

# Michigan Department of Environmental Quality

## Wetland Program Plan

### 2019-2024

The overarching goal of the Michigan Department of Environmental Quality's (MDEQ's) Wetland Program is to protect, manage, and restore Michigan's wetlands in order to provide the public benefits defined by the legislature in the Wetlands Protection law. The MDEQ uses several long term strategies to reach this goal, including:

- Maintaining a short-term goal of achieving no net loss of wetland acreage, function, and public value and a long-term goal of increasing the quantity and quality of Michigan's wetlands through restoration and management.
- Protecting Michigan's remaining wetlands through implementation of an effective and efficient regulatory program and maintaining administration of Section 404 of the federal Clean Water Act.
- Assessing and monitoring the quality and quantity of Michigan's wetlands to improve wetland protection, management, and restoration.
- Working with partners to identify and develop methods to improve protection, management and restoration of Michigan's Wetlands and advance public understanding and connection to Michigan wetlands.
- Protecting and restoration Great Lakes coastal wetlands and other rare wetlands.

Wetlands are an integral component of Michigan's aquatic resources, and among the most valuable of our natural ecosystems. Privately owned wetlands, large and small, are important to the well-being of Michigan's citizens, as are those in public ownership. A comprehensive wetland program is needed to protect wetlands and their ecological services and to reverse wetland losses, while allowing for sustainable growth and economic development in Michigan. The wetland program must also be responsive to emerging science and technology and sufficiently flexible to address emerging issues.

Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act (1994 PA 451), rests on the following legislative findings regarding the importance of wetlands:

Wetland conservation is a matter of state concern since a wetland of 1 county may be affected by acts on a river, lake, stream, or wetland of other counties.

A loss of a wetland may deprive the people of the state of some or all of the following benefits to be derived from the wetland:

- Flood and storm control by the hydrologic absorption and storage capacity of the wetland.
- Wildlife habitat by providing breeding, nesting, and feeding grounds and cover for many forms of wildlife, waterfowl, including migratory waterfowl, and rare, threatened, or endangered wildlife species.
- Protection of subsurface water resources and provision of valuable watersheds and recharging ground water supplies.
- Pollution treatment by serving as a biological and chemical oxidation basin.
- Erosion control by serving as a sedimentation area and filtering basin, absorbing silt and organic matter.
- Sources of nutrients in water food cycles and nursery grounds and sanctuaries for fish.

These public benefits are at the heart of Michigan's Wetland Program plan. Michigan's program plan is organized according to EPA national wetland programs four core essential elements of a comprehensive state wetland program. Having a wetland program plan consistent with the four core essential elements has been found by EPA to facilitate better communication of program objectives and action items as well as increasing opportunities for grant funding through the national wetland program development grant program. The four core essential elements are:

1. Monitoring and Assessment
2. Regulation
3. Voluntary Restoration and Protection
4. Water Quality Standards for Wetlands

Michigan has a Section 404 Program Education and Outreach Strategy that complements and supplements this program plan.

### **Monitoring and Assessment:**

Monitoring and assessment of Michigan's Wetlands is needed to determine the current condition of Michigan's wetlands, determine trends, provide information to the public and stakeholders, and determine the effectiveness and future direction of Michigan's wetland program. Michigan has developed a Wetland Monitoring and Assessment Strategy to guide the development and implementation of its wetland monitoring and assessment program (available at [www.mi.gov/wetlands](http://www.mi.gov/wetlands)). Michigan's Wetland Program will address its monitoring and assessment needs through the following actions:

