

Legislative Analysis



EXTEND GREAT LAKES SHORELINE MANAGEMENT EXEMPTIONS TO THE ST. CLAIR FLATS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4314 as introduced
Sponsor: Rep. Alicia St. Germaine
Committee: Natural Resources and Tourism
Complete to 10-22-25

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4314 would amend Part 325 (Great Lakes Submerged Lands) of the Natural Resources and Environmental Protection Act (NREPA) to add an exemption to the requirement that property owners obtain a permit before engaging in certain work or activities on a body of water in Michigan.

Currently, the following activities do not require a permit and are not subject to regulation under Part 325:

- Leveling of sand, removal of vegetation, grooming of soil, or removal of debris, in an area of unconsolidated material predominantly composed of sand, rock, or pebbles, located between the ordinary high-water mark and the water's edge.
- Mowing of vegetation between the ordinary high-water mark and the water's edge.

Under the bill, removing debris, including vegetation that is free-floating or otherwise washed up or uprooted, between the ordinary high-water mark and the water's edge by mechanical or manual means also would not require a permit and would not be subject to regulation under Part 325. The bill would further provide that this type of vegetation removal is not considered dredging and that it includes use of a device or machine that can remove free-floating vegetation or debris without impacting the lakebed.

In addition, under current law, the exemption from permitting and regulation for the above activities does not apply to lands included in the survey of the delta of the St. Clair River, otherwise referred to as the St. Clair Flats, which are in St. Clair County's Clay Township. The bill would remove this provision, so that all of the activities described above (including debris removal by mechanical or manual means, as added by the bill) would additionally be exempt from permitting requirements and regulation under Part 325 in the St. Clair Flats.

MCL 324.32512

FISCAL IMPACT:

House Bill 4314 is likely to reduce revenue for EGLE by expanding exemptions to extant permit requirements. However, the magnitude of this reduction is unclear as the scope of the proposed exemption is relatively specific. The department annually receives \$2.1 million in Land and Water Permit Fee revenue which primarily administers flood hazard,

flood insurance, dam safety programs, and shoreline permit process for construction. This appropriation is \$28.2 million Gross in FY 2025-26.

Legislative Analyst: Josh Roesner
Fiscal Analyst: Austin Scott

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.