



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 567 (Substitute S-1)  
Sponsor: Senator Bob Emerson  
Committee: Appropriations

Date Completed: 6-12-03

### **CONTENT**

**The bill would amend the Natural Resources and Environmental Protection Act to postpone sunsets on land and water management fees for the Department of Environmental Quality (DEQ) until October 1, 2008.**

#### Floodplain Permits

The DEQ controls alterations of natural and present watercourses of all rivers and streams in the State to ensure that the channels and the portion of the floodplains that are the floodways are not inhabited and are kept free of obstructions that will cause undue restriction on the capacity of the floodway. Individuals may apply for a permit to alter a floodplain. Currently, the permit fee for a major project category is \$500 and the permit fee for minor projects is \$100 and the fees will expire on October 1, 2003. The bill would continue the existing permits fees, postponing the sunset for five years, until October 1, 2008.

#### Inland Lakes and Streams Permits

Individuals may not do any of the following regarding inland lakes and streams without a permit: dredge or fill a bottomland; construct, remove, or place a structure on a bottomland; create or maintain a marina; enlarge or diminish an inland lake or stream; structurally interfere with the natural flow of an inland lake or stream; or construct, dredge, or enlarge an artificial canal, pond, lake or similar waterway for the purpose of connecting an existing inland lake within 500 feet of the ordinary high water mark of an existing inland lake or stream or for any other purpose.

Current law establishes fees ranging from \$50 to \$2,000 for various types of projects relating to the activities listed above. On October 1, 2003, a permit for any of the identified activities is scheduled to be \$25. The bill would postpone the sunset and continue the current fee structure until October 1, 2008.

#### Ordinary High-Water Mark Survey

A riparian owner may request and receive from the DEQ a written agreement on the location of the ordinary high-water mark for his or her property. The riparian owner must submit a written request for the agreement and a service fee of \$500. On October 1, 2003, the service fee will decrease to \$50. The bill would eliminate the fee change and continue the service fee at \$500 until October 1, 2008.

### Shorelands Protection and Management

The bill would postpone for five years an October 1, 2003, sunset on permit fees for construction projects in high-risk areas, flood risk areas, and environmental areas. The current application fees are \$500 for a commercial or multifamily residential project, \$100 for a single-family home construction project, and \$50 for an addition to an existing single-family home or other minor project.

### Great Lakes Submerged Lands

Individuals must have a permit to do any of the following: construct, dredge, or do any work with respect to an artificial canal, lagoon, pond, lake, or similar waterway where the purpose is connection to any of the Great Lakes, including Lake St. Clair; connect any natural or artificially constructed waterway with any of the Great Lakes, including Lake St. Clair, for navigation or any other purpose; dredge or place spoil or any similar material on bottomland; or construct a marina. Depending on the project, an individual may obtain a permit for these activities with a permit fee between \$50 and \$2,000. On October 1, 2003, the permit fee will be \$50 for any of these activities. The bill would continue the current fees for another five years and set an new sunset date of October 1, 2008.

MCL 324.3104 et al.

### **FISCAL IMPACT**

Approximately \$2,106,000 is included in the Senate Appropriations Committee, House-passed, and Governor's proposed budget for FY 2003-04 for the Department of Environmental Quality from these land and water management fees. The budget assumes the fee sunsets are eliminated or postponed and the existing fee structure applies for the next fiscal year.

Fiscal Analyst: Jessica Runnels