



**Senate Fiscal Agency**  
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**BILL ANALYSIS**

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Senate Bill 995 (Substitute S-1 as reported)  
Sponsor: Senator Mike Green  
Committee: Transportation

**CONTENT**

The bill would amend Public Act 51 of 1951, the Michigan Transportation Fund law, to do the following:

- Create the Local Agency Wetland Mitigation Advisory Board, and specify its membership.
- Modify references to the Local Agency Wetland Mitigation Advisory Bank to refer instead to the Local Agency Wetland Mitigation Advisory Board.
- Dissolve the Local Agency Wetland Mitigation Bank Advisory Board, beginning April 2, 2019.
- Increase the Local Agency Wetland Mitigation Bank Fund's cap from \$5.0 million to \$8.0 million.
- Allow the Board to approve the use of local agency wetland mitigation funds for other activities needed to establish a premitigation wetland area or wetland preservation site or other mitigation as permitted by law upon a demonstrated need by a local road agency.
- Require the Local Agency Wetland Mitigation Program to provide funds to local road agencies for obtaining conservation easements in perpetuity and for maintenance of endowment funds to manage wetland mitigation sites.
- Require the Program to provide funds to local road agencies for purchasing wetland mitigation bank credits from an established wetland mitigation bank approved by the Department of Environmental Quality to meet a local agency's wetland mitigation permit requirements.
- Increase, from 90 to 180, the number of days after receiving an application by which the Board must approve or deny it.
- Revise the role of a part-time or full-time manager or engineer who is employed by the Board.

MCL 247.660 & 247.661h

Legislative Analyst: Drew Krogulecki

**FISCAL IMPACT**

The bill would have a minor positive impact on the Department of Transportation and a positive impact on local units of government seeking to retain wetland mitigation funding. By restructuring the Local Agency Wetland Mitigation Advisory Board from nine members to seven members, the Department would see a minor decrease in travel expenses for board member meetings. Members of the Board are unpaid, but their travel expenses are reimbursed through the Wetland Mitigation Bank Fund.

Although the cap for the wetland mitigation bank fund would be raised to \$8.0 million from \$5.0 million under the bill, this change would not increase the annual appropriation amount of \$2.0 million.

Lastly, the use of wetland mitigation bank funds would be amended to include the acquisition of easements in perpetuity and maintenance of endowment funds, as well as wetland mitigation credits from a wetland mitigation bank approved by the Department of Environmental Quality. This would assist local agencies by allowing them to create mitigation sites and to obtain easements and permits without using other funding sources in advance of applying for wetland mitigation funds.

Date Completed: 12-7-18

Fiscal Analyst: Michael Siracuse