

**SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4554**

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 1301, 1307, 30102, 30104, 32603, 32604, 32606,  
32607, 32609, and 32611 (MCL 324.1301, 324.1307, 324.30102,  
324.30104, 324.32603, 324.32604, 324.32606, 324.32607, 324.32609,  
and 324.32611), section 1301 as amended by 2009 PA 120, section  
1307 as added by 2004 PA 325, section 30102 as amended by 2009 PA  
139, section 30104 as amended by 2011 PA 90, sections 32603, 32604,  
32606, and 32609 as added by 2000 PA 278, section 32607 as amended  
by 2004 PA 546, and section 32611 as added by 2000 PA 277.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1       Sec. 1301. As used in this part:
- 2       (a) "Application period" means the period beginning when an
- 3       application for a permit is received by the state and ending when

1 the application is considered to be administratively complete under  
2 section 1305 and any applicable fee has been paid.

3 (b) "Department" means the department, agency, or officer  
4 authorized by this act to approve or deny an application for a  
5 particular permit.

6 (c) "Director" means the director of the state department  
7 authorized under this act to approve or deny an application for a  
8 particular permit or the director's designee.

9 (d) "Permit" means a permit or operating license required by  
10 any of the following sections or by rules promulgated thereunder,  
11 or, in the case of section 9112, by an ordinance ~~or resolution~~  
12 adopted thereunder:

13 (i) Section 3104, floodplain alteration permit.

14 (ii) Section 3503, permit for use of water in mining iron ore.

15 (iii) Section 4105, sewerage system construction permit.

16 (iv) Section 6516, vehicle testing license.

17 (v) Section 6521, motor vehicle fleet testing permit.

18 (vi) Section 8310, restricted use pesticide dealer license.

19 (vii) Section 8310a, agricultural pesticide dealer license.

20 (viii) Section 8504, license to manufacture or distribute  
21 fertilizer.

22 (ix) Section 9112, local soil erosion and sedimentation control  
23 permit.

24 (x) Section 11509, solid waste disposal area construction  
25 permit.

26 (xi) Section 11512, solid waste disposal area operating  
27 license.

1           (xii) Section 11542, municipal solid waste incinerator ash  
2 landfill operating license amendment.

3           (xiii) Section 11702, septage waste servicing license or septage  
4 waste vehicle license.

5           (xiv) Section 11709, septage waste site permit.

6           (xv) Section 30104, inland lakes and streams project permit.

7           (xvi) Section 30304, state permit for dredging, filling, or  
8 other activity in wetland. Permit includes an authorization for a  
9 specific project to proceed under a general permit issued under  
10 section 30312.

11          (xvii) Section 31509, dam construction, repair, **OR** removal  
12 permit.

13          (xviii) Section 32312, flood risk, high risk, or environmental  
14 area permit.

15          (xix) Section 32503, permit for dredging and filling  
16 bottomland.

17          **(xx) SECTION 32603, PERMIT FOR SUBMERGED LOG REMOVAL FROM**  
18 **GREAT LAKES BOTTOMLANDS.**

19          **(xxi)** ~~(xx)~~ Section 35304, department permit for critical dune  
20 area use.

21          **(xxii)** ~~(xxi)~~ Section 36505, endangered species permit.

22          **(xxiii)** ~~(xxii)~~ Section 41702, game bird hunting preserve license.

23          **(xxiv)** ~~(xxiii)~~ Section 42101, dog training area permit.

24          **(xxv)** ~~(xxiv)~~ Section 42501, fur dealer's license.

25          **(xxvi)** ~~(xxv)~~ Section 42702, game dealer's license.

26          **(xxvii)** ~~(xxvi)~~ Section 44513, charter boat operating permit under  
27 reciprocal agreement.

(~~xxviii~~) (~~xxvii~~) Section 44517, boat livery operating permit.

