

Act No. 170
Public Acts of 1995
Approved by the Governor
October 9, 1995
Filed with the Secretary of State
October 9, 1995

STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995

Introduced by Rep. Bobier

ENROLLED HOUSE BILL No. 4863

AN ACT to amend section 32513 of Act No. 451 of the Public Acts of 1994, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," as added by Act No. 59 of the Public Acts of 1995, being section 324.32513 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 32513 of Act No. 451 of the Public Acts of 1994, as added by Act No. 59 of the Public Acts of 1995, being section 324.32513 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 32513. (1) Before any work or connection specified in section 32512 is undertaken, a person shall file an application with the department setting forth the following:

- (a) The name and address of the applicant.
- (b) The legal description of the lands included in the project.
- (c) A summary statement of the purpose of the project.
- (d) A map or diagram showing the proposal on an adequate scale with contours and cross-section profiles of the waterway to be constructed.
- (e) Other information required by the department.

(2) Except as provided in subsections (3) and (4), an application for a permit under this section shall be accompanied by a fee according to the following schedule:

- (a) Until October 1, 1999:
 - (i) For activities included in the minor project category as described in rules promulgated under this part, \$50.00.
 - (ii) For construction or expansion of a marina, a fee of:
 - (A) \$50.00 for an expansion of 1-10 slips to an existing permitted marina.
 - (B) \$100.00 for a new marina with 1-10 proposed marina slips.
 - (C) \$250.00 for an expansion of 11-50 slips to an existing permitted marina, plus \$10.00 for each slip over 50.
 - (D) \$500.00 for a new marina with 11-50 proposed marina slips, plus \$10.00 for each slip over 50.

(E) \$1,500.00 if an existing permitted marina proposes maintenance dredging of 10,000 cubic yards or more or the addition of seawalls, bulkheads, or revetments of 500 feet or more.

(iii) For major projects other than a project described in subparagraph (ii)(E), involving any of the following, a fee of \$2,000.00:

(A) Dredging of 10,000 cubic yards or more.

(B) Filling of 10,000 cubic yards or more.

(C) Seawalls, bulkheads, or revetment of 500 feet or more.

(D) Filling or draining of 1 acre or more of coastal wetland.

(E) New dredging or upland boat basin excavation in areas of suspected contamination.

(F) New breakwater or channel jetty.

(G) Shore protection, such as groins and underwater stabilizers, that extend 150 feet or more on Great Lakes bottomlands.

(H) New commercial dock or wharf of 300 feet or more in length.

(iv) For all other projects not listed in subparagraphs (i) through (iii), \$500.00.

(b) Beginning October 1, 1999, a fee of \$50.00 for any project listed in subdivision (a).

(3) A project that requires review and approval under this part and 1 or more of the following is subject to only the single highest permit fee required under this part or the following:

(a) Part 301.

(b) Part 303.

(c) Part 323.

(d) Section 3104.

(e) Section 117 of the subdivision control act of 1967, Act No. 288 of the Public Acts of 1967, being section 560.117 of the Michigan Compiled Laws.

(4) If work has been done in violation of a permit requirement under this part and restoration is not ordered by the department, the department may accept an application for a permit if the application is accompanied by a fee equal to 2 times the permit fee required under this section.

(5) The department shall forward all fees collected under this section to the state treasurer for deposit into the land and water management permit fee fund created in section 30113.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.