

**SUBSTITUTE FOR
HOUSE BILL NO. 4554**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 1301, 1307, 30102, 30104, 32603, 32604, 32606,
32607, 32609, and 32611 (MCL 324.1301, 324.1307, 324.30102,
324.30104, 324.32603, 324.32604, 324.32606, 324.32607, 324.32609,
and 324.32611), section 1301 as amended by 2009 PA 120, section
1307 as added by 2004 PA 325, sections 30102 and 30104 as amended
by 2009 PA 139, sections 32603, 32604, 32606, and 32609 as added by
2000 PA 278, section 32607 as amended by 2004 PA 546, and section
32611 as added by 2000 PA 277.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1301. As used in this part:
- 2 (a) "Application period" means the period beginning when an
- 3 application for a permit is received by the state and ending when

1 the application is considered to be administratively complete under
2 section 1305 and any applicable fee has been paid.

3 (b) "Department" means the department, agency, or officer
4 authorized by this act to approve or deny an application for a
5 particular permit.

6 (c) "Director" means the director of the state department
7 authorized under this act to approve or deny an application for a
8 particular permit or the director's designee.

9 (d) "Permit" means a permit or operating license required by
10 any of the following sections or by rules promulgated thereunder,
11 or, in the case of section 9112, by an ordinance or resolution
12 adopted thereunder:

13 (i) Section 3104, floodplain alteration permit.

14 (ii) Section 3503, permit for use of water in mining iron ore.

15 (iii) Section 4105, sewerage system construction permit.

16 (iv) Section 6516, vehicle testing license.

17 (v) Section 6521, motor vehicle fleet testing permit.

18 (vi) Section 8310, restricted use pesticide dealer license.

19 (vii) Section 8310a, agricultural pesticide dealer license.

20 (viii) Section 8504, license to manufacture or distribute
21 fertilizer.

22 (ix) Section 9112, local soil erosion and sedimentation control
23 permit.

24 (x) Section 11509, solid waste disposal area construction
25 permit.

26 (xi) Section 11512, solid waste disposal area operating
27 license.

1 (xii) Section 11542, municipal solid waste incinerator ash
2 landfill operating license amendment.

3 (xiii) Section 11702, septage waste servicing license or septage
4 waste vehicle license.

5 (xiv) Section 11709, septage waste site permit.

6 (xv) Section 30104, inland lakes and streams project permit.

7 (xvi) Section 30304, state permit for dredging, filling, or
8 other activity in wetland. Permit includes an authorization for a
9 specific project to proceed under a general permit issued under
10 section 30312.

11 (xvii) Section 31509, dam construction, repair, removal permit.

12 (xviii) Section 32312, flood risk, high risk, or environmental
13 area permit.

14 (xix) Section 32503, permit for dredging and filling
15 bottomland.

16 **(xx) SECTION 32603, PERMIT FOR SUBMERGED LOG REMOVAL FROM**
17 **GREAT LAKES BOTTOMLANDS.**

18 **(xxi)** ~~(xx)~~ Section 35304, department permit for critical dune
19 area use.

20 **(xxii)** ~~(xxi)~~ Section 36505, endangered species permit.

21 **(xxiii)** ~~(xxii)~~ Section 41702, game bird hunting preserve license.

22 **(xxiv)** ~~(xxiii)~~ Section 42101, dog training area permit.

23 **(xxv)** ~~(xxiv)~~ Section 42501, fur dealer's license.

24 **(xxvi)** ~~(xxv)~~ Section 42702, game dealer's license.

25 **(xxvii)** ~~(xxvi)~~ Section 44513, charter boat operating permit under
26 reciprocal agreement.

27 **(xxviii)** ~~(xxvii)~~ Section 44517, boat livery operating permit.

1 (**xxxix**) ~~(xxviii)~~—Section 45503, permit to take frogs for scientific
2 use.

3 (**xxx**) ~~(xxix)~~—Section 45902, game fish propagation license.

4 (**xxxvi**) ~~(xxx)~~—Section 45906, game fish import license.

5 (**xxxvii**) ~~(xxvi)~~—Section 61525, oil or gas well drilling permit.

6 (**xxxviii**) ~~(xxvii)~~—Section 62509, brine, storage, or waste disposal
7 well drilling or conversion permit or test well drilling permit.

8 (**xxxiv**) ~~(xxxiii)~~—Section 63103a, metallic mineral mining permit.

