

BEACH SANDING AND FILLS FOR SWIM AREAS

ON INLAND LAKES



Michigan law requires that a permit be applied for and received from the Department of Environmental Quality (DEQ) before conducting certain activities in inland lakes and streams. These activities include dredging, filling, constructing or placing a structure on bottomlands, constructing or reconfiguring a marina, interfering with the natural flow of water, or connecting a ditch or similar waterway to an inland lake or stream.

The placement of fill for swim areas in lakes and streams requires a permit from the DEQ. The DEQ permitting process ensures that potential negative impacts to wetlands, lakes, streams and other natural features, as well as impacts to use by the public and other property owners, are avoided and minimized as much as possible. The local unit of government may also have ordinances or regulations regarding beach sanding and fills for swim areas.

This Fact Sheet answers the following questions:

Do I need a permit to place fill in the water for swim areas?

Do I need a permit to place beach sand above the water?

What potential impacts can beach sanding and swim fills have on my lake?

How do I apply for a permit for swim area fills?



**Michigan
Department of
Environmental
Quality**

Water Resources Division

www.mi.gov/wrd

Do I need a permit to place fill in the water for swim areas?

Yes, a permit is required to place fill in the water for swim areas under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Decisions on whether a permit will be issued are based on criteria in Part 301 and the applicant must show the project will not adversely affect the public trust, riparian rights, or the environment.

Do I need a permit to place beach sand above the water?

A permit is not required under Part 301 for reasonable sanding of beaches to the existing water's edge by the riparian owner. A reasonable amount of sand may be placed landward of the water's edge without a permit as long as the sand does not shift the location of the existing ordinary high water mark or the shoreline contour. The sand cannot be placed in a wetland or floodplain, and must be free of organic material and pollutants. A 50/50 mix of clean sand and pea stone is recommended.

What potential impacts can beach sanding and swim fills have on my lake or stream?

Beach sanding and fills can have negative impacts on lakes and streams. Beach sanding and filling eliminates aquatic vegetation, reduces water quality, and reduces nearshore habitat for fish and other aquatic life (e.g., fish spawning areas, habitat for aquatic insects that are food for fish). Removing shoreline vegetation to create a beach can also result in increased erosion and property damage as this vegetation is critical for shoreline stabilization.

How do I apply for a permit for swim area fills?

Applicants should use the DEQ Joint Permit Application when applying for a swim area fill:

- Permit applications should be submitted through the MiWaters online permit application system.
- Information on the permit application process and how to submit an application in MiWaters is available at www.mi.gov/jointpermit.
- Swim area fills in inland lakes or impoundments can be reviewed through an expedited permit process if certain criteria are met, including:
 - The area does not exceed 800 square feet, a maximum fill depth of six inches, or a water depth of four feet.
 - Fill consists of at least 50 percent peastone, with the balance being clean sand.
 - The width of the swim area is limited to half the lot width or 40 feet, whichever is smaller, and is not in wetland.