

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 244 (as introduced 3-4-03)
Sponsor: Senator Jim Barcia
Committee: Natural Resources and Environmental Affairs

Date Completed: 5-6-03

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to allow a person to perform beach maintenance activities on Great Lakes riparian lands without a permit from the Department of Environmental Quality (DEQ) under Part 303 (Wetland Protection) or Part 325 (Great Lakes Submerged Lands).

Under the bill, "beach maintenance activities" would include manual or mechanized leveling of sand, mowing, and removal of vegetation and grooming of the top four inches of soil of the area of Great Lakes riparian lands lying between the ordinary high-water mark and the water's edge. "Great Lakes riparian lands" would mean property bordering on the Great Lakes.

Under Part 303, a person must obtain a permit from the DEQ in order to engage in various activities involving a wetland, such as dredging or removing soil, or draining surface water. Part 303 also allows specific activities without a permit, subject to other applicable State laws and the owner's regulation. The bill would add beach maintenance activities to the permissible activities.

Under Part 325, a person is prohibited from doing the following without a permit from the DEQ or authorization granted by the Legislature:

- Constructing, dredging, commencing, or doing any work with respect to a body of water or waterway for the purpose of ultimately connecting the waterway with any of the Great Lakes.
- Connecting a body of water or waterway with any of the Great Lakes, for any purpose.
- Dredging or placing spoil or other material on bottomland.
- Constructing a marina.

The bill specifies that, notwithstanding this prohibition, no permit or other approval would be required for beach maintenance activities.

Part 325 presently allows a riparian owner to apply to the DEQ for a certificate suitable for recording indicating the location of his or her lakeward boundary. Under the bill, the owner could apply for a certificate to record the location of the ordinary high-water mark on his or her property.

MCL 324.30301 et al.

Legislative Analyst: Julie Koval

FISCAL IMPACT

The State would lose an indeterminate amount of permit revenue as result of the bill. Individuals who are currently required to pay \$200 for a permit to conduct beach maintenance activities would no longer need to obtain a permit.

Fiscal Analyst: Jessica Runnels

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.