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House Bill 4448 (as passed by the House)
Sponsor: Representative Roger Victory
House Committee: Appropriations
Senate Committee: Appropriations

Date Completed: 5-5-15

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to delay the sunset on five types of permit fees collected by the Water Resources Division within the Department of Environmental Quality (DEQ). The fees are detailed below; it should be noted that a project that falls into more than one category is subject only to the highest applicable fee, rather than a fee for each permit type.

- **Part 301 (Inland Lakes and Streams) Permit Fees.** Any project requiring a permit under Part 301 of NREPA is subject to an application fee of \$50 to \$2,000, depending on the type and scope of the project.
- **Pre-Application Meeting Fees.** A person who wishes to engage in a pre-application meeting with the DEQ regarding a proposed permit or permit application in process under Part 301 of NREPA is subject to a fee ranging from \$100 to \$1,000, depending on the size and scope of the project.
- **Ordinary High Water Mark Service Fee.** A \$500 service fee is charged to any person who wishes to establish the ordinary high water mark for his or her property.
- **Part 323 (Shorelands Protection and Management) Permit Fees.** Under Part 323 of NREPA, if rules require a permit in certain types of high-risk or flood risk areas, an application fee of \$50 to \$500 is charged, depending on the type of project.
- **Part 325 (Great Lakes Submerged Lands) Permit Fees.** Any project requiring a permit under Part 325 of NREPA is subject to an application fee of \$50 to \$2,000, depending on the type and scope of the project.

Each of the fees currently will sunset on October 1, 2015. The bill would delay the sunset date until October 1, 2019.

The bill would take effect October 1, 2015.

MCL 324.30104 et al.

FISCAL IMPACT

The bill would have a positive fiscal impact on the DEQ and no fiscal impact on local units of government. The bill would prevent the DEQ from losing approximately \$2.1 million in fee revenue each year. Revenue from the fees affected by the bill is credited to the Land and Water Management Permit Fee Fund, and is used to offset the costs related to permit review and enforcement, and other costs incurred by the DEQ.

The fiscal year 2015-16 DEQ budget as reported by the Senate Appropriations Committee assumes the DEQ will be able to collect these fees at their current levels.

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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.