9 (**xxxv**) ~~(xxxiv)~~—Section 63514 or 63525, surface coal mining and
10 reclamation permit or revision of the permit during the term of the
11 permit, respectively.

12 (**xxxvi**) ~~(xxxv)~~—Section 63704, sand dune mining permit.

13 (**xxxvii**) ~~(xxxvi)~~—Section 72108, use permits for Michigan railway.

14 (**xxxviii**) ~~(xxxvii)~~—Section 76109, sunken aircraft or watercraft
15 abandoned property recovery permit.

16 (**xxxix**) ~~(xxxviii)~~—Section 76504, Mackinac Island motor vehicle and
17 land use permits.

18 (**xxxx**) ~~(xxxix)~~—Section 80159, buoy or beacon permit.

19 (e) "Processing deadline" means the last day of the processing
20 period.

21 (f) "Processing period" means the following time period after
22 the close of the application period, for the following permit, as
23 applicable:

24 (i) Twenty days for a permit under section 61525 or 62509.

25 (ii) Thirty days for a permit under section 9112.

26 (iii) Thirty days after the department consults with the
27 underwater salvage and preserve committee created under section

1 76103, for a permit under section 76109.

2 (iv) Sixty days, for a permit under section 30104 for a minor
3 project as established by rule under section 30105(7) or for a
4 permit under section 32312.

5 (v) Sixty days or, if a hearing is held, 90 days for a permit
6 under section 35304.

7 (vi) Sixty days or, if a hearing is held, 120 days for a permit
8 under section 30104, other than a permit for a minor project as
9 established by rule under section 30105(7), or for a permit under
10 section 31509.

11 (vii) Ninety days for a permit under section 11512, a revision
12 of a surface coal mining and reclamation permit during the term of
13 the permit under section 63525, or a permit under section 72108.

14 (viii) Ninety days or, if a hearing is held, 150 days for a
15 permit under section 3104, 30304, or 32503 or an authorization for
16 a specific project to proceed under a general permit issued under
17 section 30312.

18 (ix) **NINETY DAYS AFTER THE CLOSE OF THE REVIEW OR COMMENT**
19 **PERIOD UNDER SECTION 32604, OR IF A PUBLIC HEARING IS HELD, 90 DAYS**
20 **AFTER THE DATE OF THE PUBLIC HEARING FOR A PERMIT UNDER SECTION**
21 **32603.**

22 (x) ~~(ix)~~ One hundred and twenty days for a permit under section
23 11509, 11542, 63103a, 63514, or 63704.

24 (xi) ~~(x)~~ One hundred fifty days for a permit under section
25 36505. However, if a site inspection or federal approval is
26 required, the 150-day period is tolled pending completion of the
27 inspection or receipt of the federal approval.

1 (xii) ~~(xi)~~ For any other permit, 150 days or, if a hearing is
2 held, 90 days after the hearing, whichever is later.

3 Sec. 1307. (1) By the processing deadline, the department
4 shall approve or deny an application for a permit. If requested by
5 the permit applicant, the department may extend the processing
6 period for a permit by not more than 20%. Approval of an
7 application for a permit may be granted with conditions or
8 modifications necessary to achieve compliance with the part or
9 parts of this act under which the permit is issued.

10 (2) A denial of an application for a permit shall include an
11 explanation of the reasons for denial and make specific reference
12 to provisions of this act or rules promulgated under this act
13 providing the basis for denial.

14 (3) Except for permits described in subsection (4), if the
15 department fails to satisfy the requirements of subsection (1) with
16 respect to an application for a permit, the department shall pay
17 the applicant an amount equal to 15% of the greater of the
18 following, as applicable:

19 (a) The amount of the application fee for that permit.

20 (b) If an assessment or other fee is charged on an annual or
21 other periodic basis by the department to a person holding the
22 permit for which the application was submitted, the amount of the
23 first periodic charge of that assessment or other fee for that
24 permit.

25 (4) If the department fails to satisfy the requirements of
26 subsection (1) with respect to a permit under section 11509, 11512,
27 ~~or~~ 30307, **OR 32603**, the application shall be considered to be

1 approved and the department shall be considered to have made any
2 determination required for approval.