(~~xxix~~) (~~xxviii~~) Section 45503, permit to take frogs for scientific use.

(~~xxx~~) (~~xxix~~) Section 45902, game fish propagation license.

(~~xxxi~~) (~~xxx~~) Section 45906, game fish import license.

(~~xxxii~~) (~~xxxi~~) Section 61525, oil or gas well drilling permit.

(~~xxxiii~~) (~~xxxii~~) Section 62509, brine, storage, or waste disposal well drilling or conversion permit or test well drilling permit.

(~~xxxiv~~) (~~xxxiii~~) Section 63103a, ~~metallic~~ **FERROUS** mineral mining permit.

(~~xxxv~~) (~~xxxiv~~) Section 63514 or 63525, surface coal mining and reclamation permit or revision of the permit, ~~during the term of the permit,~~ respectively.

(~~xxxvi~~) (~~xxxv~~) Section 63704, sand dune mining permit.

(~~xxxvii~~) (~~xxxvi~~) Section 72108, use permits for Michigan trailway.

(~~xxxviii~~) (~~xxxvii~~) Section 76109, sunken aircraft or watercraft abandoned property recovery permit.

(~~xxxix~~) (~~xxxviii~~) Section 76504, Mackinac Island motor vehicle and land use permits.

(~~xxxx~~) (~~xxxix~~) Section 80159, buoy or beacon permit.

(e) "Processing deadline" means the last day of the processing period.

(f) "Processing period" means the following time period after the close of the application period, for the following permit, as applicable:

(i) Twenty days for a permit under section 61525 or 62509.

(ii) Thirty days for a permit under section 9112.

(iii) Thirty days after the department consults with the underwater salvage and preserve committee created under section 76103, for a permit under section 76109.

(iv) Sixty days, for a permit under section 30104 for a minor project as established by rule under section 30105(7) or for a permit under section 32312.

(v) Sixty days or, if a hearing is held, 90 days for a permit under section 35304.

(vi) Sixty days or, if a hearing is held, 120 days for a permit under section 30104, other than a permit for a minor project as established by rule under section 30105(7), or for a permit under section 31509.

(vii) Ninety days for a permit under section 11512, a revision of a surface coal mining and reclamation permit ~~during the term of the permit~~ under section 63525, or a permit under section 72108.

(viii) Ninety days or, if a hearing is held, 150 days for a permit under section 3104, 30304, or 32503 or an authorization for a specific project to proceed under a general permit issued under section 30312.

**(ix) NINETY DAYS AFTER THE CLOSE OF THE REVIEW OR COMMENT PERIOD UNDER SECTION 32604, OR IF A PUBLIC HEARING IS HELD, 90 DAYS AFTER THE DATE OF THE PUBLIC HEARING FOR A PERMIT UNDER SECTION 32603.**

**(x) ~~(ix)~~**One hundred ~~and~~ twenty days for a permit under section 11509, 11542, 63103a, 63514, or 63704.

**(xi) ~~(x)~~**One hundred fifty days for a permit under section 36505. However, if a site inspection or federal approval is

1 required, the 150-day period is tolled pending completion of the  
2 inspection or receipt of the federal approval.

3 (xii) ~~(xi)~~—For any other permit, 150 days or, if a hearing is  
4 held, 90 days after the hearing, whichever is later.

5 Sec. 1307. (1) By the processing deadline, the department  
6 shall approve or deny an application for a permit. If requested by  
7 the permit applicant, the department may extend the processing  
8 period for a permit by not more than 20%. Approval of an  
9 application for a permit may be granted with conditions or  
10 modifications necessary to achieve compliance with the part or  
11 parts of this act under which the permit is issued.

12 (2) A denial of an application for a permit shall include an  
13 explanation of the reasons for denial and make specific reference  
14 to provisions of this act or rules promulgated under this act  
15 providing the basis for denial.

