

# Guidelines for Lake Michigan Permit Applications

The following guidance describes information that should typically be provided when applying for a permit along the Lake Michigan shoreline. Additional information may be required based on site conditions. This guidance is in addition to the information required for submittal of a permit application. Please refer to our website for additional information on submitting an application for permit.

1. Description of existing site conditions:
  - a. On-site structures such as piers, revetments, breakwaters, etc.;
  - b. Proximate structures potentially influencing site conditions or project design both on- and off-site;
  - c. Assessment of shoreline morphology including shoreline orientation, condition and description of shoreline (ex. beach, bluff, maintained turf lawn, erosion occurring, existing vegetation), and any other relevant features;
  - d. Applicable project history such as past permits, recent changes in site conditions or water levels, etc. Describe any significant recent storm events that may have influenced the site conditions and the date that the qualitative assessment (below) was completed; and
  - e. Recent photographs of the shoreline and project area.
2. Qualitative assessment of the nearshore habitat:
  - a. Describe substrate composition, basic description of aquatic and terrestrial vegetation, and any other habitat features observed or known/documented;
  - b. Distance from, and location of, nearest tributary to the lake; and
  - c. Distance from, and location of, nearest known reef/shoal or other habitat feature.
3. Copy of bathymetric survey conducted within one year of application submittal.
4. Identification of the ordinary high water mark (OHWM) (33 CFR 328.3(c)(7)):
  - a. “The term *ordinary high water mark* means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas;”
  - b. List the characteristics utilized for determination of the OHWM. Generally, two or more characteristics should be noted unless there is particularly strong evidence of one. Flags should be placed along the observed OHWM with photographs taken to document the line. Place a red line on the photograph demarcating the OHWM;
  - c. Refer to Regulatory Guidance Letter 05-05 for additional information; and
  - d. The following is a list of OHWM physical characteristics to be considered when making an OHWM determination, to the extent it can be identified and deemed reasonably reliable. This list of characteristics is not exhaustive. Physical characteristics that correspond to the line on the shore established by the fluctuations of water may vary depending on the type of water body and conditions of the area. There are no

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“required” physical characteristics that must be present to make an OHWM determination:

- Natural line impressed on the bank
- Shelving (abrupt changes in grade)
- Changes in the character of soil
- Destruction of terrestrial vegetation
- Presence of litter and debris
- Vegetation matted down, bent, or absent
- Sediment sorting (changes in the deposition of sediment types or stones)
- Leaf litter disturbed or washed away
- Scour
- Deposition of lakebed material, sediment, or other materials
- Multiple observed flow events
- Bed and banks
- Water staining of structures, shoreline, or other materials
- Change in plant community