

SENATE BILL No. 1181

May 4, 2004, Introduced by Senator BIRKHOLZ 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 32607 (MCL 324.32607), as added by 2000 PA
278.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32607. (1) The department shall not authorize the same
2 bottomland log removal area in more than 1 submerged log removal
3 permit at any 1 time.

4 (2) The department may modify the boundaries of a proposed
5 bottomland log removal area in a submerged log removal permit to
6 avoid overlaps with other active submerged log removal permits or
7 adverse impacts, including, but not limited to, impacts to the
8 environment, natural resources, riparian rights, and the public
9 trust.

10 (3) A submerged log removal plan approved by the department

1 shall be included in each submerged log removal permit.

2 (4) A submerged log removal permit shall contain terms and
3 conditions that are determined by the department to protect the
4 environment, natural resources, riparian rights, and the public
5 trust.

6 (5) The term of each submerged log removal permit shall ~~not~~
7 be ~~more than~~ 5 years **from the date all necessary approvals have**
8 **been granted by the state and federal government.** ~~The~~
9 ~~department shall not issue any permit under this part that will~~
10 ~~be effective beyond December 31, 2006.~~ Processing fees received
11 under this subsection shall be forwarded to the state treasurer
12 for deposit into the fund.

13 (6) A submerged log removal permit issued under this section
14 is not transferrable unless approved in writing by the
15 department.

16 (7) An applicant for a submerged log removal permit shall
17 provide a performance bond acceptable to the department in the
18 amount of \$100,000.00. The performance bond shall be provided to
19 the department at least 10 days prior to beginning submerged log
20 removal in a bottomland log removal area. The performance bond
21 shall ensure compliance with the submerged log removal permit for
22 the period of the permit or until the authorized submerged log
23 removal is completed to the satisfaction of the department and
24 all payments under section 32609 have been made. The department
25 shall issue a written statement releasing the permittee and
26 bonding company upon termination of the submerged log removal
27 permit and upon satisfaction of the department as to the

1 compliance of the permittee with the terms and conditions of the
2 permit. The department may draw upon the performance bond for
3 delinquent payments as required in section 32609.

4 (8) A permittee may request, in writing, and the department
5 may grant, termination of a submerged log removal permit prior to
6 the expiration date, including release from quarterly reports and
7 performance bond requirements.