



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 891 (as reported without amendment)
Sponsor: Senator Tom Casperson
Committee: Natural Resources

CONTENT

The bill would amend the Part 301 (Inland Lakes and Streams) of the Natural Resources and Environmental Protection Act to allow, without a permit, the construction, maintenance, and operation of a waste collection or treatment facility ordered or approved for construction and operation under the Act or a Federal water pollution control law; and specify that "operation" would include dredging, filling, construction, or placement of structures in the facility.

The Act prohibits a person, without a permit from the Department of Environmental Quality, from modifying the inland lakes and streams of Michigan in certain ways, including the dredging or filling of bottomland or the construction, enlargement, extension, removal, or placement of a structure on bottomland.

The permit requirements do not apply to various activities or structures, including a waste collection or treatment facility that is ordered to be constructed or is approved for construction under State or Federal water pollution control law, if constructed in upland.

Under the bill, instead, a permit would not be required for the construction, maintenance and operation of a waste collection or treatment facility that was ordered to be constructed or was approved for construction and operation as a waste collection or treatment facility under the Act or a Federal water pollution control law. "Operation" would include filling the waste collection or treatment facility and any dredging, filling, construction, or placement of structures in the waste collection or treatment facility in compliance with the Act.

MCL 324.30103

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would not have a significant fiscal impact on the Department of Environmental Quality (DEQ), and would have no fiscal impact on local units of government. Department staff have indicated that the bill would affect only one or two existing facilities at this time. The bill also would exempt the construction of these facilities from the requirement to obtain a Part 301 permit. It is not clear how many facilities not yet constructed could be affected in the future, but given that only one or two currently exist, the number is not likely to be very large. The DEQ would lose permit revenue for each facility that was exempted but also would not incur costs associated with issuing those permits. In sum, it is likely that the proposed changes would not have a significant fiscal impact on the DEQ.

Date Completed: 3-15-18

Fiscal Analyst: Josh Sefton