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BILL ANALYSIS

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Senate Bill 1481 (as introduced 11-9-06)

Sponsor: Senator Patricia L. Birkholz

Committee: Natural Resources and Environmental Affairs

Date Completed: 11-20-06

CONTENT

The bill would amend Part 301 (Inland Lakes and Streams) of the Natural Resources and Environmental Protection Act to authorize the Department of Environmental Quality (DEQ) to issue a permit for the crossing of an inland lake or stream for certain gas transmission pipeline projects.

Part 301 authorizes the DEQ, after notice and opportunity for a hearing, to issue a general permit on a statewide basis or within a local unit of government for projects that are similar in nature for the removal of certain qualifying small dams. Under the bill, the DEQ could issue such a permit for the crossing of an inland lake or stream for the maintenance, repair, or restoration of a pipeline that used practices described in the Department's "Guidebook of Best Management Practices for Michigan Watersheds", reprinted October 1998, to avoid or otherwise minimize temporary adverse impacts on lakes or streams.

The \$50 fee prescribed in Part 301 for a small dam removal permit also would apply to a permit issued under the bill. Additionally, a permit issued under the bill would be subject to existing provisions limiting the validity of a general permit to five years, and allowing the DEQ to establish a reasonable time when a project subject to a general permit must be completed or terminated.

The bill would define "pipeline" as a gas transmission pipeline subject to the Federal Pipeline Safety Improvement Act (Public Law 107-355).

MCL 324.30101 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would increase revenue to the State by an indeterminate amount. Additional general permits could be issued for the expanded project purposes that would be allowed under the bill. Section 30104 of the Act establishes a \$50 fee for permits issued under the section providing for small dam removal permits. The revenue is deposited into the Land and Water Permit Fee Fund and used for administration of land and water programs.

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.