

DRAFT 1  
**SUBSTITUTE FOR**  
**HOUSE BILL NO. 6038**

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 30306 (MCL 324.30306), as amended by 2018 PA  
631.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

- 6           (a) The person's name and address.  
7           (b) The location of the wetland.  
8           (c) A description of the wetland.



1 (d) A statement and appropriate drawings describing the  
2 proposed use or development.

3 (e) The wetland owner's name and address.

4 (f) An environmental assessment of the proposed use or  
5 development if requested by the department. The **environmental**  
6 assessment ~~shall~~**must** include the effects ~~upon~~**on** wetland benefits  
7 and the effects ~~upon~~**on** the water quality, flow, and levels, and  
8 the wildlife, fish, and vegetation within any contiguous inland  
9 lake or stream.

10 (2) For the purposes of subsection (1), a proposed use or  
11 development of a wetland ~~shall~~**must** be covered by a single permit  
12 application under this part if the scope, extent, and purpose of a  
13 use or development are made known at the time of the application  
14 for the permit.

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

18 (a) For a project in a category of activities for which a  
19 general permit is issued under section 30312(2), a fee of \$50.00.

20 (b) For activities included in a minor project category  
21 established under section 30312(1), a fee of \$100.00.

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

24 (i) Filling or draining of 1 acre or more of coastal or inland  
25 wetland.

26 (ii) 10,000 cubic yards or more of wetland fill.

27 (iii) A new golf course affecting wetland.

28 (iv) A subdivision affecting wetland.

29 (v) A condominium affecting wetland.



1 (d) For all other projects, a fee of \$500.00.

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

5 (a) Section 3104.

6 (b) Part 301.

7 (c) Part 323.

8 (d) Part 325.

9 (e) Section 117 of the land division act, 1967 PA 288, MCL  
10 560.117.

11 (5) If work has been done in violation of a permit requirement  
12 under this part, the department shall consider accepting and may  
13 accept an application for a permit if the application is  
14 accompanied by a fee equal to twice the application fee otherwise  
15 required under this section.

16 (6) If the department determines that a permit is not required  
17 under this part or denies an application for a permit under this  
18 part, the department shall promptly refund the application fee paid  
19 under this section.

20 (7) The department may issue a conditional permit before the  
21 expiration of the 20-day period referred to in section 30307 if  
22 emergency conditions warrant a project to protect property or the  
23 public health, safety, or welfare.

24 **(8) On receipt of an application submitted under this section,**  
25 **the department may perform a site visit and request any required**  
26 **changes before the time period in which an application is**  
27 **determined to be administratively complete under section 1305**  
28 **expires. If the department does not perform a site visit before the**  
29 **time period in which an application is determined to be**



1 administratively complete under section 1305 expires, the  
2 department shall not require changes to the permit application  
3 following any subsequent site visit. If the department performs a  
4 site visit after an application has been determined to be  
5 administratively complete under section 1305, the department shall  
6 not require changes to the application following that site visit.