

Great Lakes Shoreline Protection Information Session October 30, 2019

Michigan's Great Lakes touch more than 3,000 miles of shoreline, dynamically shaping our state geographically and environmentally. The Department of Environment, Great Lakes, and Energy (EGLE) protects, preserves, and restores the Great Lakes through regulatory oversight with programs including the permitting of shore protection structures. Excessive or poorly designed structures and materials can increase damage to neighboring properties and disrupt the natural processes that create Michigan's unique coastal dunes, shorelines, and bluffs. Levels in Lakes Superior, Erie, and St. Clair set records this past summer with Lakes Michigan and Huron just inches below their historic highs, and the number of shoreline protection permits the Michigan has issued this year is up nearly three times from five years ago. EGLE is taking significant steps to help Michigan shoreline property owners who are affected by high lake levels that are causing land erosion and threatening property, including:

1. Expediting applications for shoreline property owners whose homes are threatened.
2. Diverting staff resources from other programs to assist property owners, local governments and technical professionals in processing permits; prioritizing response activities based on the risk to public health and safety; and finding appropriate solutions that protect people and the environment.
3. Launching a new webpage called Great Lakes High Water Levels at Michigan.gov/HighWater, where property owners can search for the latest information, find links to helpful topics, begin the permitting process, and search a list of contractors as well as find tips for selecting a contractor who can perform the intended work.
4. Creating streamlined permitting processes for Great Lakes shoreline protection projects.
5. Grant funding opportunities for local coastal communities for long term planning related to coastal resiliency and master planning are available from EGLE's Coastal Zone Management Program.

Property owners can direct questions to EGLE's *Environmental Assistance Center* at 800-662-9278 (tell the operator you need information about Great Lakes shoreline erosion issues), or by -email to EGLE-Assist@Michigan.gov.

What types of permits are needed for shoreline protection on the Great Lakes?

To install shoreline protection on the Great Lakes, you will need a permit from both EGLE and the United States Army Corps of Engineers (USACE). Only one application is needed for both agencies (submitted through Michigan.gov/MiWaters), but the permits are issued separately. Other local regulations may also apply. If the water level is at or above the proposed structure, a permit is required regardless of the ordinary high water mark elevation.

It is important to submit a complete application. Decisions are made on applications that provide all the needed information, and delays are most often due to missing information on the application. MiWaters, the online permitting database above, provides applicants information about the status of their applications.

How should I begin the process?

The first thing you should do is find an experienced shoreline protection professional or contractor. The next step is to figure out what type of shoreline protection solution is best for your site. Possible shoreline protection solutions include permanent shoreline armoring, temporary erosion protection, or even moving homes and other structures away from the line of erosion.

EGLE

800-662-9278
Michigan.gov/EGLE

Michigan Department of Environment, Great Lakes, and Energy
Water Resources Division

What is the best shore protection design?

Although the design of shore protection structures should be specific to the site, the shore protection should avoid and minimize adverse impacts as much as possible. Because EGLE cannot design projects, you will need to hire an engineer, contractor, consultant, or other professional that has experience with designing and permitting of shoreline protection structures. Information on different shoreline protection types can be found in "Living on the Coast," which is available at the website above.

For projects in Critical Dune Areas, structures are expected to be located at the base of the dune where there is a danger to human health and safety such as erosion that is threatening a house. Retaining structures are not permitted in the foredune as they cut off the sediment supply needed to build beaches and dunes during lower water periods.

My project is in a critical dune area. Is there additional information needed to process my application for a shore protection permit?

In most cases, you will also need to apply for a special exemption if you are in a Critical Dune Area. An application for a special exception is like a variance and must be submitted with the permit application in MiWaters. The proposed shore protection will not meet the permitting criteria of the statute without a special exception. In your special exception application, make sure to identify that the structure is lakeward of the dune crest or any impacts to slopes with grades measuring 33 percent or greater, if they apply to your project. The law requires the plans be prepared for the site by a registered professional architect or a licensed professional engineer. The applicant must identify the human health and safety issues that are threatened by erosion. Include the distance between the house and the eroding bluff in question two of the application for special exception and on the plans.

Applicants may expedite their application for special exception by providing a letter from the local unit of government indicating approval of the proposed project or waiving their right to comment.

All critical dune area applications require a permit or waiver letter from the local Soil Erosion and Sedimentation Control agent.

Shore protection is expensive. What are the alternatives?

Moving your structure further landward gives you a natural buffer from shoreline erosion without the expense and maintenance of shore protection. There are professional structure movers experienced in relocating structures a safer distance from the shoreline. A permit to move the structure is required from EGLE's Water Resources Division, if the property is in a high risk erosion area or a critical dune area.

Who must remove structures that fall into the lake?

Under the law, a property owner is responsible for ensuring that their structures are removed from lake bottomlands and water in the event these structures become obsolete. Local units of government may also have requirements regarding recovery of structures that are in danger of, or have already fallen into the lake.

How will permit applications be prioritized?

EGLE will be expediting review of all permit applications for shoreline protection by level of risk to public health and safety. In some cases where homes or infrastructure are at risk, permits can be issued in a matter of days. Although still expedited, stairways, decks, or boardwalks will be lower priority.

EGLE can also issue emergency conditional permits when needed. If EGLE has a complete application, an emergency conditional permit may be written the same day the public notice is

posted in MiWaters. EGLE will then continue the processing of the application which includes the 20-day period for public comment. An application for emergency conditional permit should include site photos describing the emergency, site plans with cross-sections of the proposed project including the distance from the edge of erosion to the identified structure in danger.

EGLE urges caution when evaluating waterfront property for damage from waves and water and when taking site photos. Waves may have scoured dirt and rocks from below the land above it. You could be in danger if walking to the land's edge to document damage or from collapsing earth from above.

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