

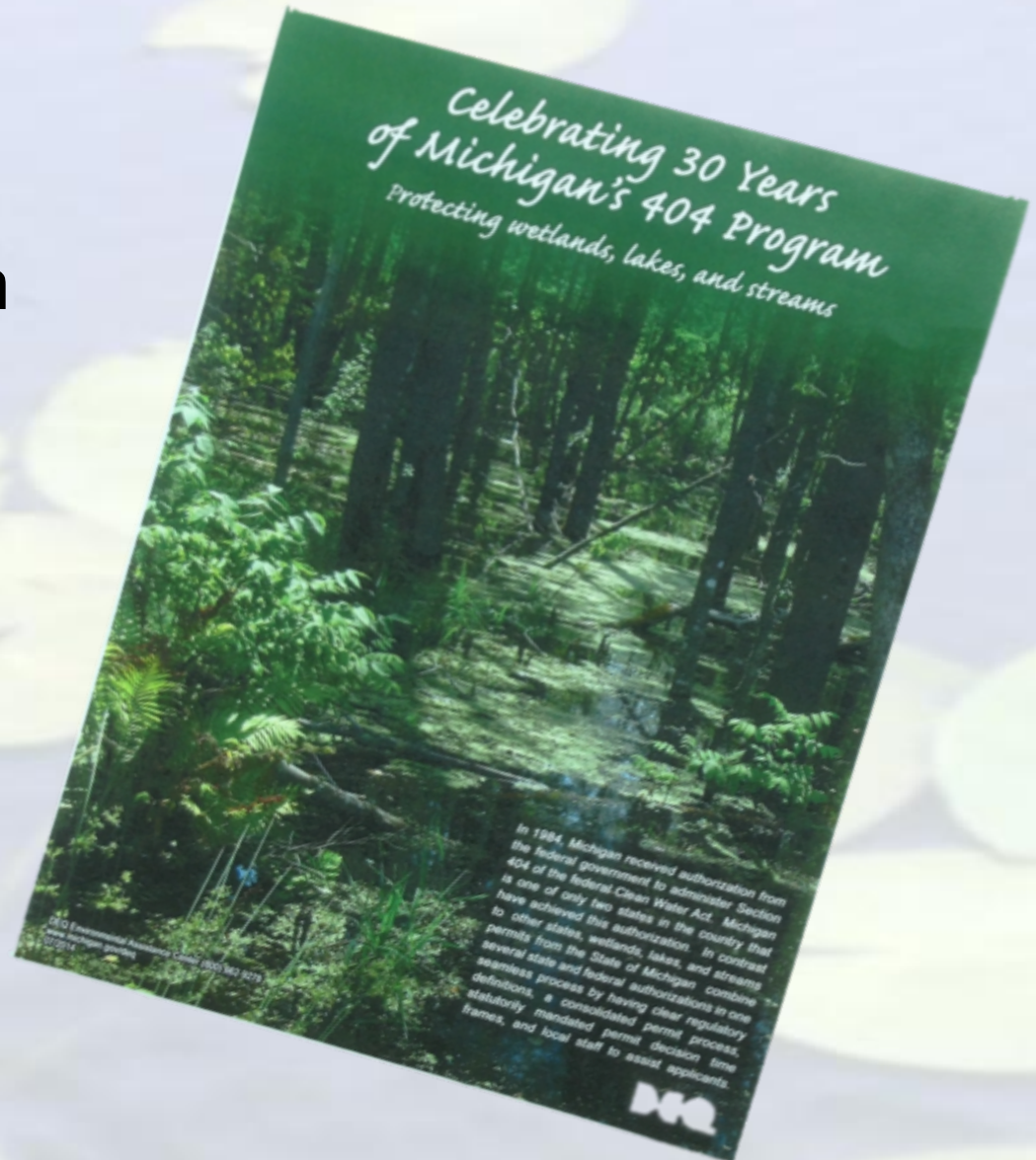
***Michigan Wetlands, Lakes  
and Streams Program:  
Collaborating with Partners***



