

APPENDIX 1-A: MODEL GENERAL WETLAND PROTECTION ORDINANCE

Prepared by the Tip of the Mitt Watershed Council
and the Division of Land Resource Programs,
Michigan Department of Environmental Quality

Section (Insert ordinance section number)

Wetland property within Township that is contiguous to waters of the state (i.e., Great Lakes, rivers, streams, lakes and ponds, and connecting waters of the Great Lakes) or otherwise regulated by state law cannot be drained, filled, dredged or destroyed without a permit from the Department of Environmental Quality under the Goemaere-Anderson Wetland Protection Act, 1979 PA 203, and, if required, the United States Army Corps of Engineers under Section 10 of the Federal River and Harbor Act of 1899. (Agricultural and some mining activities are partially exempted.)

The Michigan Wetland Protection Act (Act 203) defines a wetland as .land characterized by the presence of water at a frequency and duration sufficient to support and that under normal circumstances does support wetland vegetation or aquatic life and is contiguous to Lake Michigan, or any inland lake, river, stream, or pond; or is greater than 5 acres in size (may apply only to certain counties); or the Michigan Department of Environmental Quality has determined that protection is essential.

Major wetland areas are designated on the Township comprehensive plan or map. Although not official designations by the Michigan Department of Environmental Quality, the areas indicated are likely to show the physical and biological characteristics of wetlands. The zoning administrator will notify each wetland owner that applies for a zoning permit of the need to contact the Michigan Department of Environmental Quality concerning a wetland determination and, where necessary, the need to obtain a permit prior to the commencement of the proposed construction activity.