

# HB 5485 -- Redline

Substitute to As Passed by the House -- Natural resources: inland lakes; dam safety regulations; provide for. Amends secs. 31502, 31503, 31504, 31505, 31506, 31507, 31508, 31509, 31510, 31511, 31513, 31515, 31516, 31517, 31518, 31520, 31521 & 31523 of 1994 PA 451 (MCL 324.31502 et seq.) & adds secs. 31506a, 31509a, 31509b, 31517a, 31518a, 31518b, 31518c, 31518d, 31528a & 31528b.

Deletions ~~struck~~ · Insertions underlined

HB-5485, As Passed House, July 3, 2026 SUBSTITUTE FOR HOUSE BILL NO.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

(a) Impounds, diverts, or is designed to impound or divert water or a combination of water and any other liquid or material in RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 the water.

(2) "Enlargement" means any change in or addition to an RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 existing dam which that raises or may raise the design flood elevation of the water impounded by the dam.

(11) "High hazard potential dam" means a dam located in an RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 area where a failure may cause serious damage to inhabited homes, agricultural buildings, campgrounds, recreational facilities, industrial or commercial buildings, public utilities, main highways, or in areas with a population density greater than or equal to 5,000 people per square mile, interstate roads, other freeway roads, other principal arterial roads as defined in the National Functional Classification (NFC) system, class I carrier railroads, or where environmental degradation or natural resource damage would be significant, or where danger to individuals exists with the potential for loss of life.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 (6) (5) "Owner" means a person who that owns, leases, controls, operates, maintains, manages, or proposes to construct a dam.

(5) "Significant hazard potential dam" means a dam located in an area where its failure may cause damage limited to isolated inhabited homes, agricultural buildings, structures, secondary highways, short line or minor arterial roads or major collector roads as defined in the National Functional Classification (NFC) system, railroads not classified as class I, or public utilities in areas with a population density less than 5,000 people per square mile, where environmental degradation may be significant, or where RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 danger to individuals exists.

However, a person who is RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 performing a project for the repair, reconstruction, or improvement of a dam that is exempt from obtaining a permit under this subsection shall submit to the department and the joint capital outlay committee plans and specifications for the project.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 Sec.

(a) The nonprofit organization has assets of less than \$30,000.00, is exempt from taxation under section 501(c)(3) of the RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 internal revenue code of 1986, 26 U.S.C.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 (3) An application for a permit for construction of a new dam, reconstruction of a failed dam, or enlargement of a dam shall must be accompanied by the following fees:

The preapplication RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 meeting request must include the requested location of the meeting and the appropriate fee as specified under this subsection.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 (ii) An assessment of conditions, remaining life, and critical deficiencies and failure modes, and a life cycle cost analysis.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 (4) The department shall approve or deny an application for a registration not later than 120 days after the application is complete.

(8) An owner can transfer a registration to a new owner if RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 both of the following conditions are met:

(2) The department shall prepare a biweekly list of the applications made during the previous biweekly period and shall RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 promptly mail copies of the list for the remainder of the calendar year to the persons who have requested notice and paid the fee under this section.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 (a) An applicant.

(1) Except as otherwise provided in this section, RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 a permit issued granted by the department under this part shall must require that plans and specifications be approved by the department before construction begins.

The department may consider, in issuing a permit, any mitigating measures in conjunction with the permitted RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8vsbm278 1 activities and may make recommendations as to means of fish passage that may be required by part 483.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 (d) High hazard potential dams, 40 feet or greater in height, as measured from the 200-year design flood elevation to the lowest downstream toe elevation, shall must be capable of passing the half probable maximum flood, .

(b) Within Not later than 20 days after submitting the notice of completion, file with the department as-built plans and a statement signed by a licensed professional engineer certifying RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 that certifies that the project was constructed in conformance with plans and specifications approved by the department.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 (f) Sample maintenance and inspection forms.

An inspection RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 schedule shall developed under this subsection must require annual submission of inspection reports for approximately 1/3 of all high hazard potential dams, 1/4 1/2 of all significant hazard potential dams, and 1/5 of all low hazard potential dams.

(f) An assessment of operations and maintenance based on the RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 requirements of the current operation and maintenance records prepared under section 31517a.

(6) If an owner does not submit an inspection report as required by subsection (1) or conduct additional investigations if required by subsection (5), the department or any person who that would have life or property threatened by a breach of the dam may RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 have a report prepared and recover the costs of preparing the report in a civil action.

(g) Maintenance, repair, and alterations of a dam that are RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 necessary to eliminate the deficiencies described under subdivision (f).

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 (d) A description of normal and emergency dam operation procedures.

(1) The owner or his or her agent shall advise the department and the affected off-site public authorities and safety agencies of any sudden or unprecedented flood or unusual or RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 alarming circumstance or occurrence, whether existing or anticipated, that may affect the safety of the dam within 24 hours of after the flood, circumstance, or occurrence.

RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 (i) Sediment surveys.

(1) An owner shall prepare, and keep current, on a RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 form and in a manner prescribed by the department, emergency action plans for all high and significant hazard potential dams owned by that person.

and a (c) A listing of occupied facilities, buildings, and RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 residences that may be threatened with flooding due to a failure of the dam.

(1) The department shall establish a dam risk RMH H04314'25 ~~(H-4)~~(H-4) HB5485 APH 1 k1iz8v sbm278 1 reduction grant program as provided in this section.

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