16 (3) Except for permits described in subsection (4), if the  
17 department fails to satisfy the requirements of subsection (1) with  
18 respect to an application for a permit, the department shall pay  
19 the applicant an amount equal to 15% of the greater of the  
20 following, as applicable:

21 (a) The amount of the application fee for that permit.

22 (b) If an assessment or other fee is charged on an annual or  
23 other periodic basis by the department to a person holding the  
24 permit for which the application was submitted, the amount of the  
25 first periodic charge of that assessment or other fee for that  
26 permit.

27 (4) If the department fails to satisfy the requirements of

1 subsection (1) with respect to a permit under section 11509, 11512,  
2 ~~ex-30307~~, **OR 32603**, the application shall be considered to be  
3 approved and the department shall be considered to have made any  
4 determination required for approval.

5 (5) The failure of the department to satisfy the requirements  
6 of subsection (1) or the fact that the department is required to  
7 make a payment under subsection (3) or is considered to have  
8 approved a permit under subsection (4) shall not be used by the  
9 department as the basis for discriminating against the applicant.  
10 If the department is required to make a payment under subsection  
11 (3), the application shall be processed in sequence with other  
12 applications for the same type of permit, based on the date on  
13 which the processing period began, unless the director determines  
14 on an application-by-application basis that the public interest is  
15 best served by processing in a different order.

16 (6) If the department fails to satisfy the requirements of  
17 subsection (1), the director shall notify the appropriations  
18 committees of the senate and house of representatives of the  
19 failure. The notification shall be in writing and shall include  
20 both of the following:

21 (a) An explanation of the reason for the failure.

22 (b) A statement of the amount the department was required to  
23 pay the applicant under subsection (3) or a statement that the  
24 department was required to consider the application to be approved  
25 under subsection (4), as applicable.

26 Sec. 30102. (1) Except as provided in this part, a person  
27 without a permit from the department shall not do any of the

1 following:

2 (a) Dredge or fill bottomland.

3 (b) Construct, enlarge, extend, remove, or place a structure  
4 on bottomland.

5 (c) Construct, reconfigure, or expand a marina.

6 (d) Create, enlarge, or diminish an inland lake or stream.

7 (e) Structurally interfere with the natural flow of an inland  
8 lake or stream.

9 (f) Construct, dredge, commence, extend, or enlarge an  
10 artificial canal, channel, ditch, lagoon, pond, lake, or similar  
11 waterway where the purpose is ultimate connection with an existing  
12 inland lake or stream, or where any part of the artificial waterway  
13 is located within 500 feet of the ordinary high-water mark of an  
14 existing inland lake or stream.

15 (g) Connect any natural or artificially constructed waterway,  
16 canal, channel, ditch, lagoon, pond, lake, or similar water with an  
17 existing inland lake or stream for navigation or any other purpose.

18 **(2) A PERSON SHALL NOT REMOVE SUBMERGED LOGS FROM RIVERS OR**  
19 **STREAMS FOR THE PURPOSE OF SUBMERGED LOG RECOVERY. THIS SUBSECTION**  
20 **DOES NOT PROHIBIT THE DEPARTMENT FROM ISSUING A PERMIT UNDER THIS**  
21 **PART FOR OTHER PURPOSES, INCLUDING REMOVING LOGJAMS OR REMOVING**  
22 **LOGS THAT INTERFERE WITH NAVIGATION OF THE RIVER OR STREAM.**

23 Sec. 30104. (1) A person shall not undertake a project subject  
24 to this part except as authorized by a permit issued by the  
25 department pursuant to part 13. An application for a permit shall  
26 include any information that may be required by the department. If  
27 a project includes activities at multiple locations, 1 application



1 may be filed for the combined activities.

