

HOUSE BILL No. 4398

March 7, 2013, Introduced by Rep. Price and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32513 (MCL 324.32513), as amended by 2012 PA 247.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32513. (1) To obtain a permit for any work or connection
2 specified in section 32512, a person shall file an application with
3 the department on a form provided by the department. The
4 application shall include all of the following:

5 (a) The name and address of the applicant.

6 (b) The legal description of the lands included in the
7 project.

8 (c) A summary statement of the purpose of the project.

1 (d) A map or diagram showing the proposal on an adequate scale
2 with contours and cross-section profiles of any waterway to be
3 constructed.

4 (e) Other information required by the department.

5 (2) Except as provided in subsections (3) and (4), until
6 October 1, 2015, an application for a permit under this section
7 shall be accompanied by the following fee, as applicable:

8 (a) For a project in a category of activities for which a
9 general permit is issued under section 32512a, a fee of \$100.00.

10 (b) For activities included in a minor project category, a fee
11 of \$50.00.

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

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

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

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

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

20 (v) \$1,500.00 if an existing permitted marina proposes
21 maintenance dredging of 10,000 cubic yards or more, **UNLESS THE**
22 **DREDGE MATERIAL HAS BEEN DETERMINED THROUGH TESTING TO BE 90% OR**
23 **MORE SAND**, or the addition of seawalls, bulkheads, or revetments of
24 500 feet or more.

25 (d) For major projects other than a project described in
26 subdivision (c)(v), involving any of the following, a fee of
27 \$2,000.00:

1 (i) Dredging of 10,000 cubic yards or more, **UNLESS THE DREDGE**
2 **MATERIAL HAS BEEN DETERMINED THROUGH TESTING TO BE 90% OR MORE**
3 **SAND.**

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

5 (iii) Seawalls, bulkheads, or revetment of 500 feet or more.

6 (iv) Filling or draining of 1 acre or more of coastal wetland.

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

9 (vi) New breakwater or channel jetty.

10 (vii) Shore protection, such as groins and underwater
11 stabilizers, that extend 150 feet or more on Great Lakes
12 bottomlands.

13 (viii) New commercial dock or wharf of 300 feet or more in
14 length.

15 **(E) FOR DREDGING PROJECTS OF 10,000 CUBIC YARDS OR MORE AT**
16 **MARINAS IN WHICH THE DREDGE MATERIAL IS DETERMINED THROUGH TESTING**
17 **TO BE 90% OR MORE SAND, A \$500.00 FEE.**

18 **(F)** ~~(e)~~—For all other projects not listed in subdivisions (a)
19 to ~~(d)~~, **(E)**, \$500.00.

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

23 (a) Part 301.

24 (b) Part 303.

25 (c) Part 323.

26 (d) Section 3104.

27 (e) Section 117 of the land division act, 1967 PA 288, MCL

1 560.117.

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

7 (5) The department shall forward all fees collected under this
8 section to the state treasurer for deposit into the land and water
9 management permit fee fund created in section 30113.