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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 1058 (Substitute S-2)  
Sponsor: Senator Dave Jaye  
Committee: Hunting, Fishing and Forestry

Date Completed: 9-22-98

### **CONTENT**

The bill would amend Part 301 (Inland Lakes and Streams) of the Natural Resources and Environmental Protection Act (NREPA) to allow the maintenance or reconstruction of a seawall or a dock without a permit if the maintenance or reconstruction would result in the same type of structure and dimensions as the original, and the original structure were permitted under the Act or had been constructed before January 9, 1973.

Under Part 301, a person must have a permit to engage in certain construction activities, such as building a marina, placing a structure on bottomland, or structurally interfering with the natural flow of a lake or stream. Existing exceptions include a seasonal structure placed on bottomland for private recreational use of the water; reasonable sanding of beaches; a private agricultural drain; minor drainage structures and facilities; projects constructed under the Watershed Protection and Flood Prevention Act; and privately owned cooling or storage ponds.

The bill also would amend Part 325 (Great Lakes Submerged Lands) of the NREPA to allow the maintenance or reconstruction of a seawall or dock without a permit if the maintenance or reconstruction would result in the same type of structure with the same dimensions as the original, and the original structure were permitted, received authorization, or had been constructed before October 14, 1955.

Under Part 325, a person must have a permit to construct, dredge, commence, connect, or do any work with respect to an artificial canal, channel, ditch, lagoon, pond, lake, or similar waterway with any of the Great Lakes, including Lake St. Clair; dredge or place spoil or other material on bottomland; or construct a marina.

MCL 324.30103 & 324.32512

Legislative Analyst: N. Nagata

### **FISCAL IMPACT**

The bill would have a minimal indeterminate fiscal impact due to loss of permit revenue for seawalls and docks, and a decrease in administrative costs to process permits.

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.