

Legislative Analysis



STREAM GAUGE EXEMPTION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5043 (proposed substitute H-2)

Sponsor: Rep. Gretchen Driskell

Committee: Natural Resources

Complete to 5-9-16

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

SUMMARY:

The Natural Resources and Environmental Protection Act (NREPA) contains a list of activities that can be conducted without obtaining a permit under Part 301 (Inland Lakes and Streams). House Bill 5043 would add to that list: *the installation of stream gauges or other equipment designed to measure water levels in inland lakes and streams*, provided certain criteria are met. The bill amends Section 30103 of NREPA, and would take effect 90 days after the date it is enacted into law.

Specifically, if all of the following are true, such a stream gauge would be exempt:

- The gauge consists of a face that is not more than 4 feet tall by 6 inches wide, contains readable calibration marks for measuring water levels, and is attached to bottomland through the use of a wooden or steel stake that is not more than 6 feet long.
- The gauge is installed without changing site elevations and without the use of any other structure or fill, such as a foundation, anchor, or buoy line.
- The gauge is installed with the written permission of the landowner.
- The gauge does not cause more than a minimal adverse effect on navigation and fish and wildlife habitat, does not unreasonably interfere with the use of the water by others who are entitled to use the water, and does not interfere with water flow.
- Upon completion of use, the gauge is fully removed.

FISCAL IMPACT:

House Bill 5043 could reduce revenue for the Department of Natural Resources by exempting structures that may otherwise be subject to a permit. It is not clear how many structures would be affected by this bill. Consequently, the extent of this fiscal impact is unknown. This bill would have no fiscal impact on local units of government.

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