

SUBSTITUTE FOR  
HOUSE BILL NO. 4752

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 30104 (MCL 324.30104), as amended by 2003  
PA 163.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 30104. (1) Before a project that is subject to this  
2 part is undertaken, a person shall file an application and  
3 receive a permit from the department. The application shall be  
4 on a form prescribed by the department and shall include any  
5 information that may be required by the department. If a project  
6 includes activities at multiple locations, 1 application may be  
7 filed for the combined activities.

8       (2) Except as provided in subsections (3), ~~and~~ (4), **and**  
9 **(5)**, until October 1, 2008, an application for a permit shall be  
10 accompanied by a fee based on an administrative cost in

1 accordance with the following schedule:

2 (a) For a minor project listed in R 281.816 of the Michigan  
3 administrative code, or a seasonal drawdown or the associated  
4 reflooding, or both, of a dam or impoundment for the purpose of  
5 weed control, a fee of \$50.00. However, for a permit for a  
6 seasonal drawdown or associated reflooding, or both, of a dam or  
7 impoundment for the purpose of weed control that is issued for  
8 the first time after October 9, 1995, an initial fee of \$500.00  
9 with subsequent permits for the same purpose being assessed a  
10 \$50.00 fee.

11 (b) For construction or expansion of a marina, a fee of:

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

14 (ii) \$100.00 for a new marina with 1-10 proposed marina  
15 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  
19 slips, 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 or the  
22 addition of seawalls, bulkheads, or revetments of 500 feet or  
23 more.

24 (c) For renewal of a marina operating permit, a fee of  
25 \$50.00.

26 (d) For major projects other than a project described in  
27 subdivision (b)(v), involving any of the following, a fee of

1 \$2,000.00:

2 (i) Dredging of 10,000 cubic yards or more.

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

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

5 (iv) Filling or draining of 1 acre or more of wetland

6 contiguous to a lake or stream.

7 (v) New dredging or upland boat basin excavation in areas of

8 suspected contamination.

9 (vi) Shore projections, such as groins and underwater

10 stabilizers, that extend 150 feet or more into a lake or stream.

11 (vii) New commercial docks or wharves of 300 feet or more in

12 length.

13 (viii) Stream enclosures 100 feet or more in length.

14 (ix) Stream relocations 500 feet or more in length.

15 (x) New golf courses.

16 (xi) Subdivisions.

17 (xii) Condominiums.

18 (e) For all other projects not listed in subdivisions (a)

19 through (d), a fee of \$500.00.

20 (3) If the applicant for a permit is a nonprofit entity [that is  
exempt from taxation under section 501(c)(3) of the internal revenue  
code] and

21 the project is to improve, clean, rehabilitate, or otherwise

22 enhance natural resource values, the application fee under

23 subsection (2) shall not exceed \$100.00.

24 (4) ~~(3)~~ A project that requires review and approval under  
25 this part and 1 or more of the following acts or parts of acts is  
26 subject to only the single highest permit fee required under this  
27 part or the following acts or parts of acts:

1 (a) Part 303.

2 (b) Part 323.

3 (c) Part 325.

4 (d) Section 3104.

5 (e) Section 117 of the land division act, 1967 PA 288, MCL  
6 560.117.

7 (5) ~~-(4)-~~ If work has been done in violation of a permit  
8 requirement under this part and restoration is not ordered by the  
9 department, the department may accept an application for a permit  
10 if the application is accompanied by a fee equal to 2 times the  
11 permit fee required under this section.