

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 282

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 9115a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 9115A. (1) A RESIDENTIAL PROPERTY OWNER WHO CAUSES THE  
2 FOLLOWING ACTIVITIES TO BE CONDUCTED ON INDIVIDUAL RESIDENTIAL  
3 PROPERTY OWNED AND OCCUPIED BY HIM OR HER IS NOT REQUIRED TO OBTAIN  
4 A PERMIT UNDER THIS PART IF THE EARTH CHANGE ACTIVITIES DO NOT  
5 RESULT IN OR CONTRIBUTE TO SOIL EROSION OR SEDIMENTATION OF THE  
6 WATERS OF THE STATE OR A DISCHARGE OF SEDIMENT OFF-SITE:

7           (A) AN EARTH CHANGE OF A MINOR NATURE THAT IS STABILIZED  
8 WITHIN 24 HOURS OF THE INITIAL EARTH DISTURBANCE.

9           (B) GARDENING, IF THE NATURAL ELEVATION OF THE AREA IS NOT

1 RAISED.

2 (C) POST HOLES FOR FENCING, DECKS, UTILITY POSTS, MAILBOXES,  
3 OR SIMILAR APPLICATIONS, IF NO ADDITIONAL GRADING OR EARTH CHANGE  
4 OCCURS FOR USE OF THE POST HOLES.

5 (D) REMOVAL OF TREE STUMPS, SHRUB STUMPS, OR ROOTS RESULTING  
6 IN AN EARTH CHANGE NOT TO EXCEED 100 SQUARE FEET.

7 (E) ALL OF THE FOLLOWING ACTIVITIES, IF SOIL EROSION AND  
8 SEDIMENTATION CONTROLS ARE IMPLEMENTED, THE EARTH CHANGE IS  
9 STABILIZED WITHIN 24 HOURS OF THE INITIAL EARTH DISTURBANCE, AND  
10 SOIL EROSION OR SEDIMENTATION TO ADJACENT PROPERTIES OR THE WATERS  
11 OF THE STATE HAS NOT OR WILL NOT REASONABLY OCCUR:

12 (i) PLANTING OF TREES, SHRUBS, OR OTHER SIMILAR PLANTS.

13 (ii) SEEDING OR RESEEDING OF LAWNS OF LESS THAN 1 ACRE IF THE  
14 SEEDED AREA IS AT LEAST 100 FEET FROM THE WATERS OF THE STATE.

15 (iii) SEEDING OR RESEEDING OF LAWNS CLOSER THAN 100 FEET FROM  
16 THE WATERS OF THE STATE IF THE AREA TO BE SEEDED OR RESEDED DOES  
17 NOT EXCEED 100 SQUARE FEET.

18 (iv) THE TEMPORARY STOCKPILING OF SOIL, SAND, OR GRAVEL NOT  
19 GREATER THAN A TOTAL OF 10 CUBIC YARDS ON THE PROPERTY IF THE  
20 STOCKPILING OCCURS AT LEAST 100 FEET FROM THE WATERS OF THE STATE.

21 (v) SEAWALL MAINTENANCE THAT DOES NOT EXCEED 100 SQUARE FEET.

22 (2) EXEMPTIONS PROVIDED IN THIS SECTION SHALL NOT BE CONSTRUED  
23 AS EXEMPTIONS FROM ENFORCEMENT PROCEDURES UNDER THIS PART OR THE  
24 RULES PROMULGATED UNDER THIS PART IF THE EXEMPTED ACTIVITIES CAUSE  
25 OR RESULT IN A VIOLATION OF THIS PART OR THE RULES PROMULGATED  
26 UNDER THIS PART.

27 Enacting section 1. This amendatory act does not take effect

1 unless House Bill No. 4444 of the 93rd Legislature is enacted into  
2 law.