
Permit requirements for invasive species control

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Potential Regulatory Issues

- Part 301, Inland Lakes and Streams
 - Part 303, Wetlands Protection
 - Part 325, Great Lakes Submerged Lands
 - Part 323, Shorelands Protection and Management
 - Part 353, Sand Dunes Protection and Management
 - Part 33, Aquatic Nuisance Control
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Part 301, Inland Lakes and Streams

- Requires a permit for dredge and fill activities below the Ordinary High Water Mark (OHWM) of an Inland Lake and Stream
 - Example would be a mechanical control by dredging, suction dredge, or weed rolling equipment
 - Generally, selected hand removal of a low density invasive would not require a permit
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Part 303, Wetlands Protection

- Requires a permit for dredge and fill activities in a regulated wetland
 - An example would be mechanical treatment or removal of an invasive species that requires disturbance of the soil
 - Generally mowing or other cutting of vegetation in a wetland is not regulated, unless.....
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Part 325, Great Lakes Submerged Lands

- Regulates dredge and fill activities below the Ordinary High Water Mark (OHWM) of the Great Lakes and Lake St. Clair
 - Mowing of wetland below OHWM regulated by 303/325 amendments
 - Phragmites control is most common application of permit requirements
 - De minimus hand removal generally does not require a permit
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Phragmites Control

- Mechanical control (mowing) regulated on bottomland
 - General Permit requirements
 - \$50 application fee for mowing of phragmites on bottomland with an approved invasive species control plan
 - Requires herbicide treatment in conjunction with mechanical control – requires aquatic nuisance control permit for herbicide application
 - Dredging, excavation, plowing, or other mechanical control that disturbs the soil does not meet GP criteria
 - Other approvals (such as for controlled burning) may be required from local authorities
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Where to find the application

- www.michigan.gov/jointpermit
 - Follow links to Great Lakes Shoreline Management
 - Activities that are authorized under the General Permit (GP) for shoreline management are listed. This application can only be used for the GP
 - Other activities may require an individual permit or Public Notice
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Phragmites Control Application

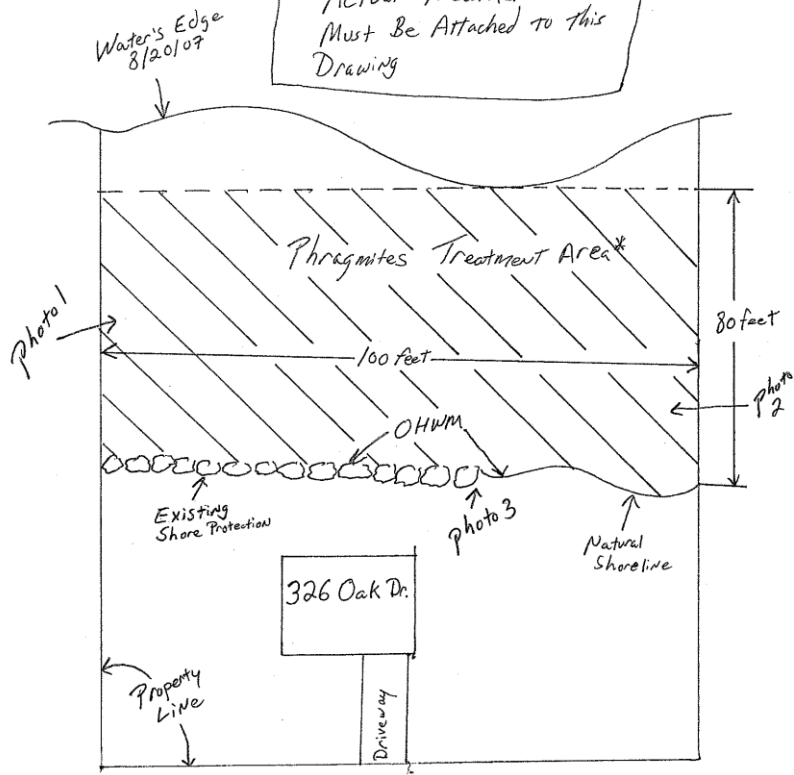
DEQ

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, LAND AND WATER MANAGEMENT DIVISION

