

SENATE BILL No. 819

November 7, 2001, Introduced by Senators SIKKEMA, GARCIA, NORTH, SCHWARZ, SMITH, PETERS, BYRUM and GOSCHKA and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 9101 (MCL 324.9101), as amended by 2000 PA
504.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9101. (1) "Agricultural practices" means all land
2 farming operations except the plowing or tilling of land for the
3 purpose of crop production or the harvesting of crops.

4 (2) "Authorized public agency" means a state agency or an
5 agency of a local unit of government authorized under section
6 9110 to implement soil erosion and sedimentation control proce-
7 dures with regard to earth changes undertaken by it.

8 (3) "Conservation district" means a conservation district
9 authorized under part 93.

1 (4) "Consultant" means either of the following:

2 (a) An individual who has a current certificate of training
3 under section 9123.

4 (b) A person who employs 1 or more individuals who have cur-
5 rent certificates of training under section 9123.

6 (5) "County agency" means an officer, board, commission,
7 department, or other entity of county government.

8 (6) "County enforcing agency" means a county agency or a
9 conservation district designated by a county board of commission-
10 ers under section 9105.

11 (7) "County program" or "county's program" means a soil ero-
12 sion and sedimentation control program established under section
13 9105.

14 (8) "Department" means the department of environmental
15 quality.

16 (9) "Earth change" means a human-made change in the natural
17 cover or topography of land, including cut and fill activities,
18 which may result in or contribute to soil erosion or sedimenta-
19 tion of the waters of the state. Earth change does not include
20 the practice of plowing and tilling soil for the purpose of crop
21 production.

22 (10) "Local ordinance" means an ordinance enacted by a local
23 unit of government under this part providing for soil erosion and
24 sedimentation control.

25 (11) "Municipal enforcing agency" means an agency designated
26 by a municipality under section 9106 to enforce a local
27 ordinance.

1 (12) "Municipality" means any of the following:

2 (a) A city.

3 (b) A village.

4 (c) A charter township.

5 (d) A general law township that is located in a county with
6 a population of 200,000 or more.

7 (13) "Rules" means the rules promulgated pursuant to the
8 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
9 24.328.

10 (14) "Sediment" means solid particulate matter, including
11 both mineral and organic matter, that is in suspension in water,
12 is being transported, or has been removed from its site of origin
13 by the actions of wind, water, or gravity and has been deposited
14 elsewhere.

15 (15) "Soil erosion" means the wearing away of land by the
16 action of wind, water, gravity, or a combination of wind, water,
17 or gravity.

18 (16) "State agency" means a principal state department OR A
19 STATE PUBLIC UNIVERSITY.

20 (17) "Violation of this part" or "violates this part" means
21 a violation of this part, the rules promulgated under this part,
22 a permit issued under this part, or a local ordinance enacted
23 under this part.

24 (18) "Waters of the state" means the Great Lakes and their
25 connecting waters, inland lakes and streams as defined in rules
26 promulgated under this part, and wetlands regulated under
27 part 303.