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Senate Bill 854 (Substitute S-1 as reported) Sponsor: Senator Raymond E. Basham

Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 327 (Great Lakes Preservation) of the Natural Resources and Environmental Protection Act to encourage all people making large quantity withdrawals within a watershed to establish a water users committee to evaluate the status of current water resources, water use, and trends in water use within the watershed, and to assist in long-term water resources planning.

If the Department of Environmental Quality (DEQ) determined that adverse resource impacts were occurring or were likely to occur from a large quantity withdrawal, it would have to notify the committee in the watershed or convene a meeting of all registrants and water withdrawal permit holders within the watershed and attempt to facilitate an agreement on voluntary measures that would prevent adverse resource impacts. The DEQ could propose a solution that it believed would resolve the situation equitably and prevent adverse resource impacts if the registrants and permit holders could not voluntarily agree to preventative measures within 30 days.

The DEQ Director could order a permit holder to restrict immediately a withdrawal if he or she determined that there was a substantial and imminent threat that the withdrawal was causing or was likely to cause an adverse resource impact. The permit holder could request a contested case hearing under the Administrative Procedures Act within 10 business days.

A registrant or permit holder could submit to the DEQ Director a petition alleging that adverse resource impacts were occurring or were likely to occur from a water withdrawal. The Director could order a person who submitted more than two unverified petitions within one year to pay for the full costs of investigating any subsequent unverified petition.

The bill is tie-barred to Senate Bills 850, 851, 852 and 857.

Proposed MCL 324.32725 Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would increase administrative expenses by an indeterminate amount for DEQ activities, including the convening of meetings of the water users committees, enforcement of orders issued by the director, and investigation of petitions alleging adverse resource impacts.

Date Completed: 12-8-05 Fiscal Analyst: Jessica Runnels

floor\sb854 Analysis available @ http://www.michiganlegislature.org
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