

## Frequently Asked Questions:

# VEGETATION ASSURANCE FOR A PROJECT IN A CRITICAL DUNE AREA



### Why is vegetation important?

The coastal sand dunes are home to unique vegetation communities each with its own mix of trees, shrubs, herbs, and grasses. This vegetation gives each project site its own character. The removal or damage to existing vegetation during construction may increase erosion on the site and lead to a decrease in the stability of the land. Sand is easily eroded when plants, and their roots, are removed. Vegetation stabilizes and holds the dunes in place. If the site is not stabilized the characteristics that make the site so appealing may disappear. There may also be increased costs for ongoing sand plowing and invasive plant removal on unstable sites. Replacing the vegetation removed during construction will lessen erosion and maintain the stability of the dune. Property owners will continue to enjoy the unique character of their dune property after construction on a site stabilized with native vegetation.

### What does the law say?

The law requires the property owner provide an assurance that the cutting and removal of trees and other vegetation for a proposed use in a critical dune area will be in accordance with the [Forest Management Guidelines for Michigan](#) (Guidelines) prepared by the Michigan Society of American Foresters and updated in 2010, MCL 324.35313 (1)(c). The law also requires restabilization of the dune with native vegetation for a structure proposed within 100 feet landward of the crest, MCL 324.35304 (4)(c). Projects that are likely to increase erosion or decrease stability cannot be approved, MCL 324.35316. The [permit application](#) will ask you if vegetation will be removed. This question must be answered before submitting your application. Providing a thoughtful and meaningful vegetation assurance will help the Department of Environment, Great Lakes, and Energy (EGLE) evaluate the project for a timely permit decision.

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## How do the Forest Management Guidelines apply to my site?

The Guidelines support providing a plan for the site's vegetation. The factors to consider in the plan include the ecological characteristics of the site, economic factors, social-legal constraints, and the landowner's objectives. The plan should consider seasonal issues such as the trimming of oak trees outside of the growing season to reduce the likelihood of oak wilt infecting and killing the trees on the site. Special considerations for the site may include storms, fire, drought, disease, wildlife habitat, and invasive plants.

The Guidelines describe the rules of thumb to remember when planting trees, treating trees, or selecting trees to leave on your property. An understanding of the limiting factors affecting the growth and survival of trees, including soil and site requirements, will help you decide the best tree species for your project site. How successful has the species been in neighboring areas on similar sites? If you have concerns regarding the health of a tree, consult a professional.



A common goal is to maintain or improve the scenic and recreational values of a site. Property owners should consider the design and layout of driveways and access roads to maximize their scenic and recreation objectives. They should avoid or modify disturbances where unique natural features such as rocky bluffs, sand dunes, or groups of unusual trees are located.

## What information should be in my vegetation assurance?

A vegetation assurance describes the existing vegetation and proposes how the site will be revegetated to prevent erosion and stabilize the dune. In general, a vegetation assurance will contain the following sections:

- A project site description identifying the [type of plant community](#) and the existing vegetation.
- The proposed development of the site with the numbers of trees, shrubs, and plants proposed to be removed and identified on a dimensioned site plan. Identify all woody vegetation that is 3 inches in diameter, or greater, at breast height (dbh). Breast height is 4½ feet above the ground.
- Identify the seasonal issues that may impact the project, (e. g., possible infection of oaks with oak wilt in the late spring and summer resulting from damage to the trees.)

- Identify any special considerations on your site such as endangered or threatened species or the reasoning for the type of proposed planting plan.
- Describe the proposed actions for preventing erosion and destabilization of your site during construction. This may include leaving stumps in place, maintaining buffers, or protecting trees. See the [best management practices \(BMPs\)](#) for sand dune stabilization in the [EGLE Nonpoint Source Best Management Practices Manual](#).
- Describe any proposed plantings.
  - Provide a description and a plan showing the type and amount of vegetation to be planted once construction is completed. For example, a native grass will be planted to replace a native grass removed.
  - If the construction occurs within 100 feet of the crest, include a list of the [native plants](#) to be planted for restabilization. While not required, if your project is outside of 100 feet of the crest, EGLE highly encourages the use of native species for restabilization.
  - Include a description on how you will prevent the establishment of [invasive plants](#). The local [Cooperative Invasive Species Management Area \(CISMA\) staff](#) will have information about invasive plants in your area. The CISMA in your area may be the local conservation district or other local non-profit group.
  - Identify the length of time the new vegetation will be monitored to ensure success of the plantings and the stabilization of the site. A minimum monitoring period of two growing seasons is suggested.

## Who writes the vegetation assurance?

The assurance can be written by the property owner or a qualified professional. Some local conservation districts offer the service for a fee. The cost will vary depending on the size and complexity of the project.

## When do I submit my vegetation assurance?

Submit your assurance when you submit your application for a permit. Your application will be considered incomplete without the vegetation assurance if disturbance to the vegetation on the site is proposed. EGLE will review the assurance during the application review period. If more information is needed, EGLE will contact you.

## My project will not impact vegetation on my site. Do I still need to submit a vegetation assurance?

No, but you need to tell us why it is not included. The law requires a vegetation assurance with every permit application proposing impacts to vegetation. On the permit application check the No box and tell us why you do not need to submit a vegetation assurance. If we find your project will impact vegetation on your site, we will require a vegetation assurance to complete your application. This will delay the processing of your application.



## **My project is small and impacts a couple trees and shrubs. Do I still need to submit a vegetation assurance?**

Yes. Provide an assurance that answers the questions in “What information should be in my vegetation assurance?”

## **Will my permit include my vegetation assurance?**

Yes. Read your permit carefully. There may be specific conditions in the permit relating to the vegetation and other specific aspects of your project.

## **After construction will EGLE check the vegetation at my site?**

EGLE does periodic spot checks of completed projects to determine compliance with the permit. During the compliance check EGLE will review how well the site has revegetated and stabilized.

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