



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5854 (Substitute S-2 as reported)
House Bill 5855 (as reported without amendment)
Sponsor: Representative Gary Howell (H.B. 5854)
Representative Joseph N. Bellino, Jr. (H.B. 5855)
House Committee: Natural Resources
Senate Committee: Natural Resources

CONTENT

House Bill 5854 (S-2) would amend Part 303 (Wetlands Protection) of the Natural Resources and Environmental Protection Act to do the following:

- Eliminate a provision requiring the Department of Environmental Quality (DEQ) to develop a program to facilitate voluntary wetland restoration (VWR) projects.
- Require the DEQ and Department of Natural Resources (DNR) to develop and lead a VWR group, consisting of designated staff from the those departments, to simplify and streamline the permit process for VWR projects with the intent of giving greater credence and flexibility to agencies and organizations specializing in wetland restoration and conservation.
- Require the group, after seeking input from agencies and organizations specializing in wetland restoration and conservation, to develop voluntary wetland restoration permit applications and guidelines to implement a VWR permit program, consistent with the bill's provisions.
- Allow a State or Federal agency, a tribal agency, certain nongovernmental organizations, or a person in partnership with such an entity to apply for a VWR project permit.
- Specify that a VWR project could include certain activities, such as the removal of accumulated sediments, the installation of water supply devices, and the construction of small nesting islands or open water areas.
- Require the DEQ to create a joint agency restoration committee comprised of the Directors of the DEQ, the DNR, and the Office of the Great Lakes to mediate permit conflicts regarding voluntary wetland restoration projects and to make a recommendation to the DEQ.
- Require the DNR to issue certain documents or notifications for a VWR project authorized under the bill.
- Require the DEQ to consult with the DNR and the voluntary wetlands restoration agencies and organizations, to develop new or modified wetland restoration projects that addressed the scope and intent of the bill.

House Bill 5855 would amend Part 303 of the Natural Resources and Environmental Protection Act to revise definitions related to wetlands and wetlands restoration.

MCL 324.30312d et al. (H.B. 5854)
324.30301 (H.B. 5855)

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bills likely would have a negative fiscal impact on the Department of Environmental Quality, and no fiscal impact on local units of government. The Department of Natural Resources would incur new, indeterminate costs from the administration of voluntary wetland restoration (VWR) project permits and any necessary enforcement actions. These costs are indeterminate, as the number of VWR project permits that would be sought is unknown. A portion of these costs could be mitigated through the creation of new permit categories, which would presumably allow for the collection of permit fees.

Date Completed: 12-17-18

Fiscal Analyst: Josh Sefton