



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 6164 (Substitute H-1 as reported without amendment)

House Bill 6165 (Substitute S-2 as reported by the Committee of the Whole)

Sponsor: Representative John Pastor

House Committee: Natural Resources, Great Lakes, Land Use, and Environment

Senate Committee: Natural Resources and Environmental Affairs

CONTENT

House Bill 6164 (H-1) would amend Part 303 (Wetlands Protection) of the Natural Resources and Environmental Protection Act to allow a local unit of government, after reviewing a permit application involving a wetland within that local unit, to decline to make any recommendation to the Department of Environmental Quality (DEQ) regarding the application.

Under Part 303, if the DEQ receives a permit application to conduct the restricted activities specified above with respect to a wetland, and the local unit of government where the wetland is located does not have an ordinance regulating wetlands, the DEQ must send a copy of the permit application to that local unit of government. The local unit may review the application and recommend approval, modification, or denial of the application to the DEQ within 45 days of receiving the application. Under the bill, the local unit of government also could notify the DEQ that it declined to make a recommendation.

House Bill 6165 (S-2) would amend Part 303 to allow the DEQ, upon a written request and receipt of a \$250 fee, to approve minor revisions to a permit issued under Part 303.

"Minor revision" would mean either a transfer of a permit, or a revision that did not increase the overall impact of a project on wetlands and that was within the scope of the project as described in the original permit.

If the request were for a transfer of the permit, it would have to be accompanied by a written agreement between the current and new owners or operators containing a specific date for transfer of responsibility, coverage, and liability under the permit.

MCL 324.30307 (H.B. 6164)
Proposed MCL 324.30313b (H.B. 6165)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

House Bill 6164 (H-1) would have no fiscal impact on State or local government.

House Bill 6165 (S-2) would have an indeterminate fiscal impact on the State. The Department of Environmental Quality would be authorized to charge a fee of \$250 for processing minor revisions to a wetlands permit. The total amount collected from the fee would depend on the number of requested revisions. The fee revenue would be deposited into the Land and Water Permit Fee Fund, which is used to support land and water permitting and regulatory activities.

Date Completed: 9-19-06

Fiscal Analyst: Jessica Runnels