

HOUSE BILL No. 4400

March 7, 2013, Introduced by Rep. Pettalia and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104 (MCL 324.30104), as amended by 2011 PA 218.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30104. (1) A person shall not undertake a project subject
2 to this part except as authorized by a permit issued by the
3 department pursuant to part 13. An application for a permit shall
4 include any information that may be required by the department. If
5 a project includes activities at multiple locations, 1 application
6 may be filed for the combined activities.

7 (2) Except as provided in subsections (3) and (4), until
8 October 1, 2015, an application for a permit shall be accompanied

1 by a fee based on an administrative cost in accordance with the
2 following schedule:

3 (a) For activities included in a minor project category, or a
4 seasonal drawdown or the associated reflooding, or both, of a dam
5 or impoundment for the purpose of weed control, a fee of \$50.00.
6 However, for a permit for a seasonal drawdown or associated
7 reflooding, or both, of a dam or impoundment for the purpose of
8 weed control that is issued for the first time after October 9,
9 1995, an initial fee of \$500.00 with subsequent permits for the
10 same purpose being assessed a \$50.00 fee.

11 (b) For authorization under a general permit, a \$50.00 fee.

12 (c) For construction or expansion of a marina, a fee of:

13 (i) \$50.00 for an expansion of 1-10 slips to an existing
14 permitted marina.

15 (ii) \$100.00 for a new marina with 1-10 proposed marina slips.

16 (iii) \$250.00 for an expansion of 11-50 slips to an existing
17 permitted marina, plus \$10.00 for each slip over 50.

18 (iv) \$500.00 for a new marina with 11-50 proposed marina slips,
19 plus \$10.00 for each slip over 50.

20 (v) \$1,500.00 if an existing permitted marina proposes
21 maintenance dredging of 10,000 cubic yards or more, **UNLESS THE**
22 **DREDGE MATERIAL HAS BEEN DETERMINED THROUGH TESTING TO BE 90% OR**
23 **MORE SAND**, or the addition of seawalls, bulkheads, or revetments of
24 500 feet or more.

25 (d) For major projects other than a project described in
26 subdivision (c) (v), involving any of the following, a fee of
27 \$2,000.00:

1 (i) Dredging of 10,000 cubic yards or more, **UNLESS THE DREDGE**
2 **MATERIAL HAS BEEN DETERMINED THROUGH TESTING TO BE 90% OR MORE**
3 **SAND.**

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

5 (iii) Seawalls, bulkheads, or revetments of 500 feet or more.

6 (iv) Filling or draining of 1 acre or more of wetland
7 contiguous to a lake or stream.

8 (v) New dredging or upland boat basin excavation in areas of
9 suspected contamination.

10 (vi) Shore projections, such as groins and underwater
11 stabilizers, that extend 150 feet or more into a lake or stream.

12 (vii) New commercial docks or wharves of 300 feet or more in
13 length.

14 (viii) Stream enclosures 100 feet or more in length.

15 (ix) Stream relocations 500 feet or more in length.

16 (x) New golf courses.

17 (xi) Subdivisions.

18 (xii) Condominiums.

19 (e) For the removal of submerged logs from bottomland of an
20 inland lake, a \$500.00 fee.

21 **(F) FOR DREDGING PROJECTS OF 10,000 CUBIC YARDS OR MORE AT**
22 **MARINAS IN WHICH THE DREDGE MATERIAL IS DETERMINED THROUGH TESTING**
23 **TO BE 90% OR MORE SAND, A \$500.00 FEE.**

24 **(G) ~~(F)~~**—For all other projects not listed in subdivisions (a)
25 through ~~(e)~~, **(F)**, a fee of \$500.00.

26 (3) A project that requires review and approval under this
27 part and 1 or more of the following acts or parts of acts is

1 subject to only the single highest permit fee required under this
2 part or the following acts or parts of acts:

3 (a) Part 303.

4 (b) Part 323.

5 (c) Part 325.

6 (d) Section 3104.

7 (e) Section 117 of the land division act, 1967 PA 288, MCL
8 560.117.

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