



Vegetation Removal Assurance in Designated Critical Dune Areas

The Critical Dune Areas (CDA) program is administered under the authority of Part 353, Sand Dune Protection and Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The CDA program protects the extremely fragile areas of Michigan's dunes by promoting the use of design and construction techniques to minimize impacts of uses on the dunes. As defined in part 353, "use" means "a *developmental, silvicultural, or recreational activity done or caused to be done by a person that significantly alters the physical characteristic of a critical dune area or a contour change done or caused to be done by a person.*"

A Michigan Department of Environmental Quality (MDEQ) permit is required for any use within a CDA. Regulated activities include construction of buildings, septic systems, water wells, driveways, all excavation and filling, and vegetation removal within the CDAs. These areas are identified in the "Atlas of Critical Dune Areas" dated February 1989, and adopted by the Michigan Legislature under Part 353. Section 35313(c) requires that all applications for permits for the use of a CDA include in writing: "Assurances that the cutting and removing of trees and other vegetation will be performed according to the "forestry management guidelines for Michigan" prepared by the society of American foresters in 1987 as revised in 2010 and may include a program to provide mitigation for the removal of trees or vegetation by providing assurances that the applicant will plant on the site more trees and other vegetation than were removed by the proposed use."

On August 7, 2012 revisions to Part 353 were signed into law. While a vegetation removal assurance is still required to receive a permit, landowners are *no longer required* to utilize the local Conservation District to provide it. However, the Allegan Conservation District will continue to offer this service on a voluntary basis for landowners.

The Conservation District assigns a fee of not less than \$250.00 for a site review of a CDA, including one follow-up visit at project completion. The District may reduce the fee if no vegetation is being removed. Projects that require more than one initial and follow-up site visits or other meetings in excess of four total hours of District time will be assessed an additional fee at a rate of \$40.00 per hour. Refunds will not be issued for projects that are modified or denied by the MDEQ. Modifications that require an extra site visit and new report from the Conservation District will be assessed additional fees.

Prior to site review the District office must receive:

- \$250 fee made payable to the **Allegan** Conservation District. Assurances requiring time exceeding four hours will be billed at a rate of \$40.00 per hour in addition to the base \$250.00 fee.
- Critical Dune Areas map identifying site
- Vicinity map and directions to site
- Site plan (no larger than 11" X 17" please) including:
 - Physical footprint of the development (structural envelope)
 - Setbacks (as required by local zoning ordinances)
 - Extent of disruption of the site (area needed for construction activities, staging, etc.)
 - Location of trees greater than 3" DBH
- Site must be staked upon site visit including:
 - Property boundaries
 - Proposed structure corners
 - Septic field
 - Water well
 - Driveway location and other land alterations (pools, decks, etc.)

After reviewing your DEQ permit application, the Michigan Department of Natural Resources, under the authority of Section 365, Endangered Species Protection, Natural Resources and Environmental Protection Act, may require the completion of a threatened and endangered species review. Your local Conservation District may be able to provide this review along with the Vegetation Removal Assurance (a fee may be assessed).

The Conservation District will schedule a site review within 5 business days of receiving your completed form, the previously described maps, site plan, and the \$250.00 base fee. By scheduling a site review, Conservation District staff will be allowed full access to the property. District staff will only visit the site after confirming the date and time with the property owner / agent.

During the site review, the property owner / agent is encouraged to be present to discuss options and assurance criteria. Upon completion of the site review, the Conservation District will provide the property owner / agent with an assurance, and if necessary, a site plan map with proposed revisions. All assurance materials will be sent to the property owner / agent within 5 business days after completing the site review.

Allegan Conservation District

1668 Lincoln Rd
Allegan MI 49010
269-673-8965 x4



For Office Use Only:

District office:	Allegan
Application Rec'd:	
Site visit:	
VRA sent:	
Permit approved:	
Follow up:	

Vegetation Removal Assurance in Designated Critical Dune Areas

Project Location:

Address:	County:	Subdivision/Plot:	Lot Number:
Township:	Town/Range:	Section:	

Applicant Information:

Applicant or Agent:	Company Name:		
Mailing Address:			
City:	State:	Zip Code:	
Daytime Phone Number:	Fax Number:	E-mail Address:	

Property Owner (if different from Applicant)			
Mailing Address:			
City:	State:	Zip Code:	
Daytime Phone Number:	Fax Number:	E-mail Address:	

Contractor:	Address:		
City:	State:	Zip:	Phone:
Excavator:	Address:		
City:	State:	Zip:	Phone:

Project Description

<i>Please provide a brief description of proposed activities including impacts to vegetation:</i>	Estimated Project Time Frame
	Start Date:
	End Date:

Driving directions from District office:
