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MODIFY FINES FOR SOIL EROSION AND SEDIMENTATION CONTROL VIOLATIONS

House Bill 4755

Sponsor: Rep. Robert Gosselin

**Committee: Conservation and Outdoor
Recreation**

Complete to 8-8-01

A SUMMARY OF HOUSE BILL 4755 AS INTRODUCED 5-10-01

Currently, under Part 91 of the Natural Resources and Environmental Protection Act (NREPA), which regulates soil erosion and sedimentation control, a person who knowingly violates the provisions of the act, or who knowingly makes a false statement in an application for a permit or in a soil erosion and sedimentation control plan is responsible for a civil fine of up to \$10,000 for each day of violation. House Bill 4755 would that the maximum fine could not exceed \$25,000 if the parcel of land that was the subject of the violation or false statement was not more than ten acres in size, or – for larger parcels – if the earth changes occurred on not more than ten acres.

The act also specifies that a person who knowingly violates Part 91 after receiving a notice of determination is responsible for a civil fine of at least \$2,500 but not more than \$25,000 for each day the violation occurs. The bill would add that the maximum fine could not exceed \$250,000 if the parcel of land that was the subject of the violation was not more than ten acres in size, or – for larger parcels – if the earth changes occurred on not more than ten acres.

MCL 324.9121

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.