

Michigan Coastal Management Program

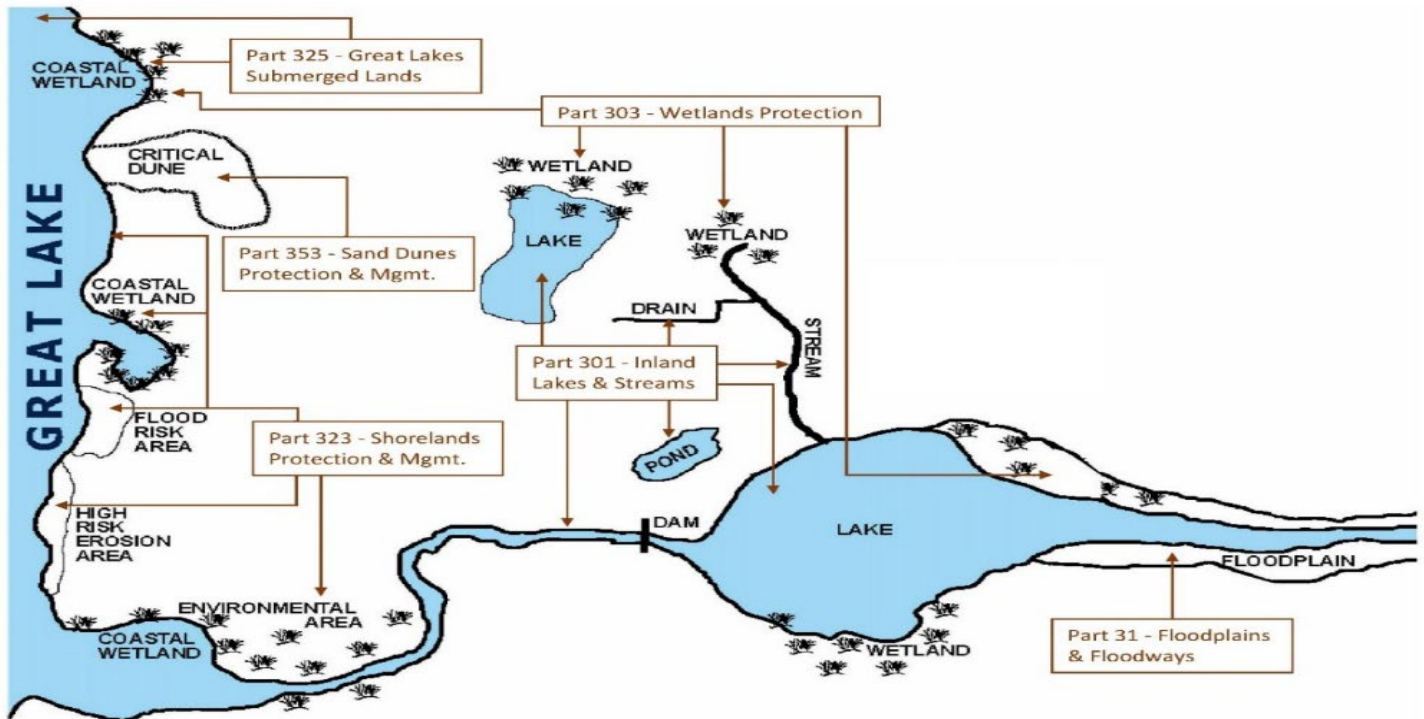
An Overview of Michigan's Coastal Resource Programs

INTRODUCTION

Michigan is surrounded by four of the five Great Lakes and is the steward of the nation's longest freshwater coastline with 3,288 miles of Great Lakes coast. The Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Water Resources Division is responsible for administering the Michigan's Resource Program Regulations of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, put in place to protect, and manage the coastal resources of the State of Michigan. The Michigan Coastal Management Program (MCMP) helps to support the effective administration of these regulations and strives to provide coastal stakeholders with information and assistance to protect our most vulnerable coastal resources.

REGULATIONS

State regulations are in place along Michigan's Great Lakes coast to protect our natural resources, public trust, and infrastructure. Michigan's environmental acts, including [those related to coastal resources](#), are consolidated into the NREPA. The following sections provide an overview of the Resource Programs with associated administrative rules, where applicable.



The MCMP Improves the administration of existing state shoreline statutes and provides substantial technical and financial assistance to local partners for creative coastal projects.



*Together, we can **Protect, Preserve, Restore, and Enhance** our coastal ecosystems to support use and enjoyment for current and future generations.*



GREAT LAKES SUBMERGED LANDS

The Part 325, [Great Lakes Submerged Lands](#), of the NREPA, regulates construction activities along Michigan's 3,288 miles of coastline and over 38,000 square miles of Great Lakes bottomlands. The State is the trustee of the bottomlands and waters of the Great Lakes and has a perpetual duty to manage these resources for the benefit of its citizens. The State's jurisdiction under Part 325 extends to the respective [Ordinary High-Water Mark](#) (OHWM) for each of the Great Lakes. These elevations are based on the U.S. Army Corp of Engineers' International Great Lakes Datum of 1985 and are as follows for each lake: Lake Superior, 602.6 ft.; Lake Michigan-Huron, 580.5 ft.; Lake St. Clair, 575.3 ft.; and Lake Erie, 572.2 ft. Typical activities regulated under Part 325 include filling, dredging, and structural alterations lakeward of the OHWM. The physical location of the OHWM on the beach may move landward or lakeward over time due to fluctuating lake levels and coastal processes constantly altering the beach profile.

