



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Water Resources Division Regulations Applicable to Beaver Dam Removal

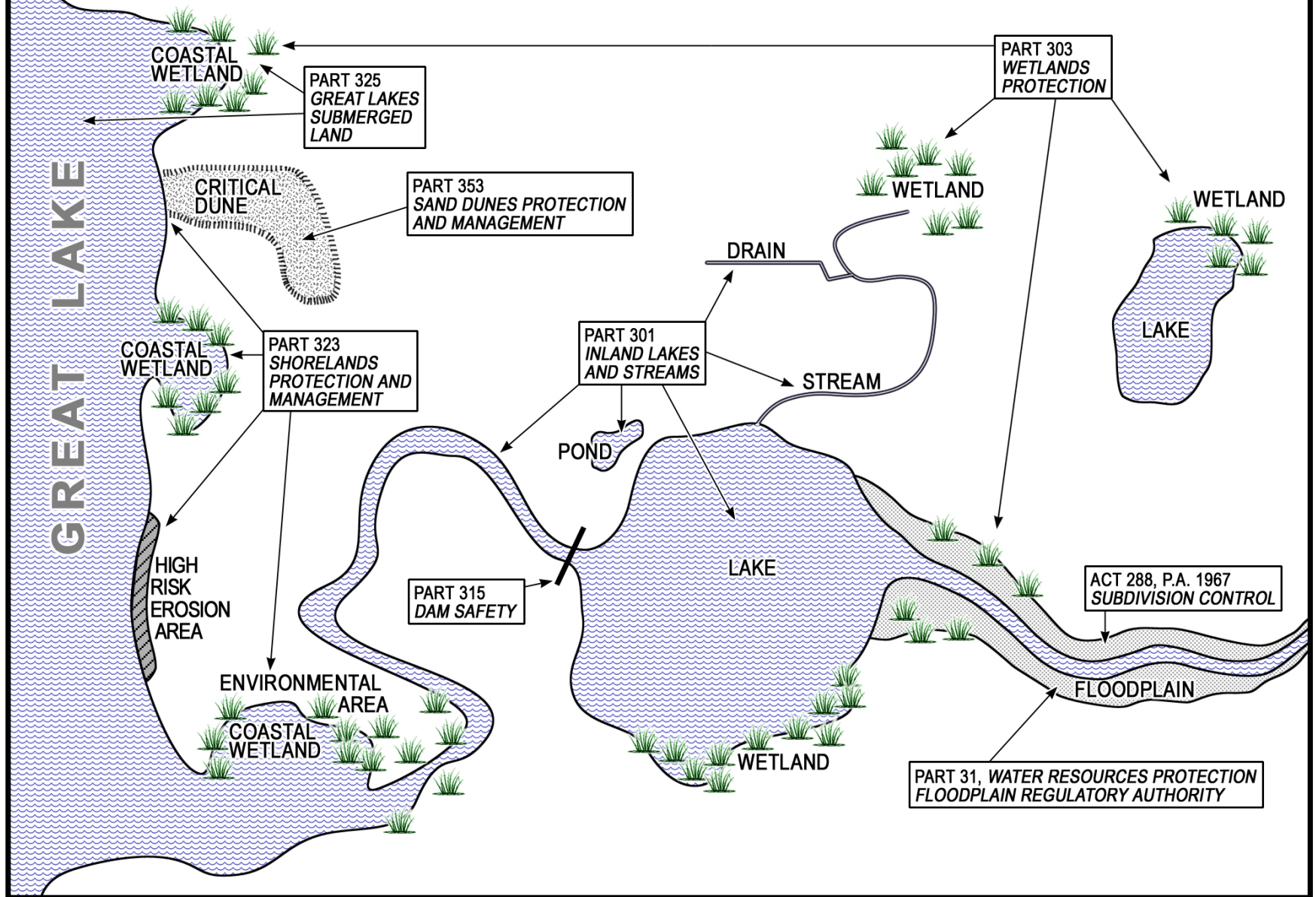
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Michigan Department of Environment, Great Lakes and Energy

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MICHIGAN RESOURCE PROGRAM LAWS ADMINISTERED BY **EGL** WRD

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT
ACT 451 OF THE PUBLIC ACTS OF 1994 & RELATED STATUTES



Part 301, Inland Lakes and Streams

Protects inland waters by regulating work in inland lakes and streams.

