

	<b>WATER RESOURCES DIVISION RESCISSION OF POLICY AND PROCEDURE</b>		DEPARTMENT OF ENVIRONMENTAL QUALITY
Rescinded Date: July 2, 2014	Subject: Permit Issuance for Construction on Properties Involved in the High Risk Erosion Area (HREA) Re-notification/Designation Process		Category: <input type="checkbox"/> Internal/Administrative <input type="checkbox"/> External/Non-Interpretive <input checked="" type="checkbox"/> External/Interpretive
	Program Name: Water Resources Program		
	Number: 323-95-02	Page: 1 of 1	

Water Resources Division (formerly Land and Water Management Division) Policy No. 323-95-02, Permit Issuance for Construction on Properties Involved in the High Risk Erosion Area (HREA) Re-notification/Designation Process, dated July 24, 2009, is rescinded. The process for which staff determines expiration dates for permit applications has changed; therefore, this policy is no longer needed. It was decided that until the final designation/renotification letters are mailed, the existing setbacks remain current and the standard permitting process should apply, including the time period.

DIVISION CHIEF APPROVAL:


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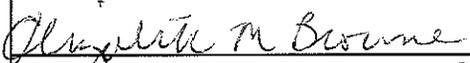
William Creal, Chief  
Water Resources Division

DEPUTY DIRECTOR APPROVAL:

 *7/2/2014*  


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Jim Sygo, Deputy Director

 <b>DEPARTMENT OF ENVIRONMENTAL QUALITY</b>	<b>DIVISION POLICY</b>  <b>LAND AND WATER MANAGEMENT DIVISION</b>	<b>NUMBER:</b> 323-95-02
		<b>PAGE:</b> 1 of 2
<b>SUBJECT:</b> Permit Issuance for Construction on Properties Involved in the High-Risk Erosion Area (HREA) Re-notification/Designation Process		<b>EFFECTIVE DATE:</b> September 22, 1995 <b>REFORMATTED DATE:</b> July 24, 2009
<b>SECTION AND/OR UNIT:</b> Great Lakes Shorelands Unit (GLSU), Permit Consolidation Unit (PCU), and District Offices	<b>APPROVAL SIGNATURE:</b>  <b>TITLE:</b> Elizabeth M. Browne, Chief	<b>ALSO SEE:</b>

**PURPOSE**

To assist staff in determining permit expiration dates for permit applications on properties involved in re-notification/designation process under Part 323.

**AUTHORITY**

Part 323, Shorelands Protection and Management, of the Natural Resources and Environmental Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

**DEFINITIONS**

1. "High Risk Erosion Area" is a segment of shoreline which the DEQ has determined that the landward edge of the zone of active erosion is receding at an average annual rate of one foot or more per year [R281.22(2)].
2. "Required Setback Distance" is the least distance a permanent structure can be constructed from the erosion hazard line without a special exception [R281.21(1)].

**FORMS USED**

Joint Permit Application  
 HREA Project Review Report (PRR)

<b>WHO</b>	<b>DOES WHAT</b>
GLSU Staff	Notifies PCU and District Staff that the recession rate studies of counties within their jurisdiction will be updated. Notifies District Staff when studies are completed and coordinates with them to schedule public meetings where the research and proposed changes will be presented to the local officials and affected property owners.
GLSU, PCU, and District Staff	1. When reviewing applications, identifies whether the project is proposed in a county where the recession rate update studies are complete and the process of notifying owners of property in the county of the pending changes has begun.

WHO	DOES WHAT
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GLSU, PCU, and District Staff

2. If a permit can be issued under Part 323 and the proposed project meets existing but not proposed setbacks, the expiration date must be no more than six months from the date of permit issuance.

**NOTE:** Permits issued under this circumstance must include the specification that by the expiration date, construction should have reached the following points: the foundation, the exterior wall envelope and roof, and the septic system shall all be in place. If these criteria are not met by the expiration date, a new permit application will be required and the new setbacks will apply. This permit will not be extended.

**OR**

3. If the proposed project meets both existing and proposed setbacks, staff issues a permit under Part 323 with the standard expiration date and no restrictions regarding possible future permit extensions.