2 (2) Except as provided in subsections (3) and (4), until  
3 October 1, 2015, an application for a permit shall be accompanied  
4 by a fee based on an administrative cost in accordance with the  
5 following schedule:

6 (a) For activities included in a minor project category, or a  
7 seasonal drawdown or the associated reflooding, or both, of a dam  
8 or impoundment for the purpose of weed control, a fee of \$50.00.  
9 However, for a permit for a seasonal drawdown or associated  
10 reflooding, or both, of a dam or impoundment for the purpose of  
11 weed control that is issued for the first time after October 9,  
12 1995, an initial fee of \$500.00 with subsequent permits for the  
13 same purpose being assessed a \$50.00 fee.

14 (b) For authorization under a general permit, a \$50.00 fee.

15 (c) For construction or expansion of a marina, a fee of:

16 (i) \$50.00 for an expansion of 1-10 slips to an existing  
17 permitted marina.

18 (ii) \$100.00 for a new marina with 1-10 proposed marina slips.

19 (iii) \$250.00 for an expansion of 11-50 slips to an existing  
20 permitted marina, plus \$10.00 for each slip over 50.

21 (iv) \$500.00 for a new marina with 11-50 proposed marina slips,  
22 plus \$10.00 for each slip over 50.

23 (v) \$1,500.00 if an existing permitted marina proposes  
24 maintenance dredging of 10,000 cubic yards or more or the addition  
25 of seawalls, bulkheads, or revetments of 500 feet or more.

26 (d) For major projects other than a project described in  
27 subdivision (c)(v), involving any of the following, a fee of

1 \$2,000.00:

2 (i) Dredging of 10,000 cubic yards or more.

3 (ii) Filling of 10,000 cubic yards or more.

4 (iii) Seawalls, bulkheads, or revetments of 500 feet or more.

5 (iv) Filling or draining of 1 acre or more of wetland  
6 contiguous to a lake or stream.

7 (v) New dredging or upland boat basin excavation in areas of  
8 suspected contamination.

9 (vi) Shore projections, such as groins and underwater  
10 stabilizers, that extend 150 feet or more into a lake or stream.

11 (vii) New commercial docks or wharves of 300 feet or more in  
12 length.

13 (viii) Stream enclosures 100 feet or more in length.

14 (ix) Stream relocations 500 feet or more in length.

15 (x) New golf courses.

16 (xi) Subdivisions.

17 (xii) Condominiums.

18 **(E) FOR THE REMOVAL OF SUBMERGED LOGS FROM BOTTOMLAND OF AN**  
19 **INLAND LAKE, A \$500.00 FEE.**

20 **(F)** ~~(e)~~—For all other projects not listed in subdivisions (a)  
21 through ~~(d)~~—**(E)**, a fee of \$500.00.

22 (3) A project that requires review and approval under this  
23 part and 1 or more of the following acts or parts of acts is  
24 subject to only the single highest permit fee required under this  
25 part or the following acts or parts of acts:

26 (a) Part 303.

27 (b) Part 323.

1 (c) Part 325.

2 (d) Section 3104.

3 (e) Section 117 of the land division act, 1967 PA 288, MCL  
4 560.117.

5 (4) If work has been done in violation of a permit requirement  
6 under this part and restoration is not ordered by the department,  
7 the department may accept an application for a permit if the  
8 application is accompanied by a fee equal to 2 times the permit fee  
9 required under this section.

10 Sec. 32603. (1) A person shall ~~obtain a permit from the~~  
11 ~~department under this part prior to removing~~ **NOT REMOVE** submerged  
12 logs from bottomlands **EXCEPT AS AUTHORIZED BY A PERMIT ISSUED BY**  
13 **THE DEPARTMENT PURSUANT TO PART 13.**

14 (2) The department may issue a permit under this part to a  
15 person for the removal of submerged logs from patented lands if  
16 permission is received from the lawful owner of the patented lands.

17 (3) A person shall not recover, alter, or destroy abandoned  
18 property as defined in part 761 while engaging in submerged log  
19 removal operations under a submerged log removal permit issued  
20 under this part.