3 (5) The failure of the department to satisfy the requirements
4 of subsection (1) or the fact that the department is required to
5 make a payment under subsection (3) or is considered to have
6 approved a permit under subsection (4) shall not be used by the
7 department as the basis for discriminating against the applicant.
8 If the department is required to make a payment under subsection
9 (3), the application shall be processed in sequence with other
10 applications for the same type of permit, based on the date on
11 which the processing period began, unless the director determines
12 on an application-by-application basis that the public interest is
13 best served by processing in a different order.

14 (6) If the department fails to satisfy the requirements of
15 subsection (1), the director shall notify the appropriations
16 committees of the senate and house of representatives of the
17 failure. The notification shall be in writing and shall include
18 both of the following:

19 (a) An explanation of the reason for the failure.

20 (b) A statement of the amount the department was required to
21 pay the applicant under subsection (3) or a statement that the
22 department was required to consider the application to be approved
23 under subsection (4), as applicable.

24 Sec. 30102. (1) Except as provided in this part, a person
25 without a permit from the department shall not do any of the
26 following:

27 (a) Dredge or fill bottomland.

1 (b) Construct, enlarge, extend, remove, or place a structure
2 on bottomland.

3 (c) Construct, reconfigure, or expand a marina.

4 (d) Create, enlarge, or diminish an inland lake or stream.

5 (e) Structurally interfere with the natural flow of an inland
6 lake or stream.

7 (f) Construct, dredge, commence, extend, or enlarge an
8 artificial canal, channel, ditch, lagoon, pond, lake, or similar
9 waterway where the purpose is ultimate connection with an existing
10 inland lake or stream, or where any part of the artificial waterway
11 is located within 500 feet of the ordinary high-water mark of an
12 existing inland lake or stream.

13 (g) Connect any natural or artificially constructed waterway,
14 canal, channel, ditch, lagoon, pond, lake, or similar water with an
15 existing inland lake or stream for navigation or any other purpose.

16 **(2) A PERSON SHALL NOT REMOVE SUBMERGED LOGS FROM RIVERS OR**
17 **STREAMS FOR THE PURPOSE OF SUBMERGED LOG RECOVERY. THIS SUBSECTION**
18 **DOES NOT PROHIBIT THE DEPARTMENT FROM ISSUING A PERMIT UNDER THIS**
19 **PART FOR OTHER PURPOSES, INCLUDING REMOVING LOGJAMS OR REMOVING**
20 **LOGS THAT INTERFERE WITH NAVIGATION OF THE RIVER OR STREAM.**

21 Sec. 30104. (1) A person shall not undertake a project subject
22 to this part except as authorized by a permit issued by the
23 department pursuant to part 13. An application for a permit shall
24 include any information that may be required by the department. If
25 a project includes activities at multiple locations, 1 application
26 may be filed for the combined activities.

27 (2) Except as provided in subsections (3) and (4), until

1 October 1, 2011, an application for a permit shall be accompanied
2 by a fee based on an administrative cost in accordance with the
3 following schedule:

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

12 (b) For authorization under a general permit, a \$50.00 fee.

13 (c) For construction or expansion of a marina, a fee of:

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

16 (ii) \$100.00 for a new marina with 1-10 proposed marina slips.

17 (iii) \$250.00 for an expansion of 11-50 slips to an existing
18 permitted marina, plus \$10.00 for each slip over 50.

19 (iv) \$500.00 for a new marina with 11-50 proposed marina slips,
20 plus \$10.00 for each slip over 50.

21 (v) \$1,500.00 if an existing permitted marina proposes
22 maintenance dredging of 10,000 cubic yards or more or the addition
23 of seawalls, bulkheads, or revetments of 500 feet or more.

24 (d) For major projects other than a project described in
25 subdivision (c)(v), involving any of the following, a fee of
26 \$2,000.00:

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

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

2 (iii) Seawalls, bulkheads, or revetments of 500 feet or more.

3 (iv) Filling or draining of 1 acre or more of wetland
4 contiguous to a lake or stream.

5 (v) New dredging or upland boat basin excavation in areas of
6 suspected contamination.

7 (vi) Shore projections, such as groins and underwater
8 stabilizers, that extend 150 feet or more into a lake or stream.

9 (vii) New commercial docks or wharves of 300 feet or more in
10 length.

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

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

13 (x) New golf courses.

14 (xi) Subdivisions.

15 (xii) Condominiums.

