

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

***** 324.30701.amended *THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE* *****

324.30701.amended Definitions.

Sec. 30701. As used in this part:

(a) "Commissioner" means the county drain commissioner, or the board of county road commissioners in counties not having a drain commissioner. However, if more than 1 county is involved, commissioner means the drain commissioner or board of county road commissioners, as applicable, for each county.

(b) "County board" means the county board of commissioners. However, if more than 1 county is involved, county board means the county board of commissioners of each of those counties.

(c) "Court" means a circuit court. However, if more than 1 judicial circuit is involved, court means the circuit court designated by the county board or otherwise authorized by law to preside over an action.

(d) "Dam" means an artificial barrier, structure, or facility, and appurtenant works, used to regulate or maintain the level of an inland lake.

(e) "Delegated authority" means the county drain commissioner or any other person designated by the county board to perform duties required under this part.

(f) "Department" means the department of environment, Great Lakes, and energy.

(g) "Inland lake" means a natural or artificial lake, pond, impoundment, or a part of 1 of those bodies of water. Inland lake does not include the Great Lakes or Lake St. Clair.

(h) "Interested person" means the department and a person who has a record interest in the title to, a right of ingress to, or a reversionary right to land that would be affected by a permanent change in the natural or normal level of an inland lake.

(i) "Normal level" means the target level or levels of the water of an inland lake, around which actual levels may fluctuate, that provide the most benefit to the public; that best protect the public health, safety, and welfare; that best preserve the natural resources of this state; and that best preserve and protect the value of property around the inland lake. A normal level shall be measured and described as an elevation or elevations based on a geodetic vertical datum including ranges based on tolerance, operational or weather conditions, seasonality, or other similar natural and regional considerations. An inland lake shall be considered to be maintained at its normal level during temporary water level fluctuations resulting from weather or natural events, during construction activities authorized by the department, or if a county or its delegated authority operates lake level infrastructure in a manner that may affect water levels but is reasonably intended to maintain a normal level. The application of this definition includes, but is not limited to, all normal levels established before the effective date of the amendatory act of the 2023-2024 legislative session that amended this section.

(j) "Normal level project" means a project to establish or maintain a normal level.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995;—Am. 2024, Act 112, Eff. (sine die).

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the Land and Water Management Division, with the exception of the farmland and open space preservation program, natural rivers program, and Michigan information resource inventory system, to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.

Popular name: Act 451

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