- Continue to develop Michigan's Wetland Monitoring and Assessment Strategy, including refinement of goals and objectives for Michigan's Monitoring and Assessment Program.
- Collaborate and coordinate with other monitoring programs, agencies, universities and others on wetland monitoring and assessment and integrating the use of wetland monitoring data into federal, state and local programs.
- Maintain and update an inventory of Michigan's wetland resources that provides both basic resource information and a baseline for evaluating gains and losses over time.
- Cooperate in maintaining an updated National Wetland Inventory for Michigan and developing improved methods for inventorying wetlands.
- Evaluate status and trends of wetlands at a statewide and regional scale through use of National Wetland Inventory data,
- Assess the effectiveness of Michigan's state-administered Section 404 Permit Program by tracking authorized wetland impacts and mitigation for those impacts, as well as documented unauthorized impacts and restoration measures.
- Continue to develop, refine, and document methods to monitor and assess wetlands at the 3 levels, including landscape level functional assessment methods, the Michigan Rapid Assessment Method, and wetland Indices of Biological Integrity (IBI's).
- Continue to develop Landscape Level wetland assessment data to support the protection, management, and restoration of wetlands on a watershed scale.

- Assess statewide wetland quality by establishing a routine wetland monitoring program that parallels other basin-wide water quality monitoring and includes the National Wetland Condition Assessment.
- Continue to develop and refine methods for tracking monitoring data and making it accessible.
- Provide for the evaluation of Michigan's most outstanding wetland resources, especially Great Lakes coastal wetlands, by supporting the long-term monitoring of coastal wetlands through the Great Lakes Coastal Wetlands Consortium and similar cooperative efforts.
- Identify reference wetlands for long-term monitoring and research efforts.
- Train agency staff, wetland professionals, and others on monitoring and assessment methods, including landscape level assessment, MiRAM, and biological assessment.
- Develop and disseminate information on monitoring and assessment other programs and agencies, wetlands professionals and the public, including information on the status of trends (quantity and quality) of Michigan's wetlands
- Evaluate the effectiveness of Michigan's wetland protection program through use of monitoring and assessment, including evaluation of Michigan's monitoring and assessment strategy.

### **Regulatory:**

The MDEQ is responsible for regulation of wetlands in accordance with the provision of Part 303. In addition, the State of Michigan assumed administration of Section 404 of the Federal Clean Water Act in 1984. The goal of Michigan's combined state/federal permit program is to protect wetland, lakes, and streams resources in an effective but highly efficient manner, recognizing the public benefits of wetlands while minimizing the regulatory burden to the extent possible. Michigan's Wetland Program will protect Michigan's wetlands, lakes and streams through implementation of an effective and efficient regulatory program through the following actions:

- Continue to administer Section 404 of the federal Clean Water Act by ensuring consistency with federal requirements.
- Maintain, and make improvements to, a streamlined permitting process, including consolidated permitting, preapplication and wetland identification services, and excellent customer service, while ensuring effective resource protection.
- Continue to work with program stakeholders to address concerns and improve the program.
- Provide information on Michigan's permitting process to landowners, developers, businesses, and others to improve compliance with state and federal law.
- Continue to improve Minor Project and General Permit categories to simplify permitting for routine projects that have minimal individual and cumulative impacts and encourage the use of best management practices.
- Develop and promote a MDEQ Agricultural Assistance Program to provide education and outreach to the agricultural community on the wetlands, lakes and streams regulatory process and improve compliance with state law.

