

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
REQUEST TO ENVIRONMENTAL ADVISORY COUNCIL  
July 19, 2007**

**BACKGROUND**

The Land and Water Management Division (LWMD), is responsible for land/water interface resources (inland lakes, streams, shorelands, wetlands and sand dune areas). The mission of the LWMD is “to promote the best use of these resources for their social and economic benefits while protecting associated resource values, property rights, the environment, and public health and safety.”

The LWMD administers numerous parts of the Natural Resource and Environmental Protection Act, including the Floodplain Management, Inland Lakes and Streams, Wetlands Protection, Dam Safety, Shorelands Protection and Management, Great Lakes Submerged Lands, and Sand Dune Protection and Management. With respect to wetlands protection, Michigan was the first and is still one of only two states that have been delegated authority to administer the federal Clean Water Act lakes, streams and wetland program.

Given the interrelatedness of the programs under its jurisdiction, LWMD has developed a “Consolidated Permit Program.” Under this approach, applicants submit a single application, and LWMD staff provide a simultaneous review under all applicable statutory authorities. Consequently, a permit issued by the LWMD can represent multiple authorizations (e.g., a permit can represent both a wetlands and an inland lakes and streams authorization).

LWMD processes approximately 6000 permit applications annually under its Consolidated Permit Program. Approximately 69% of projects are permitted as proposed, and another 17% are permitted with modifications. Permits are denied for about 2% of proposed projects, and applications are withdrawn for 11% of projects.

The workload of the LWMD is arguably the heaviest within the DEQ. LWMD experience has shown that when staff workloads consistently exceed 160 files per staff per year, the number of applications exceeding statutory processing deadlines increases, compliance activities decline, and public outreach and the ability to respond to customer inquiries precipitously declines. Current LWMD staff workloads range from 176 to 263 files/staff/year.

A significant percent of complaints the DEQ Executive Division receives from legislators involve LWMD matters, in particular alleged “over or inconsistent regulation” on wetlands issues. Conversely, many if not most of the complaints from citizens may be characterized as “under-regulation” in protecting land/water resources.

## **CHALLENGE**

How can DEQ protect and preserve Michigan's valuable land/water interface resources while also being responsive to the complaints of legislators and the public regarding our efforts to do so? What programmatic, policy, education, communication or other recommendations/suggestions does the EAC have to accomplish both objectives?

## **PROPOSED SCHEDULE FOR EAC CONSIDERATION**

### Meeting 1 (July 19)

Challenges for sensitive resource protection programs (Pruss)  
Program overview (Browne/Fish)

### Meeting 2 (August 16)

Funding structure and pressures  
In-depth presentations on 2 - 3 programs

### Meeting 3 (September 20)

LWMD's Value Stream Mapping process and recommendations  
Panel of LWMD field staff

### Meeting 4 (October 18)

Panel of regulated parties  
Panel of environmental/conservation interests

### Meetings 5 (November 14) and 6 (December 13)

Discussion of possible recommendations

### Meeting 7 (January 17)

Review draft recommendations

### Meeting 8 (February 21)

Finalize recommendations