

# Living With & Identification of Wetlands

## What are Wetlands?

Wetlands are areas 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.

Wetlands have three basic characteristics: hydrophytic vegetation (the presence of plants adapted for living in water-saturated soils), wetland hydrology (the presence of water at or near the surface), and hydric soils (distinctive soil types which develop under saturated conditions).

In Michigan there are three major types of wetlands: marshes, swamps, and northern peatlands. Wetlands are highly productive ecosystems with a diversity of plant and animal life. They are valuable for fish and wildlife habitat, water quality maintenance, flood storage and runoff delay, recreation, and aesthetic appeal.



## Wetland Regulation in Michigan

Michigan's Wetland Protection Act (Part 303 of Act 451 of 1994), requires a permit from the Michigan Department of Environmental Quality (MDEQ) for dredging, filling, constructing, or draining in regulated wetlands. In northern lower Michigan, regulated wetlands are primarily those which are contiguous to lakes and streams.

In addition, the Army Corps of Engineers (ACOE) administers federal wetland regulations on navigable waters of the U.S. In Michigan these include wetlands in and adjacent to the Great Lakes, their connecting water bodies, major navigable rivers, and the mouths of major tributaries of navigable rivers.

If you own property and think some of it may be a wetland, you should have a wetland determination performed before planning or beginning any construction projects in the area.

## Wetland Protection Laws

### Federal

- Clean Water Act Section 404
- Rivers and Harbors Act Section 10

### State of Michigan

- Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended
- Part 303, Wetlands Protections, Rules
- Michigan Natural Resources and Environmental Protection Act

### Other State Laws Affecting Wetlands

- Soil Erosion and Sedimentation Control, Part 91 of the Natural Resources and Environmental Protection Act, 1994 PA 451

- Michigan Environmental Protection Act, Part 17 of the Natural Resources and Environmental Protection Act, 1994 PA 451
- Michigan Endangered Species Act, Part 365 of the Natural Resources and Environmental Protection Act, 1994 PA 451
- Water Resources Protection Act, Part 31 of of the Natural Resources and Environmental Protection Act, 1994 PA 451
- Inland Waters, Part 301 of the Natural Resources and Environmental Protection Act, 1994 PA 451
- Shorelands Protection and Management, Part 323 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended
- Great Lakes Submerged Land, Part 325 of the Natural Resources and Environmental Protection Act, 1994 PA 451
- Sand Dunes Protection and Management, Part 353 of the Natural Resources and Environmental Protection Act, 1994 PA 451



### **Living With Michigan Wetlands**

For a good resource of living with a wetland on your property, visit this site on-line:  
[http://www.michigan.gov/deq/0,1607,7-135-3313\\_3687-10502--,00.html](http://www.michigan.gov/deq/0,1607,7-135-3313_3687-10502--,00.html)

### **Van Buren County Wetlands Inventory Map**

For a great map of wetlands in Van Buren County visit this site on-line at:  
[http://www.michigan.gov/documents/CGI\\_Van\\_Buren\\_prelim\\_wi\\_75153\\_7.pdf](http://www.michigan.gov/documents/CGI_Van_Buren_prelim_wi_75153_7.pdf)

## **Do I Have A Wetland On My Property?**

Many property owners are confused about the technical definitions of wetlands. This is understandable given the variety of wetlands in Michigan and the fact that many wetland types look different than our traditional conception of a wetlands (which is typically a cattail marsh). Below are a few questions that you can ask yourself about your land. A “yes” answer to any of the questions may indicate that you have a wetland on your property.

- Is the ground soggy underfoot in the spring?
- Are there depressions where water pools on the ground surface during the spring?
- Do you avoid the area with heavy equipment for fear of getting stuck?
- Would you need to ditch the site to dry it out?
- Is the site in a depression that has a different vegetation community than the higher ground around it?
- Are there ground water seeps or springs present?
- Are fallen leaves black or very darkly stained and contain sediment deposits on their surfaces?

- Dig a hole. Is the soil gray, or does it contain bright mottles (red or orange) against a gray background?
- If farmed, is there crop stress due to excessive water?
- Does the National Wetland Inventory map, U.S.G.S. topographical map, or locally produced wetland inventory map show a wetland on your property?
- Does the NRCS Soil Survey for your county show the soil on your property to be hydric, poorly, or very poorly drained?

### **Wetland Identification**

It is recommended that property owners have property investigated for wetlands, and have wetlands delineated if present, prior to applying for a permit. For those wishing timely information about the presence, nature, or extent of wetlands on a property parcel, the Watershed Council offers a Wetland Identification Service.

If you engage someone to assess your property, be aware service ranges from simply identifying the presence of wetlands on a parcel to detailed characterization of the site. Identification is based on qualitative field procedures that identify the presence or absence of the three wetland characteristics. Vegetation is identified and evaluated for a predominance of wetland-tolerant species. The hydrology of a site is assessed by examining for indications of seasonal water saturation at or near the surface. Soils are examined for criteria that identify them as being hydric soils.

A report describing the basis for, and the results of, the identification should be provided. Maps of the site approximating areas of wetlands are available. However, maps with the high degree of accuracy necessary for site and construction plans should be provided by a qualified engineer or surveyor based on a flagged field boundary.

If desired, upland/wetland transition zones will be marked at frequent intervals with bright flagging. The report and maps are suitable for submission to regulatory agencies as part of their permit review and decision-making process.