MICHIGAN LAWS ADMINISTERED BY DEQ LWMD

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT
ACT 451 OF THE PUBLIC ACTS OF 1994 & RELATED STATUTES

COASTAL WETLAND
PART 325
GREAT LAKES SUBMERGED LAND

CRITICAL DUNE
PART 353
SAND DUNES PROTECTION AND MANAGEMENT

COASTAL WETLAND
PART 323
SHORELANDS PROTECTION AND MANAGEMENT

HIGH RISK EROSION AREA
PART 315
DAM SAFETY

ENVIRONMENTAL AREA

COASTAL WETLAND

PART 321
INLAND LAKES AND STREAMS

STREAM

DRAIN

POND

LAKE

FLOODPLAIN

PART 303
WETLANDS PROTECTION

WETLAND

WETLAND

ACT 288, P.A. 1967
SUBDIVISION CONTROL

PART 31, WATER RESOURCES PROTECTION
FLOODPLAIN REGULATORY AUTHORITY
Goals:

Establish GP/MP Categories to:

1) Clarify Conditions and Criteria in the Statute—less ambiguity

2) Mirror more closely US Army Corps Nationwide Permits Categories

3) Combine existing Minor Project (301/325) and General Permits (303) into more concise categories

4) Reduce the number/type of projects that need to be Public Noticed
A NEW 3-tiered permitting system:

1) **General Permits**: Minimal impacts, typically no site inspection (i.e., desktop review), no compensatory mitigation.

2) **Minor Projects**: Minimal impacts, typically site inspection, may require compensatory mitigation.

3) **Public Noticed (Individual Permit) Projects**: Large, more impact projects, typically compensatory mitigation.

GP/MP are Available at [www.mi.gov/wetlands](http://www.mi.gov/wetlands)
The Result

- 18 General Permit Categories
- 47 Minor Project Categories

Major Changes
- Reduction in New and Maintenance Dredging
- Expansion on Wetland Fill Categories
- Expansion of Wetland Restoration Categories
- No NEW Vertical
- Seawalls
- No Groin Structures
- No Mechanical Plant Removal
- No Utility Crossings*
What’s the big deal?

Bankfull Channel

Ordinary High Water Mark Width

Baseflow Channel
Approach fill 10’ or less, if below the 100-yr flood

Bridge and abutments Clear Span 1.2 times the bankfull width.
Lowest bottom of beam at or above the natural ground elevations on either bank.
General Permit

- **Span \(\leq 6 \text{ feet}, \leq 30 \text{ feet long}\)**
- Must span bankfull width
- Must be bottomless or buried 1/6 bankfull width up to 1 foot
- Placed on a flat or DEQ approved slope
- Meet hydraulic requirements if \(da \geq 2\) square miles

**Small Culverts**

**Replacement Structure**
- Road grade
- \(\leq 4\) inches over existing grade

**New structure**
- Approach fill 10’ or less
- SLOPE FLAT
- \(< \geq > \geq > \geq > \)

\(1.5’ \text{ or Less}\)

**Culvert**
- Spans bankfull, recessed 1/6 bankfull width
Minor Permit

- Larger/longer than “small culverts”
- Must span bankfull width
- Must be bottomless or buried 1/6 bankfull width up to 2 feet
- Placed on appropriate slope-”surveyed”
- meet hydraulic requirements if da >= 2 square miles

Large Culvert/Bridges

Replacement Structure – road grade
<=4 inches over existing grade

4 inches Bankfull

Spans bankfull, recessed 1/6 bankfull width

New structure – Approach fill
10’ or less
SLOPE SURVEYED

1.5’ or Less

Spans bankfull, recessed 1/6 bankfull width
Before
looking downstream
outlet
After looking downstream
QUESTIONS?