16 **(E) FOR THE REMOVAL OF SUBMERGED LOGS FROM BOTTOMLAND OF AN**
17 **INLAND LAKE, A \$500.00 FEE.**

18 **(F)** ~~(e)~~—For all other projects not listed in subdivisions (a)
19 through ~~(d)~~, **(E)**, a fee of \$500.00.

20 (3) A project that requires review and approval under this
21 part and 1 or more of the following acts or parts of acts is
22 subject to only the single highest permit fee required under this
23 part or the following acts or parts of acts:

24 (a) Part 303.

25 (b) Part 323.

26 (c) Part 325.

27 (d) Section 3104.

1 (e) Section 117 of the land division act, 1967 PA 288, MCL
2 560.117.

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

8 Sec. 32603. (1) A person shall ~~obtain a permit from the~~
9 ~~department under this part prior to removing~~ **NOT REMOVE** submerged
10 logs from bottomlands **EXCEPT AS AUTHORIZED BY A PERMIT ISSUED BY**
11 **THE DEPARTMENT PURSUANT TO PART 13.**

12 (2) The department may issue a permit under this part to a
13 person for the removal of submerged logs from patented lands if
14 permission is received from the lawful owner of the patented lands.

15 (3) A person shall not recover, alter, or destroy abandoned
16 property as defined in part 761 while engaging in submerged log
17 removal operations under a submerged log removal permit issued
18 under this part.

19 (4) For submerged log recovery in underwater preserves
20 established under part 761, the department shall place **REASONABLE**
21 conditions on submerged log removal permits to prevent damage to
22 abandoned watercraft or other features of archaeological,
23 historical, recreational, or environmental significance and to
24 minimize conflicts between recreational activities within the
25 preserve and the submerged log recovery operation.

26 Sec. 32604. (1) ~~For calendar year 2000, the department shall~~
27 ~~establish a time period for the submission of applications for~~

1 ~~submerged log removal permits under this part. Beginning in 2001,~~
2 ~~and each year thereafter, applications~~ **APPLICATIONS FOR SUBMERGED**
3 **LOG REMOVAL PERMITS** shall be submitted before February 1 of each
4 calendar year. ~~However, the department shall not issue a submerged~~
5 ~~log removal permit under this part after December 31, 2003.~~

6 (2) An application for a submerged log removal permit shall be
7 submitted in writing on a form provided by the department and shall
8 include all of the following:

9 (a) A description of the proposed bottomland log removal area
10 with boundaries delineated by **THE USE OF CURRENT TECHNOLOGY SUCH AS**
11 a digital global positioning system or other technology approved by
12 the department. The proposed bottomland log removal area shall be a
13 contiguous area of not more than 320 acres. The area proposed shall
14 be square or rectangular in shape, and the length shall not exceed
15 the width by more than a factor of 6.

16 (b) A description of the methods to be used to raise the
17 submerged logs, the time of year during which submerged logs will
18 be raised, and the procedures to be used for transferring logs to
19 the shore.

20 (c) Identification of any adverse environmental impacts
21 associated with the proposed submerged log removal method.

22 (d) Identification of the steps proposed to mitigate any
23 adverse environmental impacts caused by the proposed submerged log
24 removal operation.

25 (e) Other information that the department considers necessary
26 in evaluating a submerged log removal permit application.

27 (f) A ~~\$3,500.00~~ **\$500.00** application fee.

1 (3) An application for a submerged log removal permit is not
2 complete until all information requested on the application form
3 and any other information requested by the department are received.
4 Within 30 days of its receipt of an application, the department
5 shall notify the applicant in writing if the application is
6 deficient. The applicant shall submit the requested information to
7 the department within 30 days after the date the notice is
8 provided. If the applicant fails to respond within the 30-day
9 period, the department shall deny the submerged log removal permit
10 unless the applicant requests and the department approves an
11 extension of time based upon the applicant's reasonable
12 justification for the extension.

13 (4) Application fees received under this section shall be
14 forwarded to the state treasurer for deposit into the fund.

15 Sec. 32606. (1) The department shall review each complete
16 application received for a submerged log removal permit and shall
17 not issue a permit unless the department determines both of the
18 following:

19 (a) That any adverse impacts, including, but not limited to,
20 impacts to the environment, natural resources, riparian rights, and
21 the public trust are minimal and will be mitigated to the extent
22 practicable.

23 (b) That the proposed activity will not unreasonably affect
24 the public health, safety, and welfare.

