





MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

Pipeline Permitting
Water Resources Division
September 16, 2019

Joseph Haas

District Supervisor

Water Resources Division/Gaylord District Office

Michigan Department of Environment, Great Lakes, and Energy

989-330-9252 | haasj1@michigan.gov

[Follow Us](#) | Michigan.gov/EGLE

EGLE Pipeline Permitting



Regulations



Public Hearings/Comments



Permit Review



Decision Making

EGLE Regulations

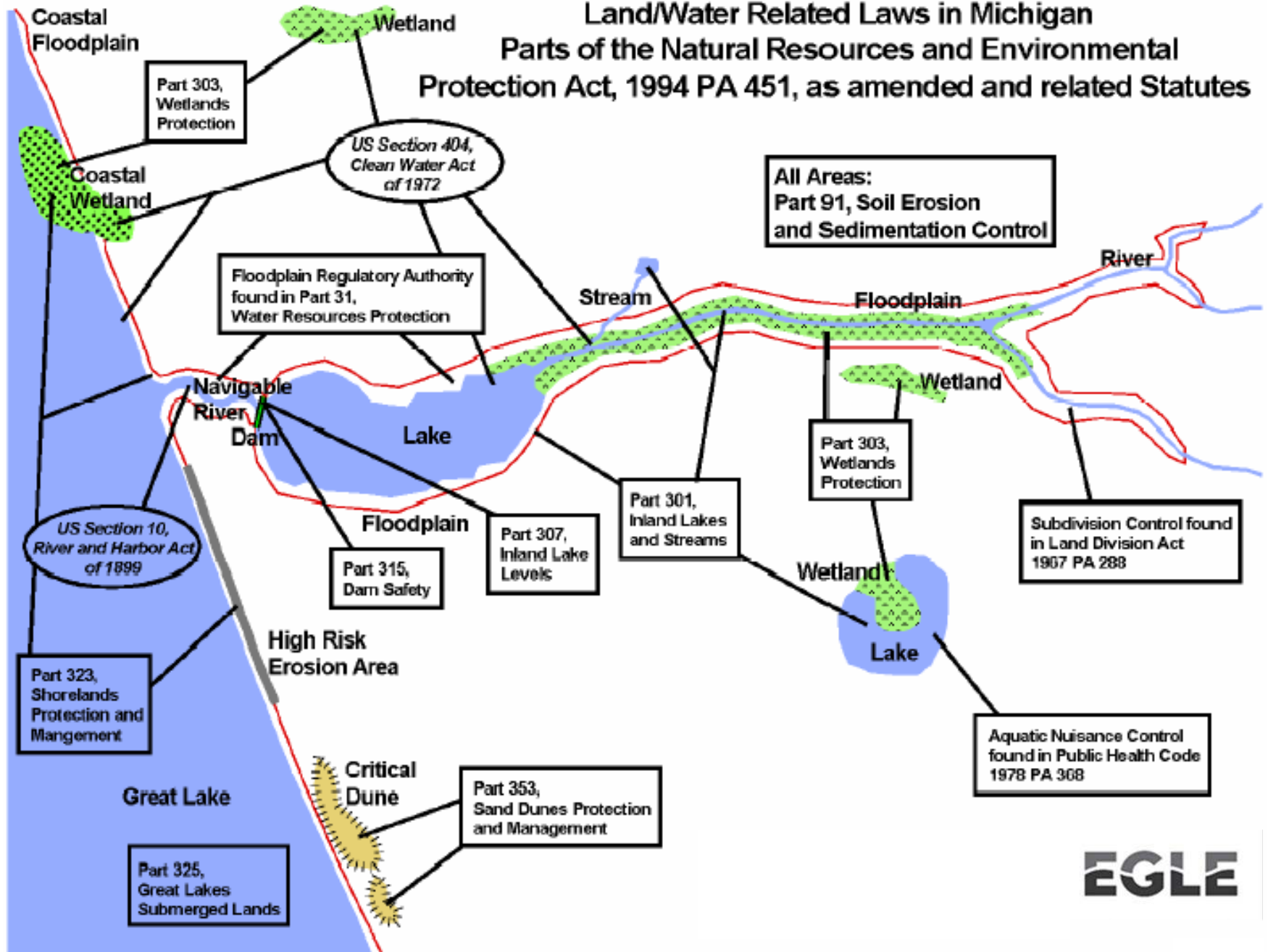
- **Part 301: Inland Lakes and Streams** – Work below Ordinary High Water Mark (OHWM)
 - **Part 31, Floodplains** – Upstream drainage area greater than 2 sq. miles. 100-year flood. (1% chance of occurring any given year)
- **Part 303: Wetlands**
 - Hydrology, Plants, Soils
- **Part 325: Great Lakes Submerged Lands**
 - OHWM 580.5 ft IGLD85
(Lakes Michigan/Huron)
Conveyances (DNR Easements)

Part 303 Regulated Activities

Activity	Example (Partial List Only)
Deposit or permit the placing of fill material	Placing Pipelines and infrastructure, Bulldozing, Grading
Dredge, remove, or permit the removal of soil or minerals	Excavation/Digging, Bulldozing, Removing tree stumps
Construct, operate, or maintain any use or development	Construction of buildings or structures, Boardwalks, Peat mining, Water treatment
Drain surface water	Diverting water to another area via ditch, pump or drain

Projects that involve a “maintained” utility easement, constitute a “use” if there is a permanent change in the character of a wetland. Ex: Changing from Forested to scrub-shrub

Land/Water Related Laws in Michigan Parts of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended and related Statutes



Utility Exemptions Exist

Part 301 Utility Line Exemption for the use of directional drilling/boring methods to conduct lake and stream crossings

- **A minimum of 10 feet is maintained from the top of the conduit and the bottom of the lake or stream.**

Utility Line Exemption from Part 303, Wetlands Protection

- An EGLE permit is not required for: installation of utility lines having a diameter of 6 inches or less using directional drilling, boring, or knifing-in
- **top of the utility line is at least 4 feet below the soil surface of the wetland.**

Public Hearings/Public Comments



Opportunity to formally comment on the public record



Not an opportunity to “vote” on a proposal



Agency needs substantive comments



Typically limited time is allowed for public hearing comments (between 2 to 5 minutes) No limit for written comments



Comments may be submitted directly to the file/permit processor within MiWaters - Link provided in Public Notice.

EGLE Permit Review



MiWaters, Joint Permit Application (JPA)



File Review – Complete application, Jurisdiction



Alternatives Analysis

Water/Wetland dependent



Permit Category – GP, MP or Individual Permit



1-Avoid, 2-Minimize, 3-Mitigate



Determine Adverse Impacts



Compliance with other regulations

Pipeline Permitting

Joseph Haas

District Supervisor

Water Resources Division/Gaylord District Office

989-330-9252

haasj1@Michigan.gov



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY