

Legislative Analysis



ALLOW BEACH GROOMING WITHOUT A PERMIT

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Senate Bill 1052 (Substitute S-2)

Sponsor: Sen. Tom Casperson

House Committee: Natural Resources, Tourism, and Outdoor Recreation

Senate Committee: Natural Resources, Environment, and Great Lakes

Complete to 5-25-12

A SUMMARY OF SENATE BILL 1052 (S-2) AS PASSED BY THE SENATE 5-23-12

The bill would amend Parts 303 (Wetlands Protection) and 325 (Great Lakes Submerged Lands) of the Natural Resources and Environmental Protection Act to remove a provision that requires individuals to obtain a permit to mow or remove vegetation between the ordinary high-water mark and the water's edge.

Specifically, the bill would prohibit state or local units of government from regulating the following activities under Parts 303 or 325:

- Leveling sand, removing vegetation, grooming soil, or removing debris, in an area of unconsolidated material predominantly composed of sand, rock, or pebbles, located between the ordinary high-water mark and the water's edge.
- Mowing vegetation between the ordinary high-water mark and the water's edge.

Under the bill, the prohibition on regulation would not apply to lands within Lake St. Clair.

The bill would also repeal Section 32516, enacted in 2003, which required the director of the Department of Environmental Quality to initially designate two areas of shoreline on the Great Lakes and Lake St. Clair where the mowing and removal of vegetation was allowed without obtaining a permit and allowed the director to designate other areas within one year.

MCL 324.30301 et al.

FISCAL IMPACT:

Senate Bill 1052 would have an indeterminate fiscal impact on the Department of Environmental Quality. The bill would eliminate the requirement that a person obtain a permit for mowing or removing vegetation and leveling sand on beaches under Part 303 (Wetlands Protection) and Part 325 (Great Lakes Submerged Lands). Any fiscal impact on the Department would result from DEQ no longer receiving fees for permits of relevant activities and any savings realized from reduced administrative activities by the Department for the processing of those permits.

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