- Develop improved procedures and outreach relating to regulated activities in county drains.
- Develop methods to encourage applicants to avoid and minimize wetland, lakes and streams impacts and evaluate feasible and prudent alternatives.
- Improve flexibility and outcomes for wetland mitigation and make updates to the administrative rules.
- Develop a mitigation tool box to improve consistency and clarity for selection, design, and management of wetland mitigation sites.
- Enhance wetland mitigation banking to increase the availability of mitigation bank credits, including development and refinement of a mitigation banking grant and loan program and future modifications to the administrative rules.
- Develop improved guidance and procedures for stream mitigation.
- Improve consistency in implementation of the regulatory program, including providing training and guidance to staff.
- Develop a high quality training program for staff, including a schedule and training modules.
- Work with the Michigan Wetlands Association to partner on trainings and conferences to improve the understanding of Michigan's 404 program by wetland professionals.
- Support a fair and effective compliance and enforcement program, including a rigorous compliance assistance outreach program.
- Upgrade the MDEQ's wetland, lakes, and streams permitting database, including improved public interface and permit application form, streamlined document management, screening, and tracking of individual and cumulative impacts.
- Incorporate monitoring and assessment information into the regulatory program for improved decision making.
- Improve screening and avoidance of impacts to threatened and endangered species and rare wetlands.
- Maintain and improve an interagency agreement to administer an effective and efficient program to evaluate public transportation projects.
- Develop coordinated mitigation and regulatory requirements with the U.S. Army Corps of Engineers (USACE).
- In cooperation with the USACE develop a programmatic general permit to streamline state and federal regulation in geographic areas where the USACE retains jurisdiction under Section 404 so that the USACE can automatically approve certain activities authorized by the MDEQ.
- Administer a program to facilitate ecologically responsible voluntary restoration by streamlining permitting requirements.
- Use new technologies to increase efficiencies in the regulatory program.
- Develop an effective web site for Michigan's 404 program including continued improvement of Michigan's Wetland Map Viewer.
- Through the effective management of MDEQ conservation easements, protect mitigation sites and preserve and protect remaining wetlands on permitted sites.

## **Restoration and Protection:**

Michigan's wetland program has had no net loss and net gain goals for wetlands since 1990, stating that the program should not contribute to wetland losses and should encourage the expansion and enrichment of wetland resources. Michigan's wetland program will promote the restoration of lost and degraded wetlands, through the following actions:

- Facilitate ecologically responsible voluntary wetland restoration and enhancement in cooperation with state, tribal, federal, and nongovernmental groups specializing in wetland restoration and conservation.
- Support the Michigan Waterfowl Legacy cooperative partnership to restore, conserve, and celebrate Michigan's waterfowl, wetlands, and waterfowl hunting community.
- Cooperate with the Michigan Vernal Pool Partnership to support identification, management, and protection of vernal pools.
- Promote the use of best management practices for prevention and management of aquatic invasive species.
- Encourage local government protection, management, and restoration of wetlands.
- Promote best management practices for wetland protection, management, and restoration for climate change adaptation.
- Encourage the maximum use of federal funding for wetland protection and restoration of Michigan wetlands, including the Great Lakes Restoration Initiative.
- Assist watershed groups in the use of landscape level wetland data to support the protection, management, and restoration of wetlands on a watershed scale.
- Work with partners and universities to develop wetland science and address research needs.
- Develop and refine methods for improved siting and prioritization of wetland protection and restoration areas.
- Promote and improve methods for identification, protection, and stewardship of high quality and rare wetlands.
- Work with the Michigan Wetlands Association to promote voluntary restoration and protection, including successful wetland restoration techniques.
- Promote natural and wetland shorelines along inland lakes and streams through participation in the Michigan Natural Shoreline Partnership and other partnerships.
- Seek additional opportunities to dedicate Wetlands of International Importance under the Ramsar Convention and other wetland recognition programs.
- Work with partners to advance public understanding and connection to Michigan wetlands and encourage the exploration and discovery of wetlands and wetland related recreational activities.
- Work with Michigan DNR to protect and restore wetlands in conjunction with the Michigan Wildlife Action Plan.

## **Water Quality Standards for Wetlands:**

Michigan has strong water quality regulatory and monitoring programs, and wetlands are integrated into those programs. However, further integration of wetlands into these programs will be accomplished through the following actions:

- Refine the wetland related components of Michigan's water quality standards (e.g., definitions, uses, antidegradation policies, outstanding state resources, reporting).
- Continue to provide Section 401 review and certification for dredge and fill activities as part of Michigan's wetlands program permit reviews.
- In cooperation with Michigan's Non-point source program, incorporate wetlands into watershed planning and implementation projects to address non-point source pollution.
- Work with Michigan's Office of the Great Lakes, including the Area of Concern program, to address wetland habitat and quality concerns.
- Coordinate protection of wetlands with Michigan's stormwater program.

