

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

324.33938 Removal of metallic minerals, marl, stone, rock, sand, gravel, or earth from or beneath lake bottomlands of Great Lakes; lease; drilling operations for exploration of oil or gas beneath lake bottomlands of Great Lakes; conditions; violation; liability.

Sec. 33938. (1) A person shall not remove metallic minerals, marl, stone, rock, sand, gravel, or earth from or beneath the lake bottomlands of the Great Lakes or the bays and harbors connected with the Great Lakes without first obtaining a written lease from the department granting the right to take the material.

(2) A person shall not conduct drilling operations beneath the lake bottomlands of the Great Lakes, the connected bays or harbors of the Great Lakes, or the connecting waterways as defined in section 32301, for the exploration or production of oil or gas, unless either or both of the following conditions are met:

(a) The drilling operations began prior to the effective date of the 2002 amendatory act that added this subdivision.

(b) The person holds a lease that was in effect prior to the effective date of the amendatory act that added this subdivision and that allows the drilling operations.

(3) A person who violates subsection (1) or (2) is liable to this state for an amount equal to 3 times the value of the materials taken plus an amount equal to the cost of restoring the waters, lake bottomlands, adjacent uplands, or any natural resource of the Great Lakes, the connected bays or harbors of the Great Lakes, or the connecting waterways as defined in section 32301, that is damaged as a result of the violation.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995;—Am. 2002, Act 148, Imd. Eff. Apr. 5, 2002.

Compiler's note: Enrolled House Bill No. 5118 was not signed by the Governor, but, having been presented to him at 3:44 p.m. on March 22, 2002, and not having been returned by him to the House of Representatives within the 14 days prescribed by Const 1963, art IV, sec 33, became law (2002 PA 148) on April 5, 2002, the Legislature having continued in session.

Popular name: Act 451