



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1488 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Patricia L. Birkholz
Committee: Natural Resources and Environmental Affairs

Date Completed: 10-1-10

RATIONALE

Public Act 278 of 2000 was enacted to provide for the controlled removal of submerged logs from the Great Lakes bottomlands. During Michigan's logging era, 20% to 30% of the lumber being shipped to various sawmills became water-logged and fell to the lake bed, where low temperatures and a low oxygen content have preserved them. These logs, some of which are hundreds of years old, may be used in a variety of ways. Some people were concerned that companies engaged in recovering the logs were causing damage to the environment or potentially releasing toxic substances. Thus, the legislation was enacted to require that a person obtain a permit from the State before removing submerged logs, and otherwise regulate the removal of logs from bottomlands. These permits could be issued only until the end of 2003 and they are set to expire on January 1, 2013.

The U.S. Army Corps of Engineers (USACE) also requires a person to obtain a permit to remove logs from the Great Lakes. Several of the permit applications submitted to USACE, however, have not yet been approved. It has been suggested that the State permit should expire at the same time as the parallel USACE permit, but not later than January 1, 2023.

CONTENT

The bill would amend Part 326 (Great Lakes Submerged Logs Recovery) of the Natural Resources and Environmental Protection Act to revise the expiration date of a submerged log removal permit, delaying a permit's expiration for up to 10 years.

Part 326 requires a person to obtain a permit from the Department of Natural Resources and Environment before removing submerged logs from Great Lakes bottomlands. A permit applicant must notify the Department of the date on which the Federal government issued its approval for the permit. The bill would refer to the U.S. Army Corps of Engineers, rather than the Federal government. Currently, each submerged log removal permit will expire on January 1, 2013. Under the bill, each permit would expire upon the expiration of the required permit issued by USACE, but not later than January 1, 2023.

MCL 324.32607

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Logs submerged in the Great Lakes can be used in many ways, such as the building of furniture and musical instruments, and thus are considered extremely valuable. Because some of the USACE permits are in the draft stage, no logs have actually been removed from the Great Lakes since Part 326 was enacted. The expiration date on permits from the DNRE should be extended for up to 10 years so companies can start recovery activities once their Federal permits come through.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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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.