**Michigan Department of Environmental Quality**

**Amy Berry  
Water Resources Division  
Wetlands, Lakes, and Streams Unit**

**Michigan's wetland  
Regulatory program  
has served as a  
National model of  
streamlining state,  
federal, and local  
regulations for over  
three decades.**



# ***State and Federal Coordination***

**CONSISTENCY**  
**IS** 

**“Any approved State Program shall, at all times, be conducted in accordance with the requirements of the [Clean Water] Act and of this Part.**

**While States may impose more stringent requirements, they may not impose any less stringent requirements for any purpose.”      40 CFR §233.1**

# ***Tailoring Section 404 to Michigan***

- Both State and Federal “404” permits are issued under *state* law with one permit process
- Coordination with the federal and state agencies to eliminate duplicative permitting (Section 401, Coastal Management, USFWS, USACOE, etc.)
- Mandatory timeframes & fees
- Local staff availability and coordination
- Consistent with federal law but includes exemptions and expedited permit categories tailored to Michigan interests



# ***Michigan Interests***

- Utilities
- Aggregates
- Forestry
- Drains
- Agriculture
- Development
- Seismic Surveys
- Governmental Agencies
- Conservation and Non-Profit Groups
- Research and Education

# ***Collaboration History***

- EPA Program Review in 2008
- Wetland Advisory Council, PA120 in 2009
- Multi-year process of Stakeholder Engagement
- Changes to MCL 324 Parts 31, 301, 303, and 325, passed PA98 in July 2012
- Federal approval required
  - Received EPA comment letter in 2016



**FEDERAL REGISTER**  
The Daily Journal of the United States Government

Notice

Public Hearing and Request for Comments on Proposed Revisions to Michigan's Clean  
Water Act (CWA) Program

# ***Continued Stakeholder Engagement and Collaborating with Partners on Michigan Interests***





# ***Utilities***

- Exemptions and expedited permit categories
- Coordination on improving permit application process
- Education & outreach on BMPs and invasive species control
- Participating in national workgroup regarding utility corridor project BMPs and permitting coordination



# ***Aggregates***

- Exemptions and new expedited permit categories
- Meetings and site reviews to develop ways to improve the permit process
- Direction to staff on when permits are needed for aggregate operations.
- Semi-annual meetings between the department and aggregate industry representatives



# ***Forestry***

- New expedited permit categories
- Coordination with USFS and DNR Forestry
- Participated in Statewide BMP audit
- Forestry BMP Guidebook update
- Education & outreach trainings

Photo by: T. Lessee



# ***Drains***

- Exemption interpretations and expedited permit category
- MACDC Coordination and joint trainings
- Stream Obstruction Removals
- MDARD Coordination
- Drain Resource Workgroup
- Soil Erosion Manual Update

# ***Agriculture***

- Farm Bureau Coordination
- NRCS Coordination
- DEQ Agricultural Assistance Program
- Blueberry and Cranberry Assistance





# ***Seismic Surveys***

- Expedited permit category
- Education & outreach
- Coordination with USFWS & DNR on newly listed Threatened and Endangered Species

# ***Local Governments***

- Continued promotion of tools for local wetland protection
- Tools for Protecting Inland Lakes Guidebook and Workshops
- Assisting Local Governments with administering their local wetland ordinances
- Wetland mitigation and banking loan program

# ***Partnerships***

Promoting connection of governmental agencies, universities, conservation/non-profit groups, and the regulated community

- Michigan Natural Shoreline Partnership
- Michigan Inland Lakes Partnership
- Michigan Vernal Pools Partnership
- Michigan Wetlands Association