SHORELINE MANAGEMENT GENERAL PERMIT
SAMPLE DRAWING

MOWING AS PART OF AN INVASIVE OR
NON-NATIVE SPECIES CONTROL PLAN

* Actual Treatment Plan
Must Be Attached to this
Drawing

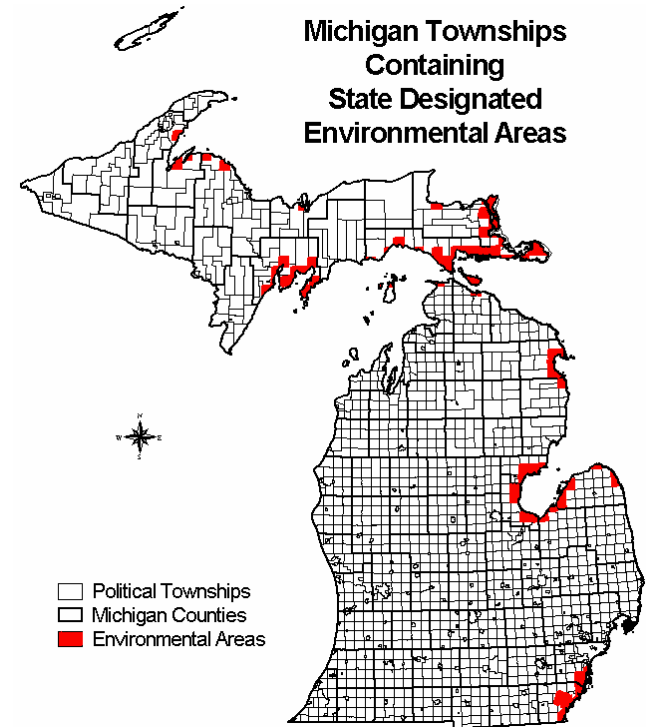


Ordinary High Water Mark (OHWM) - The applicant should estimate the OHWM as part of their permit application. When possible, the OHWM can be approximated by estimating the location of the water's edge in 1998 when the water was at a level close to the OHWM.



Part 323, Shorelands Protection and Management

- A permit is required to cut vegetation in a designated environmental area
 - Contact district staff if you have a question regarding locations of environmental Areas



Part 353, Sand Dune Protection and Management

- Permit required for vegetation removal or contour change that will result in instability to designated critical dune
 - Cutting of trees greater than 3" DBH requires permit
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Part 33, Aquatic Nuisance Control

- **Aquatic Nuisance Control permits**

ANC Permits expire on December 31 of the year for which they are issued. DEADLINE: Permit applications for treatment of higher aquatic plants must be postmarked no later than August 15.

- **Inland Lakes program staff located in Lansing**
 - **Contact information - 517-241-1554**
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Part 33 Continued

- **Chemical Treatment:** For inland areas (including lakes, ponds, rivers, streams, ditches, wetlands, etc.), a permit is required to treat Phragmites using herbicides if the plants are in standing water at the time of treatment. Some small backyard ponds may be exempt from permitting requirements, depending on their characteristics. For shoreline areas along the Great Lakes and Lake St. Clair, a permit is required to chemically treat any plant located below the ordinary high water mark, regardless of whether there is standing water or not. The MDEQ's Water Resources Division has created a general permit category for this type of activity, which allows property owners to request authorization for control of invasive or non-native species through a simplified permit process for a reduced application fee.
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Who to contact – U.P. Staff

- Upper Peninsula District Office – 906-346-8300
 - John Gustafson – 906-346-8561
 - Mike Smolinski – 906-346-8562
 - Jay Parent – 906-346-8557
 - Crystal Falls Field Office
 - Jim Caron – 906-875-2075
 - Lansing Aquatic Nuisance program
 - Office number 517-241-1554
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Handouts

- A Landowners Guide to Phragmites Control
- Along the Shore – A landowners Guide for Michigan Coastal Landowners

Online versions and additional information can be found at www.michigan.gov/jointpermit - follow the links to Great Lakes Shoreline Management for Phragmites Control

Additional resources – follow

www.michigan.gov/jointpermit to the
Great Lake Shoreline Management page

- Information for Landowners - [A Landowner's Guide to Phragmites Control](#). For hard copies of the brochure contact the Office of the Great Lakes at 517-335-4056.

Information for Resource and Land Managers - [A Guide to the Control and Management of Invasive Phragmites](#).

- Phragmites Video: [Invasive Phragmites: What It Is, What You Can Do](#)
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Any Questions?
