

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 651 (Substitute S-2 as reported by the Committee of the Whole)

Sponsor: Senator Ken Sikkema

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 91 (Soil Erosion and Sedimentation Control) of the Natural Resources and Environmental Protection Act to allow a county board of commissioners to provide for soil erosion and sedimentation control by ordinance; require the Department of Environmental Quality (DEQ) to conduct a review of a county's, municipality's, or public agency's soil erosion and sedimentation control program and approve or disapprove of the program; establish a municipal or State civil infraction fine of up to \$2,500 for a violation of Part 91, a \$10,000 fine for each day a person knowingly violated Part 91 or knowingly made a false statement in an application, and a \$25,000 fine for each day a person knowingly violated Part 91 after receiving a notice; allow the DEQ to charge fees for administering a soil erosion and sedimentation control training program; create the Soil Erosion and Sedimentation Control Training Fund; and exempt certain metallic mineral mining activity from the permit requirements pertaining to earth changes.

MCL 324.9101 et al.

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would result in an indeterminate increase in State and local government expenditures and revenues. The bill would give the Department of Environmental Quality enhanced responsibility for reviewing and approving soil erosion and sedimentation control programs, for certifying training, and for providing educational materials. In addition the bill would extend the authority to establish a soil erosion and sedimentation control program to additional units of local government, including general law townships. The Department estimates that the increased responsibilities under the bill, assuming that few new soil erosion and sedimentation control programs would be established, could result in the need for an additional four to six full-time equated positions at an approximate annual cost of between \$300,000 and \$450,000. A portion of the increased costs would be offset by the revenue from training and examination fees allowed under the bill. Local governments would incur an indeterminate increase in costs associated with the training and examination requirements, and associated fees, of the bill. Finally, the bill would result in an indeterminate increase in revenue to libraries, to local governments, and to the State General Fund from the increase in civil fines and infractions authorized by the bill.

Date Completed: 5-30-00

Fiscal Analyst: P. Graham