



## Path Maintenance near the Water's Edge in a Critical Dune Area

### Frequently Asked Questions

#### Where's my beach?

During our time at the lake we look forward to enjoying cool breezes and fresh air as we relax on the beaches of Lakes Michigan, Superior and Huron. Yet we find the shoreline has changed. The beach has narrowed and there are mini-dunes to climb down to get to the water's edge. These are actively eroding foredunes found along the shoreline. The wide beach of last year is no longer there. What has changed? The water levels have returned to their [long term averages](#) after many years of low water. With higher water levels storms and wave action has moved sand and gravel out into the lake to be redistributed along the shoreline. It's a [natural shoreline process](#) typical of the Great Lakes.



#### How do I get to the water's edge?

My path is there but it's not connected to the beach anymore. If you are in a [Critical Dune Area](#) you may apply for a permit to maintain an existing single file footpath, with handheld tools, to cut through the wave cut face of the foredune to the water's edge. The application cost is \$250. A permit is not needed to construct [stairs](#) if they are built to meet specific criteria. The stairs must be elevated above the foredune enough to allow sand movement beneath the stairs, no wider than 5 feet, without roof or walls and constructed with handheld tools. The bottom of the stairs must be above the ordinary high water mark of the Great Lake. Remember the shoreline is always changing. Stairs constructed today may be washed away with the next storm. Maintaining your existing path over the wave cut face of the foredune with a shovel may be less effort and will be lake-friendly. A third option is to access the beach from a local park until nature lowers the foredune.

#### What are the requirements of the maintenance of a footpath category?

The foredune must have a steep vertical drop adjacent to the water's edge and is preventing safe access. The path must be dug using handheld tools only and be no wider than five feet. All sand will be disposed within ten feet of the path and not below the ordinary high water mark of the beach. This category does not apply to new paths, a nonforedune path on a lakeward facing slope, the clearing of vegetation outside the five-foot-wide path, work below the ordinary high water mark, or the installation of hard structures. Property owners are cautioned to use care when cutting through the foredune, as the foredune is the property's first defense against erosion. Cut the foredune only as deep as needed to provide safe access to the beach.



**I don't have an existing path to the beach, do I still need a permit to create a path?**

Yes, if you are in a Critical Dune Area, a permit is required for a new path, paths proposed to be created with machinery and handicap accessible access.

**How do I apply for a permit?**

Complete the application at [www.mi.gov/jointpermit](http://www.mi.gov/jointpermit) and submit, with the application fee, location map, and site plan with cross-sections to Department of Environmental Quality, Water Resources Division local district office or through [www.mi.gov/miwaters](http://www.mi.gov/miwaters). An example of an [overhead site plan with cross-sections](#) is available.

Further information may be found online at [www.mi.gov/criticaldunes](http://www.mi.gov/criticaldunes).