

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

324.11574 Designated planning agency (DPA); responsibilities; copies; revisions; formal action.

Sec. 11574.

(1) In addition to its other responsibilities under part 115, a DPA shall do all of the following:

(a) Serve as the primary government resource in the planning area for information about the MMP and the MMP development process.

(b) Under the direction of the planning committee, prepare an MMP.

(c) During the preparation of an MMP, solicit the advice of and consult with all of the following:

(i) Periodically, the municipalities, appropriate organizations, and the private sector, including materials management facility operators, in the planning area.

(ii) The appropriate county or regional planning agency.

(iii) Counties adjacent to the planning area and municipalities in those counties.

(d) Not less than 10 days before each public meeting at which the DPA will discuss the MMP, give notice of the meeting to the chief elected official of each municipality within the planning area and any other person within the planning area that requests notice. The notice shall indicate as precisely as possible the subject matter being discussed.

(e) Obtain written approval of the MMP from the planning committee.

(f) Submit a copy of the MMP as approved by the planning committee to all of the following with a notice specifying the end of the public comment period under subdivision (h):

(i) The department.

(ii) The legislative body of each municipality within the planning area.

(iii) The legislative body of each county or municipality adjacent to the planning area that has requested the opportunity to review the MMP.

(iv) The regional planning agency for each county included in the planning area.

(g) Publish a notice in a newspaper or by electronic media having major circulation or viewership in the planning area. The notice shall indicate a location where copies of the proposed MMP are available for public inspection or copying at cost, specify the end of the public comment period under subdivision (h), and solicit public comment. Notice posted in electronic media shall remain posted until the end of the public comment period.

(h) Receive public comments on the MMP for not less than 60 days after the publication of the notice under subdivision (g).

(i) During the public comment period under subdivision (h), conduct a public hearing on the MMP. Not less than 30 days before the hearing, the planning committee shall publish a notice of the hearing in a newspaper or by electronic media having major circulation or viewership in the planning area. Notice posted in electronic media shall remain posted until the end of the public hearing. The notice shall indicate a location where copies of the proposed MMP are available for public inspection or copying at cost and shall indicate the time and place of the public hearing. The same notice may be used to satisfy the requirements of this subdivision and subdivision (g). The planning committee shall submit to the department proof of publication of notice under this subdivision and subdivision (g).

(j) Submit to the planning committee a summary of the comments received during the public comment period.

(2) The DPA, or the department if the department prepares an MMP, shall use a standard format in preparing the MMP. The department shall prepare the standard format and provide a copy of the standard format to each DPA that the department knows will prepare an MMP. The department shall provide the standard format to any other person upon request.

(3) The planning committee shall consider the comment summary received from the DPA under subsection (1)(j) and may direct the DPA to revise the MMP. The DPA shall revise the MMP as directed by the planning committee. Not more than 30 days after the end of the public comment period, the DPA shall submit the proposed MMP, as revised, if applicable, to the planning committee.

(4) Not more than 30 days after the MMP is submitted to the planning committee under subsection (3), the planning committee shall take formal action on the MMP and, if the planning committee approves the MMP in compliance with section 11572(3), the DPA shall submit the MMP to the CAA.

History: Add. 2022, Act 250, Eff. Mar. 29, 2023

Popular Name: Act 451

Popular Name: NREPA

Popular Name: Solid Waste Act