

# Legislative Analysis

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## EXEMPT MINING ACTIVITY FROM PART 301 PERMIT

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### House Bill 4401

**Sponsor: Rep. Peter Pettalia**

**Committee: Natural Resources**

**Complete to 6-10-13**

### A SUMMARY OF HOUSE BILL 4401 AS INTRODUCED 3-12-13

The bill would amend Part 301 (Inland Lakes and Streams) of the Natural Resources and Environmental Protection Act to exempt certain excavation and mining activities from needing a permit under Part 301.

Specifically, the bill would exempt excavation or mining activities associated with an active mining operation from needing a permit under Part 301, unless the activities create an inland lake with a surface area of five acres or more. If the activities do not result in the creation of an inland lake, or if an inland lake is created but is maintained at less than five acres, a Part 301 permit would not be required unless the means of controlling the lake's surface area fails to keep it below five acres.

Generally, under Part 301, individuals cannot do any of the following without obtaining a permit from the Department of Environmental Quality:

- Dredge or fill bottomland.
- Build, expand, or remove a structure on bottomland.
- Build, reconfigure, or expand a marina.
- Create, expand, or diminish an inland lake or stream.
- Structurally interfere with the natural flow of an inland lake or stream.
- Connect a natural or artificially created waterway with an existing inland lake or stream.

MCL 324.30103

### FISCAL IMPACT:

House Bill 4401 would have no significant fiscal impact on the Department of Environmental Quality or local units of government.

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