MICHIGAN'S CRITICAL DUNE AREAS PROGRAM

Frequently Asked Questions:

PREAPPLICATION MEETING FOR A PROJECT IN A CRITICAL DUNE AREA

What is a preapplication meeting?

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD) has established a voluntary process for property owners, or their agents, to meet with staff prior to submitting a permit application. Permits are required for projects impacting critical dune areas (CDA) under Part 353, Sand Dunes Protection and Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. A list of common activities and a list of activities not needing a permit are available at the program Web site, Michigan.gov/CriticalDunes.

Why should I schedule a meeting?

The purpose of a preapplication meeting is to discuss your project with WRD staff early in the planning process and before an application for permit is submitted by you to EGLE. You, or a person authorized by you, may request a preapplication meeting. This is your opportunity to ask questions. The more information provided to WRD during the preapplication meeting, the greater the likelihood that your permit application will have the information needed for WRD to make a timely permit decision. This will minimize your planning costs and potential delays.

When should I request a meeting?

A good time to talk to WRD staff is when planning reaches the point where you need to know more about the potential limits of your site that may arise due to being in a critical dune area. This point will be different for each applicant. In order to make the best use of time at your preapplication meeting, you should have a clear idea of your overall project goal and the proposed site. This will allow staff to review existing information about the proposed site and to understand your project. You may want to meet with staff before you have decided on a design or site layout. Requests for a preapplication meeting are submitted in MiEnviro Portal.

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What will happen at the meeting?

WRD staff will ask you to explain what you want to do on the property. If you have additional information that was not submitted with your request, such as a draft permit application, preliminary plans or drawings of your project, or photographs of the site, bring it to the meeting. You may also bring a consultant or other representative, who may attend the preapplication meeting on your behalf with your written authorization.

At the meeting, WRD staff will provide the information that they have about the site based on existing maps and available sources. You will have an opportunity to ask questions regarding the regulatory process. If you have a draft permit application, staff will answer any questions and point out deficiencies that could delay processing. Staff may point out sensitive issues relating to the dune resources and the specific project site that could be impacted as a result of your proposed project. If the meeting is held onsite, they will walk the site with you and discuss the dune resources that appear to be present on the site.

What questions will not be answered at the preapplication meeting?

WRD staff cannot legally tell you during a preapplication meeting whether a permit will be issued for your project. When the complete application for permit is received by EGLE it will be forwarded to the local unit of government for their comment and will be reviewed by WRD staff before a permit decision is made as required by law. They can give you information that will improve the likelihood that your project will meet regulatory standards, and thus be permitted, or they may be able to identify issues which may be of significant concern.

What will happen after the meeting?

The applicant will be provided with a written report of EGLE's findings regarding the need for a permit for the project. Enough information must be provided for EGLE to make this determination. The report may include additional comments or suggestions. This written determination regarding the need for a permit is binding upon EGLE for two (2) years. EGLE's written report will be sent to you as soon as possible after the meeting. The report will identify the location of your project with a site name. Use this site name when submitting your application for a permit in MiEnviro.

There are three levels of service. Which one is right for you?

Preapplication meetings can provide considerable information and insight into the application process when WRD staff are provided with specific information pertaining to your project and site. Photographs, surveys of the property, site plans, or a draft permit application brought to the meeting are helpful for discussion, but are not required, depending on the level of service requested.

A **Level I** meeting is held in the local WRD office and is free. You can expect to learn:

- Whether or not the site is in a CDA or a high risk erosion area (HREA).
- General CDA and HREA requirements.
- The slope protection requirements for excavation adjacent to dune slopes.
- For projects in an HREA, the 30-year and 60-year setback distances.
- Whether or not threatened or endangered species may be near the site.

A **Level II** meeting is held on the site of your project. There is a charge for a Level II meeting. A preliminary site plan and property boundary survey is required for this level of service. In addition to the information provided at a Level I meeting you will learn:

- The location of the dune crest.
- How the bluff height is measured.
- The general location of steep slopes.
- Areas of the property outside the CDA boundary.
- The line from where the HREA setbacks would be measured on the day of the onsite preapplication meeting.
- The locations of potential building sites and utilities.
- The location of a potential driveway.
- The most likely location for the staging of equipment/materials.
- Existing dune impacts on the property.

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A **Level III** meeting is a project specific onsite meeting requiring a fee. This level provides specific information regarding the location of proposed uses. For a Level III meeting, a topographical survey depicting where slopes greater than 1 on 4 and greater than 1 on 3 exist related to proposed uses must be provided by a registered land surveyor using WRD methodology. The Level III request must have the corners of the proposed project staked prior to the meeting and the stakes labeled as to what they represent (for example-north corner of house). The stake locations must appear on the preliminary survey.

Methodology to Provide a Topographical Survey for a Level III Preapplication Meeting

A surveyor must accurately depict slopes greater than 1 on 4 (25 percent slope) and greater than 1 on 3 (33.3 percent slope) in proximity to proposed buildings, drives, septic systems and other uses within a critical dune area. The slopes must not be identified using the interpolation of elevation data taken from a grid or random pattern on the property. Locations where each slope breaks to approximately 1 on 4 and more or less than 1 on 3 within an area of proposed impact, including where construction equipment and materials may cause impacts, should be measured and mapped. Measurements must be taken along the fall line of each slope segment. The horizontal distance between parallel slope segments along a slope face will vary with site conditions. All slope segments defining an area greater than 1 on 3 should be identified on the survey and all slope segments defining an area greater than 1 on 4 should be separately identified. However, there must be enough measurements to define the aerial extent of each slope class (1 on 4 or 1 on 3).

What does a preapplication meeting cost?

Preapplication meetings held in the local WRD office are free. Meetings held onsite require a fee. The fees range from $400 to $1,100 according to the table below. Submit your request in MiEnviro Portal.

Preapplication Meeting - Level of Service	**Fee**
Level I - Meeting in local WRD office	No Charge
Level II - Meeting on project site	
First acre or portion of acre	$400
Each additional acre or portion of acre	$50
Maximum	$1,000
Example: 4.7 acres = $400 + (4 x $50) = $600	
Level III - Meeting on project site with topo map	
First acre or portion of acre	$500
Each additional acre or portion of acre	$50
Maximum	$1,100
Second meeting on project site due to applicant or consultant revising plans, revising the staked area, or providing inaccurate information.	One-half the initial application fee

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