# ***Partnerships***

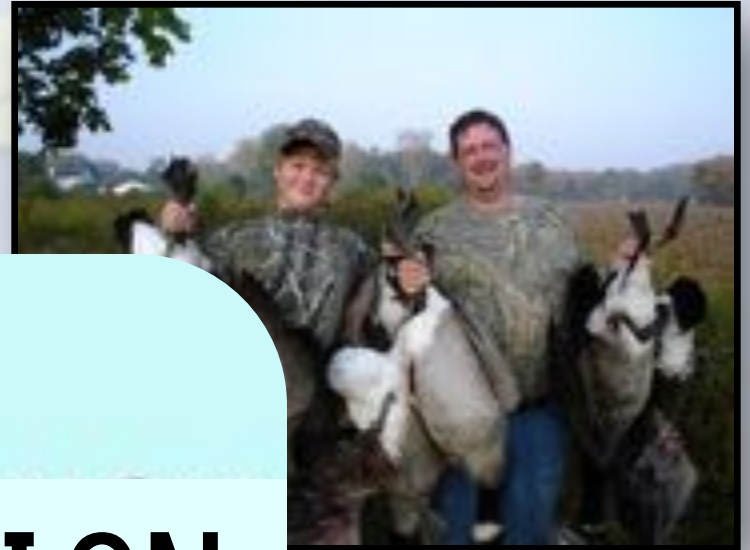
Promoting connection of governmental agencies, universities, conservation/non-profit groups, and the regulated community

- Michigan Stream Team
- Public Transportation Agency Coordination
- Wetland Working Group (Restoration)
- BMP workgroups
- Michigan wetland monitoring & assessment



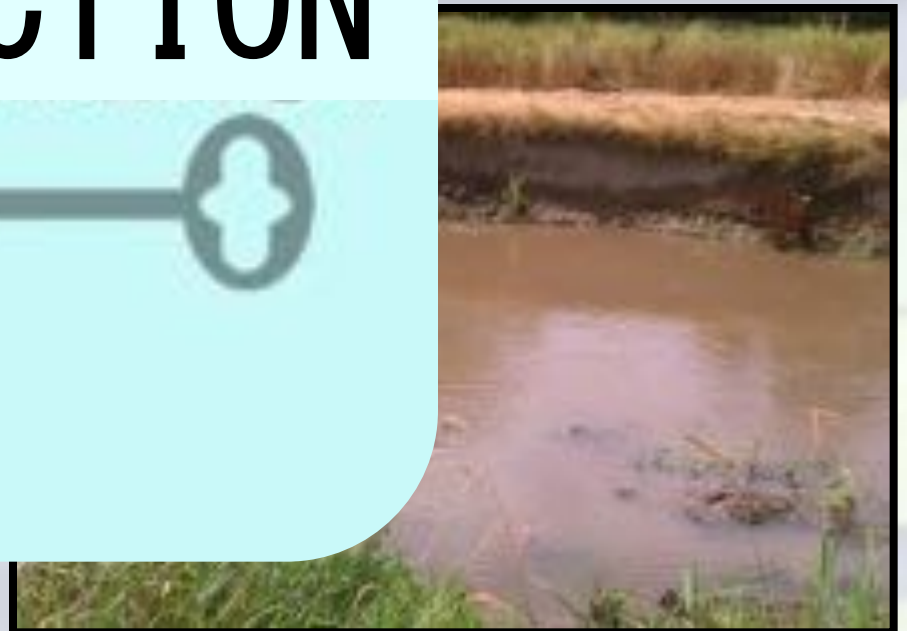
# ***Future?***

- Continue to work with Stakeholders and Interest Groups on
  - Maintaining Michigan's Section 404 Authority
  - Developing effective and efficient state 404 permitting process
  - Promoting local ordinances, BMPs, and other measures that grow Michigan's economy while protecting the Public Trust.



**CONNECTION**

**IS**



# **Summary of the Benefits of Michigan's Section 404 Program:**

- ✓ Maintains state control while remaining consistent with federal regulations
- ✓ Reduces regulatory burden for permit applicants
- ✓ Provides public oversight of regulatory decisions
- ✓ Provides clear consistent regulation
- ✓ Provides faster permit decisions
- ✓ Provides regulated community with better access to the permit decision makers
- ✓ Provides a fair impartial appeal process