<b><u>Core Element: Monitoring and Assessment</u></b>			
	<b>Action</b>	<b>Target Year</b>	<b>Comments</b>
1	Continue to develop Michigan's Wetland Monitoring and Assessment Strategy, including refinement of goals and objectives for Michigan's Monitoring and Assessment Program	2021	Update of State of Michigan's 2015 Wetland Monitoring and Assessment Strategy by target date 2021.
2	Collaborate and coordinate with other monitoring programs, agencies, universities and others on wetland monitoring and assessment and integrating the use of wetland monitoring data into federal, state and local programs	Ongoing	Partnering with CMU to implement statewide wetland monitoring through 2019 and Co-PI on GLRI-funded Great Lakes Coastal Wetland Monitoring Project.
3	Maintain and update an inventory of Michigan's wetland resources that provides both basic resource information and a baseline for evaluating gains and losses over time	Ongoing	Statewide wetland inventory required by statute is completed and is being maintained.
4	Cooperate in maintaining an updated National Wetland Inventory for Michigan and developing improved methods for inventorying wetlands	2022	NWI updated in 2005. New update of NWI by target year 2022. Completion of NWI+ data for the state is ongoing.
5	Evaluate status and trends of wetlands at a statewide and regional scale through use of National Wetland Inventory data	2023	Status and Trends report finalized in 2014. New Status and Trends report for Michigan target date of 2023. <b>This action is high priority for the program.</b>
6	Assess the effectiveness of Michigan's state-administered Section 404 Permit Program by tracking authorized wetland impacts and mitigation for those impacts, as well as documented unauthorized impacts and restoration measures	2018 and Ongoing	Improvements to MiWaters occurring in 2018 and in the future. <b>This action is high priority for the program.</b>
7	Continue to develop, refine, and document methods to monitor and assess wetlands at the 3 levels, including landscape level functional assessment methods, the Michigan Rapid Assessment Method, and wetland Indices of Biological Integrity (IBI's)	Ongoing	Ongoing partnership with CMU to continue to refine IBI's for Michigan.
8	Continue to develop Landscape Level wetland assessment data to support the protection, management, and restoration of wetlands on a watershed scale	Ongoing	LLWFA for additional Michigan watersheds is ongoing. <b>This action is high priority for the program.</b>
9	Assess statewide wetland quality by establishing a routine Wetland Monitoring Program that parallels other basin-wide water quality monitoring and includes the National Wetland Condition Assessment (NWCA)	2020	5 year report on the Condition of Michigan's Wetlands expected in 2020. <b>This action is high priority for the program.</b>
10	Continue to develop and refine methods for tracking monitoring data and making it accessible	Ongoing	Development of a data management system for managing Michigan's statewide wetland monitoring data is underway through 2020.
11	Provide for the evaluation of Michigan's most outstanding wetland resources, especially Great Lakes coastal wetlands, by supporting the long-term monitoring of coastal wetlands through the Great Lakes Coastal Wetlands Consortium and similar cooperative efforts	Ongoing	Continue to partner as a co-PI on the GLRI-funded Great Lakes Coastal Wetland Monitoring Project through 2020.
12	Identify reference wetlands for long-term monitoring and research efforts	2023	
13	Train agency staff, wetland professionals, and others on monitoring and assessment methods, including landscape level assessment, MIRAM, and biological assessment	Ongoing	MIRAM class for DEQ staff and wetland professionals held in 2016 and 2018. Workshop on using LLWFA held in 2017.
14	Develop and disseminate information on monitoring and assessment to other programs and agencies, wetlands professionals and the public, including information on the status and trends (quantity and quality) of Michigan's wetlands	Ongoing	
15	Evaluate the effectiveness of Michigan's wetland protection program through use of monitoring and assessment, including evaluation of Michigan's monitoring and assessment strategy	2021	Update of State of Michigan Wetland Monitoring and Assessment Strategy and 5 year report on the condition of Michigan's wetlands expected by 2021.

