

APPENDIX D - FREQUENTLY ASKED QUESTIONS REGARDING STREAM CROSSING REGULATIONS AND PERMITS

APPLICABLE LAWS: Part 301, Inland Lakes and Streams, Part 91, Soil Erosion and Sedimentation Control, and Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

Definition of a stream: Has a defined bed, bank and some occurrence of water flow at sometime during the year.

Who is in charge of enforcing this law? The Michigan Department of Environmental Quality (DEQ).

When do I need to apply for a permit? Any time you plan to engage in an activity that may involve putting material or structures in or over a stream or stream bank.

Typical logging/forestry situations requiring a Part 301, Part 91, and Part 31 permits include:

1. Moving equipment or logs across a stream at any time during a logging or forest management operation.
2. Installation of a culvert or temporary bridge.
3. Modification or improvement of an existing culvert or bridge.
4. Activity that may result in deposition of material in a stream or that may affect natural stream flows.
5. Activity that occurs below the ordinary high water mark of the stream (e.g. the top of the stream bank).
6. Use of "ice bridges" that involve placing fill, snow or slash in the stream bed area.

Where do I go to apply for a permit? Contact your local DEQ office. A map illustrating the location of local DEQ offices throughout the state is available at the website <http://www.deq.state.mi.us/documents/deq-lwm-lwmdstaff.pdf>

How much does this permit cost? The majority of stream crossings used for logging/forestry will have a permit cost of \$50. If the drainage area of the stream is more than two square miles, the permit cost is \$100. Installation of a newly created **permanent** stream crossing may have a permit cost of \$500.

How much will cost to install a stream crossing? Costs may vary from several hundred to several thousand dollars, depending on what infrastructure is required and how much labor is involved in meeting DEQ permit requirements.

What is the preferred method of crossing a stream? The use of portable wooden or steel bridges is the preferred method, as proper installation involves the least amount of impact on the stream as well as unimpeded fish passage.

What about the use of rocks or logs to cross the stream? The DEQ will not issue a permit for the use of such materials to construct a stream crossing. Rare exceptions may be made, but only after careful review and consideration by DEQ permitting staff.

What can I do to shorten the time it takes to get a permit? Contact your local DEQ office and work with the appropriate person closely throughout the permitting process. Providing clear and accurate photos of the stream crossing site and meeting with permitting staff on site may also help speed up the permitting process.

How can I find out more information regarding stream crossing permits: Please contact your local DEQ office or visit the DEQ/USACE Joint Permit Application website. http://www.michigan.gov/deq/0,1607,7-135-3307_29692_24403-67347--,00.html. This website provides an extensive amount of information regarding the permit requirements for construction activities where the land and the water meet.