



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 840 (as introduced 2-22-18)
Sponsor: Senator Tom Casperson
Committee: Natural Resources

Date Completed: 2-28-18

CONTENT

The bill would amend the Part 301 (Inland Lakes and Streams) of the Natural Resources and Environmental Protection Act to allow, without a permit, any dredging, filling, or alteration of bottomland of a waste collection or treatment facility necessary to comply with State or Federal water pollution control law, and modify a current exemption for such a facility to the requirement for a permit.

The Act prohibits a person without a permit from the Department of Environmental Quality from modifying the inland lakes and streams of Michigan in certain ways, including the dredging or filling of bottomland or the construction, enlargement, extension, removal, or placement of a structure on bottomland.

The permit requirements do not apply to various activities or structures, including a waste collection or treatment facility that is ordered to be constructed or is approved for construction under State or Federal water pollution control law, if constructed in upland.

Under the bill, instead, a permit would not be required for maintenance and operation of a waste collection or treatment facility that was ordered to be constructed or was approved for operation as a waste treatment facility under a State or a Federal water pollution control law and Part 301. "Operation" would include filling the waste collection or treatment facility in compliance with the Act.

The bill also provides that a permit would not be required for any dredging, filling, or alteration of bottomland, or construction or placement of any structure on bottomland, of a waste collection or treatment facility necessary to comply with State or Federal water pollution control law.

MCL 324.30103

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would not have a significant fiscal impact on the Department of Environmental Quality (DEQ) or local units of government. Department staff have indicated that the bill would affect only one or two facilities at this time. The loss of revenue and the reduction in DEQ permitting costs associated with exempting those facilities from the requirement to obtain a Part 301 permit would not significantly affect the operations of the DEQ.

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.