21 (4) For submerged log recovery in underwater preserves  
22 established under part 761, the department shall place **REASONABLE**  
23 conditions on submerged log removal permits to prevent damage to  
24 abandoned watercraft or other features of archaeological,  
25 historical, recreational, or environmental significance and to  
26 minimize conflicts between recreational activities within the  
27 preserve and the submerged log recovery operation.

1       Sec. 32604. (1) ~~For calendar year 2000, the department shall~~  
2 ~~establish a time period for the submission of applications for~~  
3 ~~submerged log removal permits under this part. Beginning in 2001,~~  
4 ~~and each year thereafter, applications~~ **APPLICATIONS FOR SUBMERGED**  
5 **LOG REMOVAL PERMITS** shall be submitted before February 1 of each  
6 calendar year. ~~However, the department shall not issue a submerged~~  
7 ~~log removal permit under this part after December 31, 2003.~~

8       (2) An application for a submerged log removal permit shall be  
9 submitted in writing on a form provided by the department and shall  
10 include all of the following:

11       (a) A description of the proposed bottomland log removal area  
12 with boundaries delineated by **THE USE OF CURRENT TECHNOLOGY SUCH AS**  
13 a digital global positioning system or other technology approved by  
14 the department. The proposed bottomland log removal area shall be a  
15 contiguous area of not more than 320 acres. The area proposed shall  
16 be square or rectangular in shape, and the length shall not exceed  
17 the width by more than a factor of 6.

18       (b) A description of the methods to be used to raise the  
19 submerged logs, the time of year during which submerged logs will  
20 be raised, and the procedures to be used for transferring logs to  
21 the shore.

22       (c) Identification of any adverse environmental impacts  
23 associated with the proposed submerged log removal method.

24       (d) Identification of the steps proposed to mitigate any  
25 adverse environmental impacts caused by the proposed submerged log  
26 removal operation.

27       (e) Other information that the department considers necessary

1 in evaluating a submerged log removal permit application.

2 (f) A ~~\$3,500.00~~ **\$500.00** application fee.

3 (3) An application for a submerged log removal permit is not  
4 complete until all information requested on the application form  
5 and any other information requested by the department are received.  
6 Within 30 days of its receipt of an application, the department  
7 shall notify the applicant in writing if the application is  
8 deficient. The applicant shall submit the requested information to  
9 the department within 30 days after the date the notice is  
10 provided. If the applicant fails to respond within the 30-day  
11 period, the department shall deny the submerged log removal permit  
12 unless the applicant requests and the department approves an  
13 extension of time based upon the applicant's reasonable  
14 justification for the extension.

15 (4) Application fees received under this section shall be  
16 forwarded to the state treasurer for deposit into the fund.

17 Sec. 32606. (1) The department shall review each complete  
18 application received for a submerged log removal permit and shall  
19 not issue a permit unless the department determines both of the  
20 following:

21 (a) That any adverse impacts, including, but not limited to,  
22 impacts to the environment, natural resources, riparian rights, and  
23 the public trust are minimal and will be mitigated to the extent  
24 practicable.

25 (b) That the proposed activity will not unreasonably affect  
26 the public health, safety, and welfare.

27 (2) The department may determine that certain areas within a

1 proposed bottomland log removal area described in an application  
2 for a submerged log removal permit shall not be authorized for  
3 submerged log removal based upon adverse impacts, including, but  
4 not limited to, adverse impacts to the environment, natural  
5 resources, riparian rights, and the public trust.

6 (3) The department shall make a decision on whether or not to  
7 issue a submerged log removal permit under this part within 90 days  
8 after the close of the review and comment period under section  
9 32605 or, if a public hearing is held under section 32608, within  
10 90 days after the date of that public hearing.

