

**DEFINITION OF WETLAND:
PROPERTY UNDER FIVE ACRES**

House Bill 4588
Sponsor: Rep. Paul Condino
**Committee: Conservation and Outdoor
Recreation**

Complete to 9-16-03

A SUMMARY OF HOUSE BILL 4588 AS INTRODUCED 4-29-03

Under Part 301 of the Natural Resources and Environmental Act, a wetland is defined to mean, generally speaking, land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life. This includes land commonly referred to as a bog, swamp, or marsh contiguous to the Great Lakes or Lake St. Clair, an inland lake or pond, or a river or stream and land over five acres in size not contiguous to those bodies of water. The act further specifies that an area that is not contiguous to either the Great Lakes, an inland lake or pond, or a river or stream, and is five acres or less in size, is considered to be a wetland if the Department of Environmental Quality “determines that protection of the area is essential to the preservation of the natural resources of the state from pollution, impairment, or destruction and the department has notified the owner”, among other requirements.

House Bill 4588 would add that, with regard to noncontiguous land of five acres or less, inclusion of an area in appendices D or E of the 1996 DEQ report entitled “The Critical Non-contiguous Wetlands of Michigan” constitutes the DEQ’s determination that the area is indeed essential to the preservation of the natural resources of the state from pollution, impairment, or destruction. Further, the bill would require the DEQ to notify the owner of an area listed in appendix E of its determination within 30 days after the bill took effect.

MCL 324.30301

Analyst: M. Wolf

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