

HOUSE BILL No. 4690

May 1, 2007, Introduced by Reps. Palmer, Dean, Acciavatti, Nitz, Hoogendyk, Brown and Sheltrown and referred to the Committee on Agriculture.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8803 and 8807 (MCL 324.8803 and 324.8807), as added by 1998 PA 287.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8803. ~~In~~**SUBJECT TO SUBSECTION (2), IN** selecting projects
2 for a grant award, the department shall consider the following as
3 they relate to a project:

4 (a) The expectation for long-term water quality improvement.

5 (b) The expectation for long-term protection of high quality
6 waters.

7 (c) The consistency of the project with remedial action plans
8 and other regional water quality or watershed management plans
9 approved by the department.

1 (d) The placement of the watershed on the list of impaired
2 waters pursuant to ~~section 303(d) of title III of the federal water~~
3 ~~pollution control act, chapter 758, 86 Stat. 846, 33 U.S.C. USC~~
4 1313.

5 (e) Commitments for financial and technical assistance from
6 the partners in the project.

7 (f) Financial and other resource contributions, including in-
8 kind services, by project participants in excess of that required
9 in section 8802(4).

10 (g) The length of time the applicant has committed to maintain
11 the physical improvements.

12 (h) The commitment to provide monitoring to document
13 improvement in water quality or the reduction of pollutant loads.

14 (i) Whether the project provides benefits to sources of
15 drinking water.

16 (j) Other information the department considers relevant.

17 **(2) IN SELECTING PROJECTS FOR A GRANT AWARD, THE DEPARTMENT**
18 **SHALL GIVE PRIORITY TO WATER QUALITY MONITORING PROJECTS IN**
19 **WATERSHEDS WITH A HIGH CONCENTRATION OF LIVESTOCK PRODUCTION**
20 **FACILITIES.**

21 Sec. 8807. (1) The clean water fund is created within the
22 state treasury.

23 (2) The state treasurer may receive money or other assets from
24 any source for deposit into the fund. The state treasurer shall
25 direct the investment of the fund. The state treasurer shall credit
26 to the fund interest and earnings from fund investments.

27 (3) Money in the fund at the close of the fiscal year shall

1 remain in the fund and shall not lapse to the general fund.

2 (4) Except as otherwise provided in this section, the
3 department shall expend money in the fund, upon appropriation, for
4 any of the following:

5 (a) To implement the programs described in the department's
6 document entitled "A strategic environmental quality monitoring
7 program for Michigan's surface waters", dated January 1997. In
8 implementing these programs, the department may contract with any
9 person.

10 (b) Water pollution control activities.

11 (c) Wellhead protection activities.

12 (d) Storm water treatment projects and activities.

13 (5) Money in the fund shall not be expended for combined sewer
14 overflow corrections.

15 (6) The first priority for expenditure of money in the fund
16 shall be for the programs described in subsection (4)(a). **IN**
17 **SELECTING PROJECTS TO BE FUNDED UNDER SUBSECTION (4)(A), THE**
18 **DEPARTMENT SHALL GIVE PRIORITY TO WATER QUALITY MONITORING PROJECTS**
19 **IN WATERSHEDS WITH A HIGH CONCENTRATION OF LIVESTOCK PRODUCTION**
20 **FACILITIES.**

21 (7) Money in the fund shall not be expended until rules are
22 promulgated under section 8808.