25 (2) The department may determine that certain areas within a
26 proposed bottomland log removal area described in an application
27 for a submerged log removal permit shall not be authorized for

1 submerged log removal based upon adverse impacts, including, but
2 not limited to, adverse impacts to the environment, natural
3 resources, riparian rights, and the public trust.

4 (3) The department shall make a decision on whether or not to
5 issue a submerged log removal permit under this part within 90 days
6 after the close of the review and comment period under section
7 32605 or, if a public hearing is held under section 32608, within
8 90 days after the date of that public hearing.

9 (4) IF THE DEPARTMENT ISSUES A SUBMERGED LOG REMOVAL PERMIT,
10 THE DEPARTMENT SHALL CONDITION THE PERMIT ON COMPLIANCE WITH BOTH
11 OF THE FOLLOWING:

12 (A) THE PERMITTEE HAS PROVIDED THE DEPARTMENT WITH A \$3,000.00
13 LOG RECOVERY FEE.

14 (B) THE PERMITTEE HAS PROVIDED THE DEPARTMENT A BOND AS
15 REQUIRED IN SECTION 32607(7).

16 (5) THE DEPARTMENT SHALL NOTIFY THE APPLICANT IN WRITING
17 WITHIN 10 DAYS AFTER THE DATE THE DEPARTMENT APPROVES OR DENIES A
18 SUBMERGED LOG REMOVAL PERMIT UNDER THIS SECTION.

19 (6) THE DEPARTMENT SHALL FORWARD LOG RECOVERY FEES RECEIVED
20 UNDER THIS SUBSECTION TO THE STATE TREASURER FOR DEPOSIT INTO THE
21 GREAT LAKES FUND CREATED IN SECTION 32611.

22 Sec. 32607. (1) The department shall not authorize the same
23 bottomland log removal area in more than 1 submerged log removal
24 permit at any 1 time.

25 (2) The department may modify the boundaries of a proposed
26 bottomland log removal area in a submerged log removal permit to
27 avoid overlaps with other active submerged log removal permits or

1 adverse impacts, including, but not limited to, impacts to the
2 environment, natural resources, riparian rights, and the public
3 trust.

4 (3) A submerged log removal plan approved by the department
5 shall be included in each submerged log removal permit.

6 (4) A submerged log removal permit shall contain terms and
7 conditions that are determined by the department to protect the
8 environment, natural resources, riparian rights, and the public
9 trust.

10 (5) Each submerged log removal permit shall expire ~~on January~~
11 ~~1, 2013~~ **5 YEARS AFTER THE DATE THE PERMIT IS ISSUED. ~~AN~~ HOWEVER, A**
12 **SUBMERGED LOG REMOVAL PERMIT ISSUED PRIOR TO THE EFFECTIVE DATE OF**
13 **THE 2011 AMENDATORY ACT THAT AMENDED THIS SECTION EXPIRES 5 YEARS**
14 **AFTER THE EFFECTIVE DATE OF THE 2011 AMENDATORY ACT THAT AMENDED**
15 **THIS SECTION. IF FEDERAL APPROVAL IS REQUIRED, AN** applicant shall
16 notify the department of the date on which the federal government
17 issued its approval for the submerged log removal permit.
18 ~~Processing fees received under this subsection shall be forwarded~~
19 ~~to the state treasurer for deposit into the fund.~~

20 (6) A submerged log removal permit issued under this section
21 is not transferrable unless **THE TRANSFER IS** approved in writing by
22 the department.

23 (7) An applicant for a submerged log removal permit shall
24 provide a ~~performance~~ bond acceptable to the department in the
25 amount of **NOT LESS THAN \$10,000.00 OR MORE THAN \$100,000.00 AS**
26 **REQUIRED BY THE DEPARTMENT, BASED UPON PERMIT CONDITIONS INCLUDING**
27 **COSTS OF RESTORATION AND PAYMENTS UNDER SECTION 32609. EXCEPT AS**

1 PROVIDED IN SUBSECTION (8), THE TERM OF THE BOND SHALL EXTEND FOR 1
2 YEAR FOLLOWING THE EXPIRATION OF THE SUBMERGED LOG REMOVAL PERMIT.

