

Act No. 97  
Public Acts of 1996  
Approved by the Governor  
February 28, 1996  
Filed with the Secretary of State  
February 28, 1996

**STATE OF MICHIGAN**  
**88TH LEGISLATURE**  
**REGULAR SESSION OF 1996**

Introduced by Reps. Alley and Middaugh

# **ENROLLED HOUSE BILL No. 4707**

AN ACT to amend section 30104 of Act No. 451 of the Public Acts of 1994, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," as amended by Act No. 171 of the Public Acts of 1995, being section 324.30104 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 30104 of Act No. 451 of the Public Acts of 1994, as amended by Act No. 171 of the Public Acts of 1995, being section 324.30104 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 30104. (1) Before a project that is subject to this part is undertaken, a person shall file an application and receive a permit from the department. The application shall be on a form prescribed by the department and shall include any information that may be required by the department. If a project includes activities at multiple locations, 1 application may be filed for the combined activities.

(2) Except as provided in subsections (3) and (4), an application for a permit shall be accompanied by a fee based on an administrative cost in accordance with the following schedule:

(a) Until October 1, 1999:

(i) For a minor project listed in R 281.816 of the Michigan administrative code, or a seasonal drawdown or the associated reflooding, or both, of a dam or impoundment for the purpose of weed control, a fee of \$50.00. However, for a permit for a seasonal drawdown or associated reflooding, or both, of a dam or impoundment for the purpose of weed control that is issued for the first time after the effective date of the 1995 amendatory act that added this sentence, an initial fee of \$500.00 with subsequent permits for the same purpose being assessed a \$50.00 fee.

(ii) For construction or expansion of a marina, a fee of:

(A) \$50.00 for an expansion of 1-10 slips to an existing permitted marina.

(B) \$100.00 for a new marina with 1-10 proposed marina slips.

(C) \$250.00 for an expansion of 11-50 slips to an existing permitted marina, plus \$10.00 for each slip over 50.

(D) \$500.00 for a new marina with 11-50 proposed marina slips, plus \$10.00 for each slip over 50.

(E) \$1,500.00 if an existing permitted marina proposes maintenance dredging of 10,000 cubic yards or more or the addition of seawalls, bulkheads, or revetments of 500 feet or more.

(iii) For renewal of a marina operating permit, a fee of \$50.00.

(iv) For major projects other than a project described in subparagraph (ii)(E), involving any of the following, a fee of \$2,000.00:

(A) Dredging of 10,000 cubic yards or more.

(B) Filling of 10,000 cubic yards or more.

(C) Seawalls, bulkheads, or revetment of 500 feet or more.

(D) Filling or draining of 1 acre or more of wetland contiguous to a lake or stream.

(E) New dredging or upland boat basin excavation in areas of suspected contamination.

(F) Shore projections, such as groins and underwater stabilizers, that extend 150 feet or more into a lake or stream.

(G) New commercial docks or wharves of 300 feet or more in length.

(H) Stream enclosures 100 feet or more in length.

(I) Stream relocations 500 feet or more in length.

(J) New golf courses.

(K) Subdivisions.

(L) Condominiums.

(v) For all other projects not listed in subparagraphs (i) through (iv), a fee of \$500.00.

(b) Beginning October 1, 1999, a fee of \$25.00 for any project listed in subdivision (a).

(3) A project that requires review and approval under this part and 1 or more of the following acts or parts of acts is subject to only the single highest permit fee required under this part or the following acts or parts of acts:

(a) Part 303.

(b) Part 325.

(c) Part 323.

(d) Section 3104.

(e) Section 117 of the subdivision control act of 1967, Act No. 288 of the Public Acts of 1967, being section 560.117 of the Michigan Compiled Laws.

(4) If work has been done in violation of a permit requirement under this part and restoration is not ordered by the department, the department may accept an application for a permit if the application is accompanied by a fee equal to 2 times the permit fee required under this section.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved \_\_\_\_\_

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Governor.