSES OF THIS SECTION, "SPORT FISH" MEANS GAME FISH  
17 AS DEFINED IN SECTION 17-101.

18 Sec. 2. Appropriation; department of environmental quality;  
19 fish contaminant monitoring program; exemption

20 A. The sum of \$500,000 is appropriated from the state general fund  
21 in fiscal year 2025-2026 to the department of environmental quality for  
22 the purposes provided in section 49-210.01, Arizona Revised Statutes, as  
23 added by this act.

24 B. The appropriation made in subsection A of this section is exempt  
25 from the provisions of section 35-190, Arizona Revised Statutes, relating  
26 to lapsing of appropriations.