3 The ~~performance~~ bond shall be provided to the department at least
4 10 days prior to beginning submerged log removal in a bottomland
5 log removal area. The ~~performance~~ bond shall ensure compliance with
6 the submerged log removal permit ~~for the period of the permit or~~
7 ~~until the authorized submerged log removal is completed to the~~
8 ~~satisfaction of the department and all REQUIRED payments under~~
9 ~~section 32609. have been made. The~~ **IF A SUBMERGED LOG REMOVAL**
10 **PERMIT IS TERMINATED UNDER SUBSECTION (8), THE** department shall
11 issue a written statement releasing the permittee ~~and OR~~ bonding
12 company, ~~upon termination of the submerged log removal permit and~~
13 **OR BOTH**, upon satisfaction of the department as to the compliance
14 of the permittee with the terms and conditions of the permit ~~. The~~
15 ~~department may draw upon the performance bond for delinquent~~ **AND**
16 **SATISFACTION OF ALL** payments as required in section 32609.

17 (8) A permittee may request, in writing, and the department
18 may grant, termination of a submerged log removal permit prior to
19 the expiration date, including release from quarterly reports and
20 ~~performance~~ bond requirements.

21 (9) **AS USED IN THE SECTION, "BOND" MEANS A PERFORMANCE BOND**
22 **FROM A SURETY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE**
23 **OR AN IRREVOCABLE LETTER OF CREDIT, IN FAVOR OF THE DEPARTMENT.**

24 Sec. 32609. (1) The state reserves a payment of ~~2.0 times~~ **15%**
25 **OF THE** sawlog stumpage value ~~for~~ **OF** each submerged log that is
26 removed from unpatented lands. As used in this subsection, "sawlog
27 stumpage value" means the ~~most recent average value of standing~~

1 ~~timber on state forestlands for each species as determined and~~
2 ~~reported by the department of natural resources. However, if a~~
3 ~~species is no longer harvested on state forestlands, "sawlog~~
4 ~~stumpage value" means the most recent highest value of any species~~
5 ~~currently being harvested on state forestlands as determined and~~
6 ~~reported by the department of natural resources.~~**PRICE RECEIVED FROM**
7 **RECOVERED SUBMERGED LOGS.**

8 (2) The holder of a submerged log removal permit under this
9 part shall provide the department with a detailed report and all
10 payments due under this section within 30 days after the close of
11 each calendar quarter. The report shall include an accurate scaling
12 at dockside of all submerged logs removed, by species. The
13 permittee shall provide for an independent agent, approved by the
14 department in writing, to conduct the scaling and species
15 determination.

16 (3) All payments received under this section shall be
17 forwarded to the state treasurer for deposit into the fund.

18 (4) After a permittee is notified in writing that a payment
19 under this section is overdue, the department may order suspension
20 of the submerged log removal permit until the payment is submitted
21 in full. The permittee shall not resume submerged log removal
22 operations until the department provides written authorization for
23 the operations to resume.

24 ~~— (5) Not later than December 31, 2001, the department shall~~
25 ~~conduct a study to determine the fair market value of submerged~~
26 ~~logs as a potential basis for determining the payment to the state~~
27 ~~under subsection (1). The department may conduct the study or may~~

1 ~~enter into a contract with a qualified person to conduct the study.~~
2 ~~Upon completion, the department shall submit a report of the~~
3 ~~results of the study to the standing committees of the legislature~~
4 ~~with jurisdiction primarily related to natural resources and the~~
5 ~~environment and to the senate and house appropriations~~
6 ~~subcommittees on environmental quality and natural resources.~~

7 Sec. 32611. (1) The Great Lakes fund is created within the
8 state treasury.

9 (2) The state treasurer may receive money or other assets from
10 any source for deposit into the Great Lakes fund. The state
11 treasurer shall direct the investment of the Great Lakes fund. The
12 state treasurer shall credit to the Great Lakes fund interest and
13 earnings from Great Lakes fund investments.

14 (3) Money in the Great Lakes fund at the close of the fiscal
15 year shall remain in the Great Lakes fund and shall not lapse to
16 the general fund.

17 (4) The department shall expend money from the Great Lakes
18 fund, upon appropriation, only for environmental projects related
19 to the Great Lakes and areas contiguous to the Great Lakes
20 including, but not limited to, the prevention and management of
21 ~~non-native~~**NONNATIVE** species, coastal wetland restoration,
22 contaminated sediment cleanup, and underwater preserve management,
23 **AND FOR THE ADMINISTRATION OF THIS PART.**