

HOUSE BILL No. 4363

February 20, 1997, Introduced by Reps. Crissman, Galloway, Callahan, Walberg, Green, Dobb, Middleton, DeVuyst, Lowe and Brackenridge and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 503b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 503B. (1) THE DEPARTMENT OF NATURAL RESOURCES SHALL
2 NOT ESTABLISH A PUBLIC LAKE ACCESS FOR THE LAUNCHING OF BOATS IN
3 AN INLAND LAKE UNLESS THE DEPARTMENT CONDUCTS A PUBLIC HEARING IN
4 THE COUNTY IN WHICH THE PUBLIC ACCESS IS PROPOSED AND FOLLOWING
5 THAT HEARING BASED UPON THE PREPONDERANCE OF THE TESTIMONY AT THE
6 HEARING AND THE DEPARTMENT'S INDEPENDENT INVESTIGATION THE
7 DEPARTMENT DETERMINES ALL OF THE FOLLOWING:
8 (A) THAT ACQUIRING ACCESS TO THE LAKE, IF NECESSARY, IS CON-
9 SISTENT WITH ALL APPLICABLE POLICIES AND CRITERIA OF PART 19.
10 (B) MORE INTENSE USE OF THE LAKE WILL NOT RESULT IN THE
11 DEGRADATION OF THE ECOLOGICAL INTEGRITY OF THE LAKE.

1 (C) MORE INTENSE USE OF THE LAKE BY BOATERS WILL NOT RESULT
2 IN THE ENDANGERMENT OF THE PUBLIC.

3 (2) WHEN CALCULATING THE POTENTIAL FOR DEGRADATION OF THE
4 LAKE AND THE POTENTIAL ENDANGERMENT TO THE PUBLIC UNDER
5 SUBSECTION (1)(B) AND (C), THE DEPARTMENT OF NATURAL RESOURCES
6 SHALL USE AS THE BASE MEASUREMENT FOR INTENSITY OF USE WITHOUT
7 THE PUBLIC ACCESS, THE MAXIMUM PROJECTED USE BY ALL OF THE EXIST-
8 ING RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS AND THEIR GUESTS
9 ON THE LAKE.