

# Legislative Analysis

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## SOIL EROSION INSPECTIONS

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### House Bill 5180

**Sponsor: Rep. Bruce Caswell**

**Committee: Conservation and Outdoor Recreation**

**Complete to 6-1-04**

### A SUMMARY OF HOUSE BILL 5180 AS INTRODUCED 10-25-03

Under Part 91 (Soil Erosion and Sedimentation Control) of the Natural Resources and Environmental Protection Act, with certain exceptions, a permit is required for any “earth change” that disturbs one or more acres of land, or is within 500 feet of a lake or stream. The act provides that an agent appointed by the Department of Environmental Quality, a county enforcing agency, or a municipal enforcing agency, is permitted to enter public or private property, at reasonable times, in order to inspect or investigate that property and the actions taken on that property. The bill would amend this provision to provide that an authorized agent appointed by one of the three entities would be permitted to enter (1) public property at reasonable times and (2) private property at reasonable times and pursuant to a warrant issued by a court or with the consent of the property owner.

MCL 324.9113

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