

Legislative Analysis



PRIORITY OF STORMWATER TREATMENT PROJECTS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5751

Sponsor: Rep. Marie Donigan

Committee: Great Lakes and Environment

Complete to 11-10-10

A REVISED SUMMARY OF HOUSE BILL 5751 AS INTRODUCED 1-19-10

The State Water Pollution Control Revolving Fund, also known as the State Revolving Fund (SRF), governed by Part 53 (Clean Water Assistance) of the Natural Resources and Environmental Protection Act, is a low-interest loan financing program that assists qualified local municipalities with the construction of water pollution control facilities. The Department of Natural Resources and Environment has to develop separate priority lists for this program each year by category: (1) sewage treatment works projects and stormwater treatment projects, (2) nonpoint source projects, and (3) projects funded under the Strategic Water Quality Initiative Fund.

The bill would specify that a stormwater treatment project that either ***used low-impact development*** or that ***restored or created native habitat***, or that did both of these things, would have first priority, subject to an existing provision granting the highest priority to project segments funded by specified sources (Titles II or VI of the Federal Water Pollution Control Act, or the state Strategic Water Quality Initiatives Fund).

The bill defines "***low-impact development***" as "land development designed to mimic a site's presettlement hydrology without exacerbating downstream flooding by using spatially distributed, decentralized, small scale controls that infiltrate, filter, store, evaporate, and detain stormwater close to its source."

FISCAL IMPACT:

The bill would have no significant fiscal impact on the Department of Natural Resources. By requiring that the Department include additional criteria when prioritizing projects, the bill could have an indeterminate fiscal impact on some local municipalities, depending upon if the consideration of these new criteria affected whether a municipality received a loan or not for their facility.

Legislative Analyst: Shannan Kane
Fiscal Analyst: Viola Bay Wild

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