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BEACH MAINTENANCE ON GREAT LAKES RIPARIAN LANDS

House Bill 4257

Sponsor: Rep. Brian Palmer

Committee: Great Lakes and Tourism

Complete to 2-24-03

A SUMMARY OF HOUSE BILL 4257 AS INTRODUCED 2-19-03

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to allow “beach maintenance activities” without a permit on certain Great Lakes riparian lands.

Beach maintenance activities would be defined in the bill as including, but not limited to, manual or mechanized mowing, leveling of sand, and removal of vegetation and grooming of the top four inches of soil of the area of Great Lakes riparian lands lying between the ordinary high water mark and the water’s edge. The “ordinary high water mark” is defined already in Section 32502 of the act as 601.5 feet above sea level for Lake Superior; 579.8 feet for Lake Michigan and Lake Huron; 574.7 feet for Lake St. Clair; and 571.6 feet for Lake Erie. The term “Great Lakes riparian lands” would refer to property bordering on the Great Lakes.

The bill would amend Part 303 dealing with wetlands protection to specify that “beach maintenance activities” would be allowed in a wetland without a permit (subject to other state laws and the regulations of the property owner). It would also amend Part 325 dealing with Great Lakes submerged lands to specify that a permit or other approval would not be required for beach maintenance activities.

Currently, Section 32511 of NREPA allows a riparian owner to apply to the Department of Environmental Quality for a certificate suitable for recording the location of his or her “lakeward boundary” or indicating that the land involved has accreted to his or her property as a result of natural accretions or placement of a lawful, permanent structure. The application must be accompanied by a fee of \$200 and proof of upland ownership. House Bill 4257 would eliminate the term “lakeward boundary” and insert “the ordinary high water mark” instead.

MCL 324.30301 et al.

Analyst: C. Couch

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.