

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

***** 324.30312b.added *THIS ADDED SECTION IS EFFECTIVE PENDING FUNDING APPROPRIATED BY THE LEGISLATURE (See compiler's note); THIS ADDED SECTION IS ALSO REPEALED BY ACT 120 OF 2009 EFFECTIVE OCTOBER 1, 2012* *****

324.30312b.added New or existing general permits equivalent to nationwide permits or minor project categories; repeal of section.

Sec. 30312b. (1) The department shall propose new or maintain existing general permits under this part equivalent to the following nationwide permits, to the extent applicable to wetland, without further limitations:

- (a) Maintenance.
- (b) Scientific measuring devices.
- (c) Survey activities.
- (d) Oil spill cleanup.
- (e) Moist soil management.
- (f) Cleanup of hazardous and toxic waste.
- (g) Storm water management facilities.
- (h) Pipeline safety program designated time sensitive inspections and repairs.

(2) The department shall propose new or maintain existing general permits or minor project categories equivalent to the following nationwide permits, to the extent that the nationwide permits are applicable to wetland, subject to additional limitations based on best management practices and necessary to ensure that adverse environmental effects are minimal or based on other statutes, which limitations may be established by the department after providing notice and an opportunity for public comment:

- (a) Outfall structures and associated intake structures.
- (b) Minor discharges.
- (c) Utility line activities.
- (d) Expansion of existing cranberry production activities.

(3) The department shall propose new or maintain existing general permits or minor project categories for the following:

- (a) Temporary recreational structures.
- (b) Linear transportation projects.
- (c) Aquatic habitat restoration, establishment, and enhancement activities, including reversion of temporary wetland restorations.
- (d) Residential developments.
- (e) Completed enforcement actions.
- (f) Temporary construction, access, and dewatering.
- (g) Cranberry production activities.
- (h) Agricultural activities.
- (i) Reshaping existing drainage ditches.
- (j) Recreational facilities.

(4) This section is repealed effective October 1, 2012.

History: Add. 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