Part 303, Wetlands Protection

Protects wetland functions and values by requiring permits for activities within wetlands.

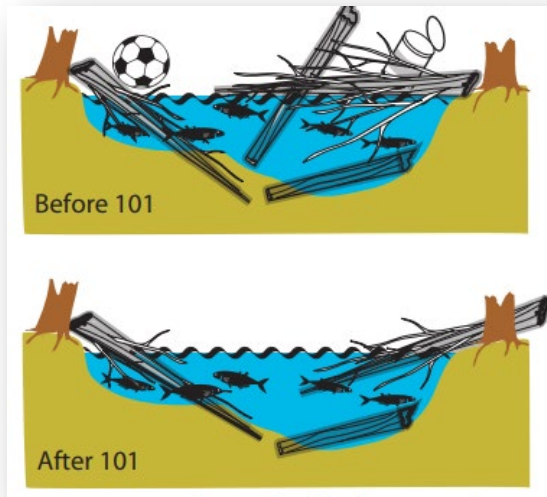
Part 31, Water Resources Protection (Floodplain Regulatory Authority)

Reduces property damage caused by flooding through regulation of activities in floodways and floodplains.

- Regulate dredge, fill, and construction activities
- Require applicants to **avoid and minimize** impacts to these regulated

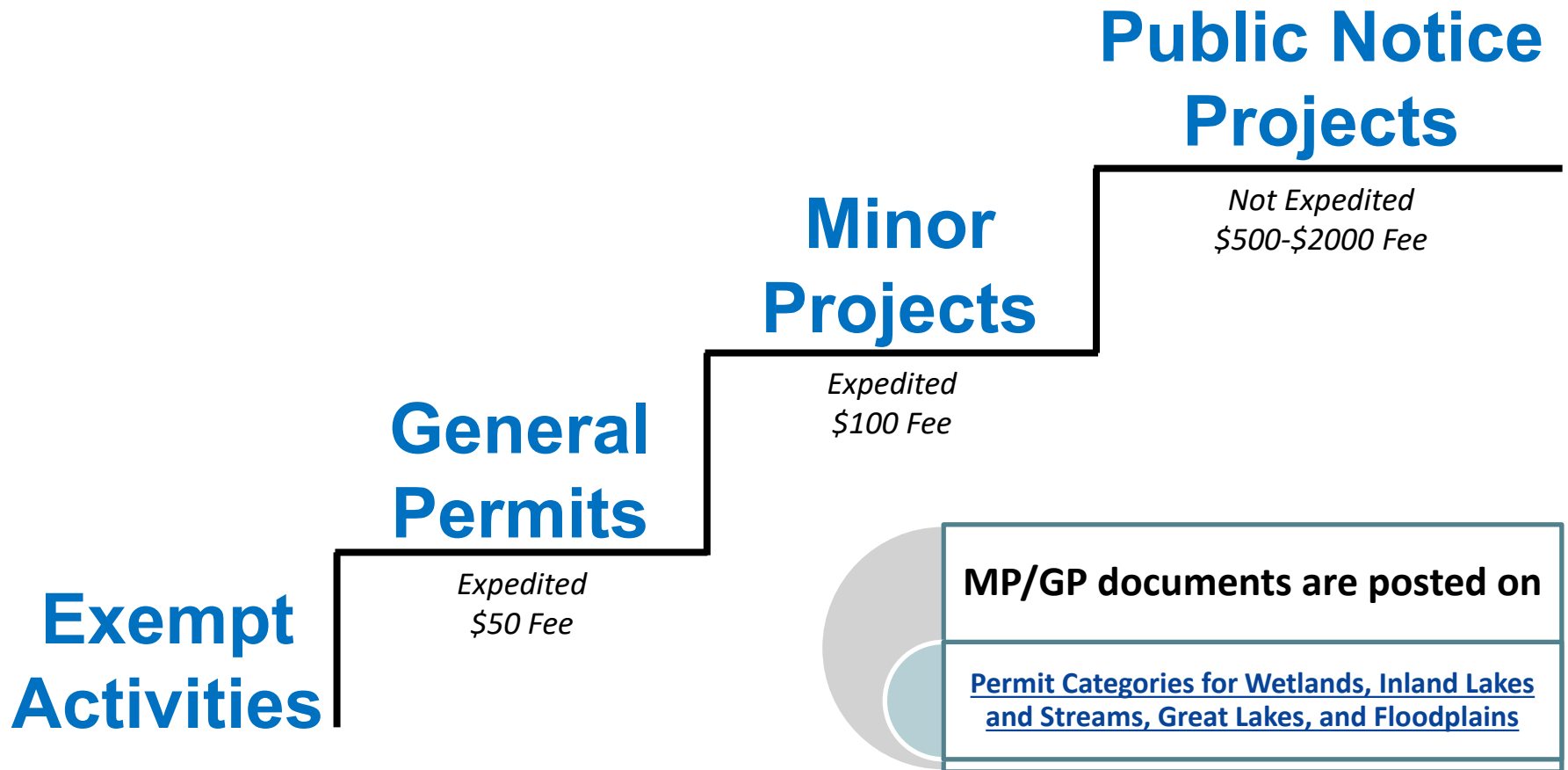


No Permit Required



- Hand removal of an obstruction (such as beaver dams or log jams) that does not alter the soil, sediment, bed, or banks of a wetland or stream.
- Typically, this would follow the “Clean and Open Method” where the woody material is cut and removed within the main channel area to allow the natural flow of water, without removing woody or soil material that is in the bed or banks.
- When beaver dam removal cannot be done without soil or sediment removal, a permit is required.

3 Tiered Permitting System



Category Set Up

Exclusions (*examples*)

- Major Discharge of Dredged or Fill Materials – EPA Redfile
- Sensitive Natural Resources (i.e., T/E Species or Habitat, Wild and Scenic River, etc.)
 - Sites with Contaminated Sediment
 - More than Minimal Adverse Impacts
 - Permit required under another statute, for which the project does not meet the GP/MP category under that statute
 - Permit required under Parts 323 or 353

Applicable Statutes

- Part 31, Floodplain Authority
- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection
- Part 325, Great Lakes Bottomlands

Category Criteria

- Best Management Practices

General Permit U. Removal of Structures

(in pertinent part)

Parts 31, Floodplains, 301, Inland Lakes and Streams, 303, Wetlands, and 325 Great Lakes Bottomlands