**Core Element: Regulatory**

	Action	Target Year	Comments
1	Continue to administer Section 404 of the federal Clean Water Act by ensuring consistency with federal requirements	Ongoing	Developing corrective actions in response to EPA's review of Michigan's Program. <b>This action is high priority for the program.</b>
2	Maintain, and make improvements to, a streamlined permitting process, including consolidated permitting, preapplication and wetland identification services, and excellent customer service, while ensuring effective resource protection	2019 and Ongoing	Operational excellence process 2018. Rollout JPA to MiWaters by 2019. <b>This action is high priority for the program.</b>
3	Continue to work with program stakeholders to address concerns and improve the program	Ongoing	Actively working with stakeholders on EPA's response on PA 98 of 2013.
4	Provide information on Michigan's permitting process to landowners, developers, businesses, and others to improve compliance with state and federal law	Ongoing	Education and Outreach Strategy completed July 2016. <b>This action is high priority for the program.</b>
5	Continue to improve Minor Project and General Permit categories to simplify permitting for routine projects that have minimal individual and cumulative impacts and encourage the use of best management practices	Ongoing	General Permit and Minor Project Categories reissued for 5 years in August 2016 and updated in September of 2018.
6	Develop and promote a MDEQ Agricultural Assistance Program to provide education and outreach to the agricultural community on the wetlands, lakes and streams regulatory process and improve compliance with state law	Ongoing	The MDEQ Agricultural Assistance program was launched in 2014. The program is actively being refined and promoted.
7	Develop improved procedures and outreach relating to regulated activities in county drains	Ongoing	Outreach materials on drain exemptions and permitting have been developed and promoted. Actively promoting BMPs for drain work.
8	Develop methods to encourage applicants to avoid and minimize wetland, lakes and streams impacts and evaluate feasible and prudent alternatives	Ongoing	
9	Improve flexibility and outcomes for wetland mitigation and make updates to the administrative rules	2019	
10	Develop a mitigation tool box to improve consistency and clarity for selection, design, and management of wetland mitigation sites	2019	
11	Enhance wetland mitigation banking to increase the availability of mitigation bank credits, including development and refinement of a mitigation banking grant and loan program and future modifications to the administrative rules	Ongoing and 2021	Rules expected in 2021. <b>This action is high priority for the program.</b>
12	Develop improved guidance and procedures for stream mitigation	2019 and Ongoing	<b>This action is high priority for the program.</b>
13	Improve consistency in implementation of the regulatory program, including providing training and guidance to staff	Ongoing	<b>This action is high priority for the program.</b>
14	Develop a high quality training program for staff, including a schedule and training modules	Ongoing	Update of Program Training Plan 2018.

15	Work with the Michigan Wetlands Association to partner on trainings and conferences to improve the understanding of Michigan's 404 program by wetland professionals	Ongoing	Co-sponsored MWA Conference in 2017. Coordinated training and meetings are ongoing.
16	Support a fair and effective compliance and enforcement program, including a rigorous compliance assistance outreach program	Ongoing	
17	Upgrade the MDEQ's wetland, lakes, and streams permitting database, including improved public interface and permit application form, streamlined document management, screening, and tracking of individual and cumulative impacts	Ongoing	Major MiWaters improvements in 2018 and Ongoing. <b>This action is high priority for the program.</b>
18	Incorporate monitoring and assessment information into the regulatory program for improved decision making	Ongoing	
19	Improve screening and avoidance of impacts to threatened and endangered species and rare wetlands	Ongoing	Checklist developed and trainings held for staff. Creation of bat screening tool and training for staff completed.
20	Maintain and improve an interagency agreement to administer an effective and efficient program to evaluate public transportation projects	Ongoing	
21	Develop coordinated mitigation and regulatory requirements with the U.S. Army Corps of Engineers (USACE)	2019	
22	In cooperation with the USACE develop a programmatic general permit to streamline state and federal regulation in geographic areas where the USACE retains jurisdiction under Section 404 so that the USACE can automatically approve certain activities authorized by the MDEQ	2022	
23	Administer a program to facilitate ecologically responsible voluntary restoration by streamlining permitting requirements	Ongoing	Past Efforts: general permit and minor project categories, a restoration coordinator position, a working group, a guide for applicants, an interagency MOU, and a simplified permit application.
24	Use new technologies to increase efficiencies in the regulatory program	Ongoing	<b>This action is high priority for the program.</b>
25	Develop an effective web site for Michigan's 404 program including continued improvement of Michigan's Wetland Map Viewer	Ongoing	Wetland Map Viewer improvements to include LLWFA completed 2016.
26	Through the effective management of MDEQ conservation easements, protect mitigation sites and preserve and protect remaining wetlands on permitted sites	Ongoing	