11 (4) IF THE DEPARTMENT ISSUES A SUBMERGED LOG REMOVAL PERMIT,  
12 THE DEPARTMENT SHALL CONDITION THE PERMIT ON COMPLIANCE WITH BOTH  
13 OF THE FOLLOWING:

14 (A) THE PERMITTEE HAS PROVIDED THE DEPARTMENT WITH A \$3,000.00  
15 LOG RECOVERY FEE.

16 (B) THE PERMITTEE HAS PROVIDED THE DEPARTMENT A BOND AS  
17 REQUIRED IN SECTION 32607(7).

18 (5) THE DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING  
19 WITHIN 10 DAYS AFTER THE DATE THE DEPARTMENT APPROVES OR DENIES A  
20 SUBMERGED LOG REMOVAL PERMIT UNDER THIS SECTION.

21 (6) THE DEPARTMENT SHALL FORWARD LOG RECOVERY FEES RECEIVED  
22 UNDER THIS SUBSECTION TO THE STATE TREASURER FOR DEPOSIT INTO THE  
23 GREAT LAKES FUND CREATED IN SECTION 32611.

24 Sec. 32607. (1) The department shall not authorize the same  
25 bottomland log removal area in more than 1 submerged log removal  
26 permit at any 1 time.

27 (2) The department may modify the boundaries of a proposed

1 bottomland log removal area in a submerged log removal permit to  
2 avoid overlaps with other active submerged log removal permits or  
3 adverse impacts, including, but not limited to, impacts to the  
4 environment, natural resources, riparian rights, and the public  
5 trust.

6 (3) A submerged log removal plan approved by the department  
7 shall be included in each submerged log removal permit.

8 (4) A submerged log removal permit shall contain terms and  
9 conditions that are determined by the department to protect the  
10 environment, natural resources, riparian rights, and the public  
11 trust.

12 (5) Each submerged log removal permit shall expire ~~on January~~  
13 ~~1, 2013~~ **5 YEARS AFTER THE DATE THE PERMIT IS ISSUED. AN** ~~HOWEVER, A~~  
14 **SUBMERGED LOG REMOVAL PERMIT ISSUED PRIOR TO THE EFFECTIVE DATE OF**  
15 **THE 2011 AMENDATORY ACT THAT AMENDED THIS SECTION EXPIRES 5 YEARS**  
16 **AFTER THE EFFECTIVE DATE OF THE 2011 AMENDATORY ACT THAT AMENDED**  
17 **THIS SECTION. IF FEDERAL APPROVAL IS REQUIRED, AN** applicant shall  
18 notify the department of the date on which the federal government  
19 issued its approval for the submerged log removal permit.  
20 ~~Processing fees received under this subsection shall be forwarded~~  
21 ~~to the state treasurer for deposit into the fund.~~

22 (6) A submerged log removal permit issued under this section  
23 is not transferrable unless **THE TRANSFER IS** approved in writing by  
24 the department.

25 (7) An applicant for a submerged log removal permit shall  
26 provide a ~~performance~~ bond acceptable to the department in the  
27 amount of **NOT LESS THAN \$10,000.00 OR MORE THAN \$100,000.00 AS**

1 REQUIRED BY THE DEPARTMENT, BASED UPON PERMIT CONDITIONS INCLUDING  
 2 COSTS OF RESTORATION AND PAYMENTS UNDER SECTION 32609. EXCEPT AS  
 3 PROVIDED IN SUBSECTION (8), THE TERM OF THE BOND SHALL EXTEND FOR 1  
 4 YEAR FOLLOWING THE EXPIRATION OF THE SUBMERGED LOG REMOVAL PERMIT.

