

# Legislative Analysis

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## **REDUCE FEES FOR CERTAIN DREDGING PROJECTS; ALLOW EXPEDITED EMERGENCY PERMITS**

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### **House Bill 4398**

**Sponsor: Rep. Amanda Price**

### **House Bill 4399**

**Sponsor: Rep. Al Pscholka**

### **House Bill 4400**

**Sponsor: Rep. Peter Pettalia**

**Committee: Natural Resources**

**Complete to 3-11-13**

## **A SUMMARY OF HOUSE BILLS 4398 - 4400 AS INTRODUCED 3-7-13**

Taken together, the bills would (1) reduce the permit fees for dredging projects of 10,000 or more cubic yards where 90% of the dredge material is shown to be sand and (2) allow the Department of Environmental Quality (DEQ) to bypass the 20-day objection period and issue permits if emergency conditions exist.

House Bill 4398 would amend Part 325 (Great Lakes Submerged Lands) of the Natural Resources and Environmental Protection Act (NREPA) to reduce the permit fee to \$500 for dredging projects of 10,000 cubic yards or more at marinas where testing has shown the dredge material to consist of at least 90% sand. Currently, the fee is \$1,500 if an existing permitted marina proposes maintenance dredging of 10,000 cubic yards or more, and \$2,000 for other major dredging projects of 10,000 cubic yards or more. The fees contained in Part 325 apply to projects taking place on Great Lakes bottomlands.

House Bill 4399 would amend Part 325 of NREPA to allow the Department of Environmental Quality (DEQ) to issue a permit before the 20-day written objection period expires if emergency conditions warrant a project to protect property or public health, safety, or welfare. Currently, when the DEQ receives a permit application under Part 325, it must allow 20 days for local municipalities to file a written objection to the granting of the application before the DEQ can issue a permit.

House Bill 4400 would amend Part 301 (Inland Lakes and Streams) to reduce the permit fee to \$500 for dredging projects of 10,000 cubic yards or more at marinas where testing has shown the dredge material to consist of at least 90% sand. Currently, the fee is \$1,500 if an existing permitted marina proposes maintenance dredging of 10,000 cubic yards or more and \$2,000 for other major dredging projects of 10,000 cubic yards or more. The fees contained in Part 301 apply to projects taking place on inland lakes and streams.

## **FISCAL IMPACT:**

House Bill 4398: While the bill would reduce the amount of fee revenue that the DEQ would receive for these types of dredging permits, its provisions are anticipated to have minimal fiscal impact to the Department.

The bill would reduce the amount of a maintenance dredging permit for projects within the Great Lakes bottomlands of 10,000 cubic yards or more material if the material is determined to be 90 percent or more sand. The current fee of \$1,500 would be reduced to \$500.

The bill would also reduce the permit fee for other major marina dredging projects within the Great Lakes bottomlands for 10,000 cubic yards or more material if the material is determined to be 90 percent or more sand. The current fee of \$2,000 would be reduced to \$500.

House Bill 4399 would have no significant fiscal impact on the Department of Environmental Quality (DEQ).

House Bill 4400: While the bill would reduce the amount of fee revenue that the DEQ would receive for these types of dredging permits, its provisions would also reduce the amount of administrative costs to the DEQ through the reclassification of the permits. House Bill 4400 is anticipated to have minimal fiscal impact to the Department.

The bill would reduce the amount of a maintenance dredging permit for marina projects within inland lakes of 10,000 cubic yards or more material if the material is determined to be 90 percent or more sand. The current fee of \$1,500 would be reduced to \$500.

The bill would also reduce the permit fee for other major marina dredging projects within inland lakes for 10,000 cubic yards or more material if the material is determined to be 90 percent or more sand. The current fee of \$2,000 would be reduced to \$500.

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■ 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.