

**Parts of the Natural Resources and Environmental Protection Act  
1994 PA 451, as Amended  
Administered by the Land and Water Management Division**

**1. Floodplain Regulatory Authority found in Part 31, Water Resources Protection**

A permit is required to:

- Occupy, construct, fill or grade within the 100-year floodplain of a river, stream, drain or lake. Bridges and culverts are considered an occupation of the floodplain, as are activities that involve storage of materials in the floodplain.

**2. Part 91, Soil Erosion and Sedimentation Control**

A permit is required for:

- Earth changes within 500 feet of the water's edge of a lake or stream.
- Earth changes disturbing one or more acres.

**3. Part 301, Inland Lakes and Streams**

A permit is required to:

- Dredge or fill bottomlands.
- Construct, enlarge, extend, remove, or place a structure on bottomland.
- Erect, maintain, or operate a marina.
- Create, enlarge, or diminish an inland lake or stream.
- Structurally interfere with the natural flow of an inland lake or stream.
- Construct, dredge, commence, extend, or enlarge an artificial canal, channel, ditch, lagoon, pond, lake, or similar waterway where the purpose is ultimate connection with an existing inland lake or stream, or where any part of the artificial waterway is located within 500 feet of the ordinary high water mark of an existing inland lake or stream.
- Connect any natural or artificially constructed waterway, canal, channel, ditch, lagoon, pond, lake, or wetland with an existing inland lake or stream for navigation or any other purpose.

**4. Part 303, Wetlands Protection**

A permit is required to:

- Deposit or permit the placing of fill material in a wetland.
- Dredge, remove, or permit the removal of soil or minerals from a wetland.
- Construct, operate, or maintain any use or development in a wetland.
- Drain surface water from a wetland.

Regulated wetlands are defined in Part 303 and the associated administrative rules.

**5. Part 315, Dam Safety**

Permits are required for dams with a dam "height" of six feet or more and that have a surface area of five acres or more at the design flood elevation. A permit is required for new dam construction, enlargement of an existing dam or impoundment, dam repair, dam alteration, dam removal, dam abandonment, or reconstruction of a failed dam.

**6. Part 323, Shorelands Protection and Management**

Designated Environmental Areas - A permit is required for any of the following activities in a designated environmental area:

- Dredging, filling, grading, or other alterations of the soil.
- Alteration of natural drainage, but not including the reasonable care and maintenance of established drainage.
- Alteration of vegetation utilized for the preservation and maintenance of fish or wildlife, including identified colonial bird nesting areas.
- Placement of permanent structures.
- Farming of land is allowed without a permit if the person is engaged in the business of farming and the land is used for the production and harvesting of agricultural products using normal farming implements and generally accepted agricultural practices and if artificial draining, diking, dredging, or filling are not used and the natural contour of the land is not altered.

The following counties have designated environmental areas:

Alcona	Arenac	Charlevoix	Delta	Huron	Monroe
Alger	Baraga	Cheboygan	Emmet	Mackinac	Tuscola
Alpena	Bay	Chippewa	Houghton	Marquette	Wayne

Designated High Risk Erosion Areas - A permit is required for the erection, installation, or moving of a permanent structure on a parcel of land where any portion is a designated high risk erosion area. Examples include homes, porches, septic systems, additions, substantial improvements of existing structures, and out buildings. With the exception of Alcona, Charlevoix, Macomb, Monroe, and Wayne Counties, all coastal counties have some designated high risk erosion areas.

**7. Part 325, Great Lakes Submerged Lands**

A permit is required for all filling, dredging, and placement of permanent structures (i.e., groins, docks, piers, pilings, etc.) below the "ordinary high water mark" and on all upland channels extending landward of the "ordinary high water mark" of the Great Lakes.

**8. Part 353, Sand Dune Protection and Management**

A permit is required for all proposed new uses in designated critical dune areas mapped in the "Atlas of Critical Dune Areas," prepared by the MDEQ. The following counties have designated critical dune areas:

Alger	Berrien	Emmet	Luce	Mason	Ottawa
Allegan	Charlevoix	Keweenaw	Mackinac	Muskegon	Schoolcraft
Antrim	Chippewa	Leelanau	Manistee	Oceana	Van Buren
Benzie					

Islands that have designated critical dune areas include Beaver Island, North Fox Island, South Fox Island, High Island, North Manitou Island, and South Manitou Island.