**Core Element: Restoration and Protection**

	Action	Target Year	Comments
1	Facilitate ecologically responsible voluntary wetland restoration and enhancement in cooperation with state, tribal, federal, and nongovernmental groups specializing in wetland restoration and conservation	Ongoing	<b>This action is high priority for the program.</b>
2	Support the Michigan Waterfowl Legacy cooperative partnership to restore, conserve, and celebrate Michigan's waterfowl, wetlands, and waterfowl hunting community	Ongoing	
3	Cooperate with the Michigan Vernal Pool Partnership to support identification, management, and protection of vernal pools	Ongoing	Vernal Pool Partnership launched in 2016. <b>This action is high priority for the program.</b>
4	Promote the use of best management practices for prevention and management of aquatic invasive species	2019	
5	Encourage local government protection, management, and restoration of wetlands	Ongoing	Workshops conducted in 2015 and 2016.
6	Promote best management practices for wetland protection, management, and restoration for climate change adaptation	Ongoing	
7	Encourage the maximum use of federal funding for wetland protection and restoration of Michigan wetlands, including the Great Lakes Restoration Initiative	Ongoing	
8	Assist watershed groups in the use of landscape level wetland data to support the protection, management, and restoration of wetlands on a watershed scale	Ongoing	Approximately 1/3 of state has landscape level wetland data.
9	Work with partners and universities to develop wetland science and address research needs	Ongoing	
10	Develop and refine methods for improved siting and prioritization of wetland protection and restoration areas	Ongoing	Workshop held at 2017 Wetlands Conference.
11	Promote and improve methods for identification, protection, and stewardship of high quality and rare wetlands	2019	
13	Work with the Michigan Wetlands Association to promote voluntary restoration and protection, including successful wetland restoration techniques	Ongoing	Co-sponsor MWA Conference in 2017. Coordinated training and meetings are ongoing.
14	Promote natural and wetland shorelines along inland lakes and streams through participation in the Michigan Natural Shoreline Partnership and other partnerships	Ongoing	<b>This action is high priority for the program.</b>

15	Seek additional opportunities to dedicate Wetlands of International Importance under the Ramsar Convention and other wetland recognition programs	2022	Use monitoring results to prioritize sites and coordinate with USFWS.
16	Work with partners to advance public understanding and connection to Michigan wetlands and encourage the exploration and discovery of wetlands and wetland related recreational activities	Ongoing	Education and Outreach Strategy completed July 2016.
17	Work with Michigan DNR to protect and restore wetlands in conjunction with the Michigan Wildlife Action Plan	Ongoing	

**Core Element: Water Quality Standards for Wetlands**

	Action	Target Year	Comments
1	Refine the wetland related components of Michigan's water quality standards (e.g., definitions, uses, antidegradation policies, outstanding state resources, reporting)	Ongoing	
2	Continue to provide Section 401 review and certification for dredge and fill activities as part of Michigan's wetlands program permit reviews	Ongoing	State certification process for USACE Nationwide and Regional Permits completed 2016. 401 certification for other dredge and fill activities is ongoing.
3	In cooperation with Michigan's Non-point source program, incorporate wetlands into watershed planning and implementation projects to address non-point source pollution	Ongoing	Ongoing work with watershed groups to help with incorporating wetlands into their weatershed plans.
4	Work with Michigan's Office of the Great Lakes, including the Area of Concern program, to address wetland habitat and quality concerns	Ongoing	
5	Coordinate protection of wetlands with Michigan's stormwater program	Ongoing	