



Waterfront Development

Department of Environmental Quality
Geological and Land Management Division

Geological and Land Management Division regulates dredging, filling, construction and the operation of a marina, in inland lakes, streams, and wetlands under authority of Part 31, Water Resources Protection; Part 301, Inland Lakes and Streams; and Part 303, Wetland Protection, of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994.

Waterfront property owners need permits for some types of activities. Below is a list of the most common types of waterfront projects that require permits.

Seawall Construction Construction of any type of a seawall built at or below the ordinary high water mark of the lake or stream requires a permit. Seawalls can be constructed from rock, wood, steel, concrete, or other clean material. The DEQ recommends the use of rock riprap for seawalls; rock provides better habitat for fish, reptiles and aquatic insects. It also allows small animals to enter and leave the lake.

Permanent Docks or Permanent Boat Hoists Permanent docks or boat hoists which are left in the lake year around require a permit. Seasonal structures do not require permits if they are for private non-commercial use of a landowner, do not unreasonably interfere with the use of water by others, and do not interfere with water flow.

Boardwalks or Paths Boardwalks or filled paths constructed in regulated wetlands require a permit.

Beach Sanding Placement of sand, pea stone or other fill material below the water line of the lake requires a permit. A reasonable amount of sand may be placed landward of the water line without permit as long as the sand does not shift the location of the existing ordinary high water mark or shoreline contour.

Dredging or Excavation Any dredging below (waterward) the ordinary high water mark of a lake or stream or in a wetland requires a permit. Dredging of a pond within 500 feet of a lake or stream also requires a permit. Excavation on the upland (dry land) which does not extend below the water table does not require a permit from the DEQ. However, a soil erosion permit is required from the county for any excavation within 500 feet of the waterbody.

Fill in Wetland Any fill placed in a regulated wet land requires a permit. Placement of fill in wetlands is discouraged.

Construction and Operation of a Marina A marina is a facility that extends into or over a lake or stream and offers service to the public or members of the marina for docking, loading, or other servicing of recreational watercraft. Marinas may include commercial marinas, condominium associations, subdivision associations, and store or restaurants that provide docking facilities.

Work in Floodplain A permit is required for any filling, grade changes, or construction of a building within the 100-year floodplain or any river, stream, or drain.

Aquatic Weed Treatment The use of chemical pesticides in a lake requires a permit. The cutting or pulling by hand of vegetation does not need a permit, but all vegetation must be collected and removed from the lake and disposed of on an upland site.

This is only a partial list of the most common projects associated with waterfront property. Other types of activities may also require permits. For more information or a copy of the statutes, please contact the Geological and Land Management Division at 503 N. Euclid, Suite 1, Bay City, MI 48706 or phone (517) 686-8025.