

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

**324.3119 Storm water fund.**

Sec. 3119.

- (1) The storm water fund is created within the state treasury.
- (2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.
- (3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.
- (4) The department shall expend money from the fund, upon appropriation, only for 1 or more of the following purposes:
  - (a) Review of storm water permit applications.
  - (b) Storm water permit development, issuance, reissuance, modification, and termination.
  - (c) Surface water monitoring to support the storm water permitting process.
  - (d) Assessment of compliance with storm water permit conditions.
  - (e) Enforcement against storm water permit violations.
  - (f) Classification of storm water control facilities.
  - (g) Not more than 10% of the money in the fund for training for certification of storm water operators and educational material to assist persons regulated under this part.
  - (h) Regional or statewide public education to enhance the effectiveness of storm water permits.
- (5) Money in the fund shall not be used to support the direct costs of litigation undertaken to enforce this part.
- (6) Upon the expenditure or appropriation of money raised in section 3118 for any other purpose than those specifically listed in this section, authorization to collect fees under section 3118 shall be suspended until such time as the money expended or appropriated for purposes other than those listed in this section is returned to the fund.
- (7) By January 1, 2006 and by January 1 of each year thereafter, the department shall prepare and submit to the governor, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations to the department a report that details the departmental activities of the previous fiscal year in administering the department's storm water program that were funded by the fund. This report shall include, at a minimum, all of the following:
  - (a) The number of full-time equated positions performing each of the following functions:
    - (i) Permit issuance and development.
    - (ii) Compliance.
    - (iii) Enforcement.
  - (b) The number of new permit applications received by the department in the preceding year.
  - (c) The number of renewal permits in the preceding year.
  - (d) The number of permit modifications requested in the preceding year.
  - (e) The number of staff hours dedicated to each of the fee categories listed in section 3118.
  - (f) The number of permits issued for fee categories listed in section 3118.
  - (g) The average number of days required for review of a permit from the date the permit application is determined to be administratively complete.
  - (h) The number of permit applications denied.
  - (i) The number of permit applications withdrawn by the applicant.
  - (j) The percentage and number of permit applications that were reviewed for administrative completeness within 10 days of receipt by the department.
  - (k) The percentage and number of permit applications submitted to the department that were administratively complete as received.
  - (l) The percentage and number of new permit applications for which a final action was taken by the department within 180 days.
  - (m) The percentage and number of permit renewals and modifications processed within the required time.
  - (n) The number of permits reopened by the department.
  - (o) The number of unfilled positions dedicated to the department's storm water program.
  - (p) The amount of revenue in the fund at the end of the fiscal year.

**History:** 1994, Act 451, Eff. Mar. 30, 1995 ;-- Am. 1999, Act 106, Imd. Eff. July 7, 1999 ;-- Am. 2004, Act 91, Imd. Eff. Apr. 22, 2004

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