5 The ~~performance~~ bond shall be provided to the department at least  
 6 10 days prior to beginning submerged log removal in a bottomland  
 7 log removal area. The ~~performance~~ bond shall ensure compliance with  
 8 the submerged log removal permit ~~for the period of the permit or~~  
 9 ~~until the authorized submerged log removal is completed to the~~  
 10 ~~satisfaction of the department and all REQUIRED payments under~~  
 11 ~~section 32609. have been made. The~~ IF A SUBMERGED LOG REMOVAL  
 12 PERMIT IS TERMINATED UNDER SUBSECTION (8), THE department shall  
 13 issue a written statement releasing the permittee ~~and OR~~ bonding  
 14 company, ~~upon termination of the submerged log removal permit and~~  
 15 OR BOTH, upon satisfaction of the department as to the compliance  
 16 of the permittee with the terms and conditions of the permit ~~The~~  
 17 ~~department may draw upon the performance bond for delinquent AND~~  
 18 SATISFACTION OF ALL payments as required in section 32609.

19 (8) A permittee may request, in writing, and the department  
 20 may grant, termination of a submerged log removal permit prior to  
 21 the expiration date, including release from quarterly reports and  
 22 ~~performance~~ bond requirements.

23 (9) AS USED IN THE SECTION, "BOND" MEANS A PERFORMANCE BOND  
 24 FROM A SURETY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE  
 25 OR AN IRREVOCABLE LETTER OF CREDIT, IN FAVOR OF THE DEPARTMENT.

26 Sec. 32609. (1) The state reserves a payment of ~~2.0 times~~ 15%  
 27 OF THE sawlog stumpage value ~~for~~ OF each submerged log that is



1 removed from unpatented lands. As used in this subsection, "sawlog  
2 stumpage value" means the ~~most recent average value of standing~~  
3 ~~timber on state forestlands for each species as determined and~~  
4 ~~reported by the department of natural resources. However, if a~~  
5 ~~species is no longer harvested on state forestlands, "sawlog~~  
6 ~~stumpage value" means the most recent highest value of any species~~  
7 ~~currently being harvested on state forestlands as determined and~~  
8 ~~reported by the department of natural resources.~~ **PRICE RECEIVED FROM**  
9 **RECOVERED SUBMERGED LOGS.**

10 (2) The holder of a submerged log removal permit under this  
11 part shall provide the department with a detailed report and all  
12 payments due under this section within 30 days after the close of  
13 each calendar quarter. The report shall include an accurate scaling  
14 at dockside of all submerged logs removed, by species. The  
15 permittee shall provide for an independent agent, approved by the  
16 department in writing, to conduct the scaling and species  
17 determination.

18 (3) All payments received under this section shall be  
19 forwarded to the state treasurer for deposit into the fund.

20 (4) After a permittee is notified in writing that a payment  
21 under this section is overdue, the department may order suspension  
22 of the submerged log removal permit until the payment is submitted  
23 in full. The permittee shall not resume submerged log removal  
24 operations until the department provides written authorization for  
25 the operations to resume.

26 ~~—— (5) Not later than December 31, 2001, the department shall~~  
27 ~~conduct a study to determine the fair market value of submerged~~

~~logs as a potential basis for determining the payment to the state under subsection (1). The department may conduct the study or may enter into a contract with a qualified person to conduct the study. Upon completion, the department shall submit a report of the results of the study to the standing committees of the legislature with jurisdiction primarily related to natural resources and the environment and to the senate and house appropriations subcommittees on environmental quality and natural resources.~~

Sec. 32611. (1) The Great Lakes fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the Great Lakes fund. The state treasurer shall direct the investment of the Great Lakes fund. The state treasurer shall credit to the Great Lakes fund interest and earnings from Great Lakes fund investments.

(3) Money in the Great Lakes fund at the close of the fiscal year shall remain in the Great Lakes fund and shall not lapse to the general fund.

(4) The department shall expend money from the Great Lakes fund, upon appropriation, only for environmental projects related to the Great Lakes and areas contiguous to the Great Lakes including, but not limited to, the prevention and management of ~~non-native~~ **NONNATIVE** species, coastal wetland restoration, contaminated sediment cleanup, and underwater preserve management, **AND FOR THE ADMINISTRATION OF THIS PART.**