Removal of natural obstructions that obstruct flow or navigation (e.g., log jams, beaver dams, etc.) in streams that meet all of the following:

- a. All removed materials shall be disposed of in an identified upland (non-floodplain, non-wetland) site.
- b. The site must be restored to its original condition or to a condition that is consistent with the surrounding area. Any bare soil or disturbed areas shall be promptly stabilized to prevent erosion. Plants and seed native to Michigan shall be used in the restoration.
- c. The fisheries and wildlife habitat values of the natural obstruction shall be considered and impacts to those values minimized.
- d. The drawdown shall not negatively impact the downstream receiving waters, habitat, or structures.

General Permit U. (cont'd)

This GP category does not include:

- Removal of woody structure from significant segments of streams.
- More than de minimus excavation of soil and sediment or the use of water jetting to remove structures.
- The removal of man-made dams (or weirs).
- Maintenance dredging, dredging of sediments in order to recover vessel, shoal removal, or riverbank snagging. Natural obstruction does not apply to shoal material or sediment.
- Abandoned property as defined in Part 761, Aboriginal Records and Antiquities, of the NREPA.



In General, We Recommend BMPs

- Remove the minimum amount of the obstruction necessary to alleviate flooding
- Minimize disturbance of sediments and river bottom
- Obstruction should be removed to minimize/manage release of sediment
- Material removed from river should be disposed of properly, in a location where flood waters won't reclaim it

BMP Don'ts

- Create access paths through wetland areas
- Place material in a wetland or floodplain
- Grub or mechanically land clear in wetlands
- Other activities that will result in draining of wetlands



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