

# HOUSE BILL No. 6171

September 30, 1992, Introduced by Reps. Hertel, Kilpatrick and Leland and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title of Act No. 247 of the Public Acts of 1955, entitled as amended

"An act to authorize the department of conservation of the state of Michigan to grant, convey or lease certain unpatented lake bottomlands and unpatented made lands in the Great Lakes, including the bays and harbors thereof, belonging to the state of Michigan or held in trust by it; to permit the private and public use of waters over submerged patented lands and the making of agreements limiting and regulating the use thereof; to provide for the disposition of revenue derived therefrom; and to provide penalties for violation of this act,"

as amended, being sections 322.701 to 322.715 of the Michigan Compiled Laws; and to add section 4a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. The title of Act No. 247 of the Public Acts of  
2 1955, as amended, being sections 322.701 to 322.715 of the  
3 Michigan Compiled Laws, is amended and section 4a is added to  
4 read as follows:

## TITLE

1  
2 An act to authorize the department of ~~conservation~~ NATURAL  
3 RESOURCES of the state of Michigan to grant, convey or lease cer-  
4 tain unpatented lake bottomlands and unpatented made lands in the  
5 Great Lakes, including the bays and harbors thereof, belonging to  
6 the state of Michigan or held in trust by it; to permit the pri-  
7 vate and public use of waters over submerged patented lands and  
8 the making of agreements limiting and regulating the use thereof;  
9 TO PRESCRIBE THE POWERS AND DUTIES OF CERTAIN STATE AGENCIES AND  
10 OFFICIALS; to provide for the disposition of revenue derived  
11 therefrom; and to provide penalties for violation of this act.

12 SEC. 4A. (1) THE DEPARTMENT SHALL NOT DO EITHER OF THE FOL-  
13 LOWING UNLESS IT HAS PREPARED AN ENVIRONMENTAL IMPACT STUDY AS  
14 PROVIDED FOR IN SUBSECTION (3):

15 (A) LEASE OR DEED BOTTOMLAND OF THE GREAT LAKES OR THEIR  
16 CONNECTING WATERWAYS FOR THE PURPOSE OF CONSTRUCTING A RAILROAD  
17 TUNNEL.

18 (B) PERMIT THE CONSTRUCTION OF A RAILROAD TUNNEL UNDER OR  
19 THROUGH THE GREAT LAKES OR THEIR CONNECTING WATERWAYS.

20 (2) THE STATE TRANSPORTATION DEPARTMENT SHALL NOT PERMIT THE  
21 CONSTRUCTION OF A RAILROAD TUNNEL UNDER OR THROUGH THE GREAT  
22 LAKES OR THEIR CONNECTING WATERWAYS UNLESS THE DEPARTMENT HAS  
23 PREPARED AN ENVIRONMENTAL IMPACT STUDY AS PROVIDED FOR IN  
24 SUBSECTION (3).

25 (3) UPON RECEIPT OF A PROPOSAL TO CONSTRUCT A RAILROAD  
26 TUNNEL UNDER OR THROUGH THE GREAT LAKES OR THEIR CONNECTING  
27 WATERWAYS, OR UPON REQUEST OF THE STATE TRANSPORTATION DEPARTMENT

1 REGARDING SUCH A PROJECT, THE DEPARTMENT SHALL CONDUCT A STUDY OF  
2 THE ENVIRONMENTAL IMPACT OF THE PROPOSED PROJECT. THE ENVIRON-  
3 MENTAL IMPACT STUDY SHALL INCLUDE ALL OF THE FOLLOWING:

4 (A) A DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED  
5 PROJECT ON THE ENVIRONMENT, INCLUDING ANY ASSOCIATED IMPACTS ON  
6 HUMAN LIFE.

7 (B) A DESCRIPTION OF THE PROBABLE ADVERSE EFFECTS OF THE  
8 PROPOSED PROJECT THAT CANNOT BE AVOIDED, SUCH AS AIR OR WATER  
9 POLLUTION, THREATS TO HUMAN HEALTH, OR OTHER ADVERSE EFFECTS ON  
10 HUMAN LIFE.

11 (C) AN EVALUATION OF ALTERNATIVES TO THE PROPOSED PROJECT  
12 THAT MIGHT AVOID SOME OR ALL OF THE ADVERSE EFFECTS.

13 (D) THE POSSIBLE MODIFICATIONS TO THE PROPOSED PROJECT THAT  
14 WOULD ELIMINATE OR MINIMIZE ADVERSE EFFECTS, INCLUDING A DISCUS-  
15 SION OF THE ADDITIONAL COSTS INVOLVED IN SUCH MODIFICATIONS.