

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

\*\*\*\*\* 324.30306.amended THIS AMENDED SECTION IS EFFECTIVE PENDING FUNDING  
APPROPRIATED BY THE LEGISLATURE (See compiler's note) \*\*\*\*\*

**324.30306.amended Permit for use or development listed in MCL 324.30304; filing, form, and contents of application; proposed use or development as single permit application; fee; work done in violation of permit requirement; fee refund.**

Sec. 30306. (1) Except as provided in section 30307(6), to obtain a permit for a use or development listed in section 30304, a person shall file an application with the department on a form provided by the department. The application shall include all of the following:

- (a) The person's name and address.
- (b) The location of the wetland.
- (c) A description of the wetland on which the use or development is to be made.
- (d) A statement and appropriate drawings describing the proposed use or development.
- (e) The wetland owner's name and address.

(f) An environmental assessment of the proposed use or development if requested by the department. The assessment shall include the effects upon wetland benefits and the effects upon the water quality, flow, and levels, and the wildlife, fish, and vegetation within a contiguous lake, river, or stream.

(2) For the purposes of subsection (1), a proposed use or development of a wetland shall be considered as a single permit application under this part if the scope, extent, and purpose of a use or development are made known at the time of the application for the permit.

(3) Except as provided in subsections (4) and (5), an application for a permit submitted under subsection (1) shall be accompanied by the following fee, as applicable:

(a) For a project in a category of activities for which a general permit is issued under section 30312, a fee of \$100.00.

(b) For a permit for the removal of vegetation in an area that is not more than 100 feet wide or the width of the property, whichever is less, or the mowing of vegetation under a general permit, in the area between the ordinary high-water mark and the water's edge, a fee of \$50.00.

(c) For a major project, including any of the following, a fee of \$2,000.00:

- (i) Filling or draining of 1 acre or more of coastal or inland wetland.
  - (ii) 10,000 cubic yards or more of wetland fill.
  - (iii) A new golf course affecting wetland.
  - (iv) A subdivision affecting wetland.
  - (v) A condominium affecting wetland.
- (d) For all other projects, a fee of \$500.00.

(4) A project that requires review and approval under this part and 1 or more of the following is subject to only the single highest permit fee required under this part or the following:

- (a) Section 3104.
- (b) Part 301.
- (c) Part 323.
- (d) Part 325.
- (e) Section 117 of the land division act, 1967 PA 288, MCL 560.117.

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

(6) If the department determines that a permit is not required under this part, the department shall promptly refund the fee paid under this section.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995;—Am. 1998, Act 228, Imd. Eff. July 3, 1998;—Am. 2003, Act 14, Imd. Eff. June 5, 2003;—Am. 2009, Act 120, Eff. (pending).

**Compiler's note:** Enacting section 1 of Act 120 of 2009 provides:

"Enacting section 1. This amendatory act does not take effect unless both of the following requirements are met:

(a) \$4,000,000.00 from the cleanup and redevelopment trust fund created in section 3e of 1976 IL 1, MCL 445.573e, and \$4,000,000.00 from the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, is appropriated by the legislature to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

(b) \$2,000,000.00 is appropriated by the legislature from the environmental protection fund to support the program under part 303 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.30301 to 324.30329."

**Popular name:** Act 451

**Popular name:** NREPA

**Popular name:** Wetland Protection Act