

HOUSE BILL NO. 5556

February 26, 2020, Introduced by Reps. Slagh, Allor, LaFave, Markkanen, Inman, Paquette, O'Malley, Green, Eisen, Whiteford, Lilly, Griffin, VanWoerkom, Sheppard and Hornberger and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32512a (MCL 324.32512a), as amended by 2012 PA 247, and by adding section 32512b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 32512a. (1) After providing notice and an opportunity for
- 2 a public hearing, the department shall establish minor project
- 3 categories of activities that are similar in nature, have minimal
- 4 adverse environmental effects when performed separately, and will



1 have only minimal cumulative adverse effects on the environment.
2 **The department shall implement a minor project category to allow a**
3 **residential property owner to fill sandbags.** The department may act
4 ~~upon~~**on** an application received ~~pursuant to~~**under** section 32513 for
5 an activity within a minor project category without providing
6 notice ~~pursuant to~~**under** section 32514. A minor project category
7 ~~shall~~**must** not be valid for more than 5 years, but may be
8 reestablished. All other provisions of this part, except provisions
9 applicable only to general permits, are applicable to a minor
10 project.

11 (2) The department, after notice and opportunity for a public
12 hearing, shall issue general permits on a statewide basis or within
13 a local unit of government for a category of activities if the
14 department determines that the activities are similar in nature,
15 will cause only minimal adverse environmental effects when
16 performed separately, and will have only minimal cumulative adverse
17 effects on the environment. A general permit ~~shall~~**must** be based on
18 the requirements of this part and the rules promulgated under this
19 part, and ~~shall~~**must** set forth the requirements and standards that
20 ~~shall~~**must** apply to an activity authorized by the general permit.
21 Before authorizing a specific project to proceed under a general
22 permit, the department may provide notice ~~pursuant to~~**under** section
23 32514 but shall not hold a public hearing and shall not typically
24 require a site inspection. A general permit ~~shall~~**must** not be valid
25 for more than 5 years, but may be reissued.

26 **Sec. 32512b. If all of the following conditions are met, the**
27 **department shall allow a residential property owner to dredge**
28 **bottom sand to fill sandbags under a minor project authorized under**
29 **section 32512a:**



1 (a) Dredged bottom sand may only be used only to fill sandbags
2 to prevent damage to residential property caused by water levels
3 that exceed the ordinary high-water mark or erosion.

4 (b) Dredged bottom sand may only be removed from within 30
5 feet from the ordinary high-water mark.

6 (c) The residential property owner shall not dredge more than
7 1 cubic yard of bottom sand per 1 linear foot of lakeshore.

8 (d) Unless the residential property owner receives written
9 permission from an adjacent residential property owner, dredging
10 must not occur within 20 feet of the adjacent residential property.

