

## "EARTH CHANGE" PERMIT EXEMPTIONS

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<http://www.house.mi.gov/hfa>

### House Bill 4604

**Sponsor: Rep. Brett Roberts**

**Committee: Agriculture**

**Complete to 6-23-15**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4604 would amend Section 9115a of the Natural Resources and Environmental Protection Act (NREPA) to exempt certain persons from having to obtain a permit from a county or municipal enforcing agency for earth changes associated with specified agricultural practices. The bill would take effect 90 days after the date it is enacted.

Under the bill, a permit would not be required for earth changes associated with the following agricultural practices, if the activities do not result in, or contribute to, soil erosion or sedimentation of the waters of the state or a discharge of sediment off-site:

- The construction, maintenance, or removal of fences and fence lines.
- The removal of tree or shrub stumps or roots.
- The installation of drainage tile, irrigation, or electrical lines.

The act currently defines "earth change" as a human-made change in the natural cover or topography of land, including cut and fill activities, which may result in or contribute to soil erosion or sedimentation of the waters of the state. "Earth change" does not include the practice of plowing and tilling soil for the purpose of crop production.

"Sediment" is presently defined as solid particulate matter, including both mineral and organic matter, that is in suspension in water, is being transported, or has been removed from its site of origin by the actions of wind, water, or gravity and has been deposited elsewhere.

### FISCAL IMPACT:

House Bill 4604 would have no fiscal impact on the State of Michigan. It could result in a loss of permit revenue for the local units of government that were previously issuing permits for the type of earth changes specified in the bill. The extent of this potential loss of revenue would vary by jurisdiction, depending on the number of permit applications affected. Consequently the full fiscal impact of HB 4604 on local units of government is unknown at this time.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.