GREAT LAKES SHORELANDS PROTECTION AND MANAGEMENT

Part 323, [Shorelands Protection and Management](#), of the NREPA, regulates activities within a designated [High-Risk Erosion Area \(HREA\)](#), Environmental Area, and Flood Risk Area. Approximately 250 miles of Michigan's coastline is currently designated as being in a HREA. Coastal construction setbacks are implemented for shorelines with long-term coastal recession rates averaging one foot per year or more. The setbacks are based on local historic recession rates and surveys. A 30-year setback applies to structures built to specific criteria, allowing them to be easily moved if threatened by erosion, while a 60-year setback applies to larger structures and septic systems. These setback distances are measured from the Erosion Hazard Line or an elevation-based standard in statute, whichever is further landward. A permit is required for construction of a permanent structure proposed anywhere on a property in a designated HREA. New houses, additions to existing houses, garages, outbuildings, swimming pools, decks with a roof or walls, and septic systems are all activities that require permits under Part 323.

SAND DUNES PROTECTION AND MANAGEMENT

Part 353, [Sand Dunes Protection and Management](#), of the NREPA, provides protection for approximately 74,000 acres of Michigan's 230,000 total acres of coastal sand dunes along the Lake Michigan and Lake Superior coastlines. Critical dunes, as defined in Part 353, are generally closest to the shoreline, meet specific criteria, represent a special plant community, and extends to the water's edge. Part 353 strives to ensure that proposed activities do not increase erosion, decrease stability, or diminish the diversity, quality, functions, and values of the dunes and dune ecosystem. A permit is required for development, silviculture, and projects that propose to alter the physical characteristics of the dune or changes to the contour of the land. Typical activities include the construction of a new house, an addition to an existing house, installation of a deck, construction of a revetment, driveway construction, and moving of sand. Local units of government may assume administration of the state's Critical Dune Area Program by passing a local ordinance; however, the ordinance cannot be more restrictive than state law.

INLAND LAKES AND STREAMS PROTECTION

Part 301, [Inland Lakes and Streams](#), of the NREPA, protects the natural and public trust resources of Michigan's inland lakes and streams. Permits are required prior to activities such as dredging, filling, constructing structures, building a marina, or interfering with the natural flow of water on an inland lake or stream at or below the [OHWM](#). The OHWM on inland waterbodies is identified by the presence of a distinct change in the character of the land caused by successive changes in water levels. Part 301 also regulates the Great Lakes' connecting waterways, such as the St. Mary's, St. Clair, and Detroit Rivers. Great Lakes estuaries, often referred to as drowned river mouths, such as Lake Macatawa, Muskegon Lake, Lake Charlevoix, and Lac La Belle, are also protected under Part 301.

WETLANDS PROTECTION

Part 303, [Wetlands Protection](#), of the NREPA, defines a wetland as a land or water feature, commonly referred to as a bog, swamp, or marsh, inundated or saturated by water at a frequency and duration sufficient to support, and that under normal circumstances does support, hydric soils and a predominance of wetland vegetation or aquatic life. Wetlands play a vital role in recreation, tourism, and the economy in Michigan. A permit is required prior to performing certain activities in regulated wetlands including filling, dredging, development, and draining water. In addition to state regulations, a local communities may regulate wetlands by local ordinance.

FLOODPLAIN AND FLOODWAYS MANAGEMENT

The State of Michigan's [Floodplain Regulatory Authority](#), found in Part 31, Water Resources Protection, of the NREPA, requires that a permit be obtained prior to any alteration or occupation of the 100-year floodplain of a river, stream, or drain. Approximately 300 miles of Michigan's Great Lakes mainland is subject to coastal flooding. A river, stream, lake, or drain may on occasion overflow their banks and inundate adjacent land. The land that is inundated by water is defined as a floodplain and covers an area that will be inundated by the overflow of water resulting from a 100-year flood. All mapped floodplains are regulated under the State Building Code, which requires new construction or substantially improved buildings within the floodplain have the lowest floor elevated at least one foot above the 100-year flood elevation. Every Michigan community with regulated floodplains is considered by the Federal Emergency Management Agency to comply with the minimum [National Flood Insurance Program](#) criteria. Any construction, fill, or alternation of a floodplain of a river, stream, or drain which has a drainage area greater than or equal to two square miles will require a floodplain permit under Part 31.

To learn more about the MCMP visit our website at: Michigan.gov/CoastalManagement.

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