



Senate Fiscal Agency
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House Bill 4399 (as passed by the House)
Sponsor: Representative Al Pscholka
House Committee: Natural Resources
Senate Committee: Outdoor Recreation and Tourism

Date Completed: 3-19-13

CONTENT

The bill would amend Part 325 (Great Lakes Submerged Lands) of the Natural Resources and Environmental Protection Act to authorize the Department of Environmental Quality (DEQ) to issue a permit before the expiration of a period during which an objection to the permit may be filed, under emergency conditions.

Except as otherwise provided, Part 325 requires a person to obtain a permit in order to do any of the following:

- Construct, dredge, commence, or do any work with respect to an artificial canal, channel, ditch, lagoon, pond, lake, or similar waterway, where the purpose is ultimate connection of the waterway with any of the Great Lakes or Lake St. Clair.
- Connect any natural or artificially constructed waterway, canal, channel, ditch, lagoon, pond, lake, or similar waterway with any of the Great Lakes, or Lake St. Clair, for navigation or any other purpose.
- Dredge or place spoil or other material on bottomland.
- Construct a marina.

Upon receiving an application for a permit, the DEQ must mail copies of it to adjacent riparian owners; the Department of Community Health; the clerks of the county, city, village, and township; and the county drain commissioner, or, if there is no county drain commissioner, the county road commissioner. The bill would eliminate the reference to the county road commissioner.

Along with the copy of the application, the DEQ must include a statement that unless a written objection is filed with the Department within 20 days, the Department may take action to grant the application. (The DEQ may hold a public hearing on the application after providing at least 10 days' notice.)

The bill would authorize the DEQ to issue a permit before the 20-day period expired if emergency conditions warranted a project to protect property or public health, safety, or welfare.

MCL 324.32514

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.