

# HOUSE BILL No. 4147

February 2, 2005, Introduced by Reps. Farhat and Gosselin and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding section 76111a.

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

1           SEC. 76111A. (1) THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL  
2 ESTABLISH GREAT LAKES RECREATIONAL DIVING PRESERVES WITHIN THE  
3 GREAT LAKES TO PROVIDE RECREATIONAL SCUBA DIVING OPPORTUNITIES FOR  
4 MEMBERS OF THE GENERAL PUBLIC.

5           (2) THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL NOT  
6 ESTABLISH A GREAT LAKES RECREATIONAL DIVING PRESERVE AT THE SAME  
7 LOCATION AS A GREAT LAKES BOTTOMLAND PRESERVE.

8           (3) A NONPROFIT ORGANIZATION OR OTHER PERSON MAY NOMINATE 1 OR  
9 MORE LOCATIONS FOR THE ESTABLISHMENT OF A GREAT LAKES RECREATIONAL

1 DIVING PRESERVE BY SUBMITTING A PROPOSAL IN WRITING TO THE  
2 DEPARTMENT OF ENVIRONMENTAL QUALITY.

3 (4) UPON ESTABLISHING A GREAT LAKES RECREATIONAL DIVING  
4 PRESERVE, THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL AUTHORIZE  
5 THE SINKING OF 1 OR MORE VESSELS WITHIN THE PRESERVE THAT WILL  
6 ENHANCE THE RECREATIONAL SCUBA DIVING EXPERIENCE FOR INDIVIDUALS  
7 VISITING THE PRESERVE. HOWEVER, THE DEPARTMENT OF ENVIRONMENTAL  
8 QUALITY SHALL ONLY AUTHORIZE THE SINKING OF A VESSEL WITHIN A GREAT  
9 LAKES RECREATIONAL DIVING PRESERVE IF THE VESSEL HAS BEEN  
10 DECOMMISSIONED IN SUCH A MANNER THAT IT WILL NOT CAUSE ADVERSE  
11 ENVIRONMENTAL IMPACTS. THE PERSON OR PERSONS SINKING A VESSEL  
12 WITHIN A GREAT LAKES RECREATIONAL DIVING PRESERVE SHALL COMPLY WITH  
13 THE "INTENTIONAL VESSEL SINKING GUIDELINES, FINAL REPORT" PREPARED  
14 BY MARITIME RESEARCH ASSOCIATES, INC. FOR THE MICHIGAN UNDERWATER  
15 PRESERVE COUNCIL, INC.

16 (5) IN ESTABLISHING GREAT LAKES RECREATIONAL DIVING PRESERVES,  
17 THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL CONSIDER BOTH OF THE  
18 FOLLOWING:

19 (A) THE EXTENT OF LOCAL PUBLIC AND PRIVATE SUPPORT FOR THE  
20 CREATION OF THE PRESERVE.

21 (B) THE INTEREST OF NONPROFIT ORGANIZATIONS OR OTHER PERSONS  
22 IN OBTAINING, DECOMMISSIONING, AND SINKING 1 OR MORE VESSELS WITHIN  
23 THE PRESERVE.