

## A HOMEOWNER'S GUIDE TO SOIL EROSION CONTROL

Soil erosion control was previously enforced by Washtenaw County. Because of funding reductions at the County level, Ann Arbor Township is taking over this important function to protect our waterways, streets and properties. This guide will help you understand what is required.

Any human-made change in the natural cover or topography of the land may result in, or contribute to, soil erosion or sedimentation of State waters and may require a permit or permit waiver from Ann Arbor Twp. This includes grading, preparation for wells, septic fields, perimeter drains, driveways, foundations, backfill, final grade changes, and stockpiling of materials.

As a proud property owner in Ann Arbor Township, maintaining your property is likely one of the many items on your "to do" list.

### Homeowner's TO DO List:

- ✓ Plant Garden
- ✓ General Landscaping
- ✓ Additions
- ✓ **Control Soil Erosion**
- ✓ Plant Trees & Shrubs
- ✓ Establish Lawn

If your yard does not have a lawn and landscaping, there may be some important items to keep in mind to prevent soil and debris from leaving your property. This will involve managing some activities on your site and making sure that all proper controls are in place.

You will need to take a look around your lot to see what soil erosion controls are in place, or needed;

determine current drainage patterns; and establish a timeline for putting in your lawn and landscaping.

### Why is this important?

Soil Erosion is a major contributor to pollution in our waterways. Uncontrolled runoff during weather events, i.e., wind and rain, can move the soil off-site and into our lakes and streams. The dirt may move off-site through ditches, pipes or across the property and be deposited into a creek, stream or wetland.

Sediment can clog pipes and leave streets a muddy mess. It can destroy natural areas, wetland and creeks, and can harm the plants and creatures living there. Residual sediment can damage habitat for insects and fish.

The State of Michigan enacted legislation to address this problem (Public Act 91). The Township has the authority to enforce the Soil Erosion program. The State of Michigan oversees all local programs and referrals, special concerns, and related pollution incidents.

### SOIL EROSION PERMIT

Residential earth-change activities **not** requiring a permit include:

- Gardening, if the natural elevation of the area is not raised.
- Post holes for fencing, decks, utility posts, mailboxes, or similar applications, if no additional grading or earth change occurs for use of the post holes.
- Removal of tree stumps, shrub stumps, or roots resulting in an earth change not to exceed 100 square feet.
- All of the following activities if: soil erosion and sedimentation controls are implemented; the earth change is stabilized within 24 hours of the initial earth disturbance; and soil erosion or sedimentation to adjacent properties or the waters of the State of Michigan has not or will not reasonably occur:

- Planting of trees, shrubs, or other similar plants.
- Seeding or reseeding of lawns of less than one acre, if the seeded area is at least 100 feet from waters or streams.
- Seeding or reseeding of lawns closer than 100 feet from bodies of water or streams if the area to be seeded or reseeded does not exceed 100 square feet.
- The temporary stockpiling of soil, sand, or gravel not greater than a total of 10 cubic yards on the property, if the stockpiling occurs at least 100 feet from the a body of water.
- Seawall maintenance that does not exceed 100 square feet.
- Road and Driveway Maintenance. Normal road and driveway maintenance, such as grading or leveling, that does not increase the width or length of the road or driveway and that will not contribute sediment to lakes, streams or adjacent properties.

### How do I get a permit?

- Stop by the Township Hall at normal business hours.

### Permit Transfer - How Does This Happen?

To transfer a permit, the landowner or builder (initial permit holder) and new homeowner must complete a Permit Transfer Information Form. The form, with original signatures, must be submitted to the Township Hall at 3792 Pontiac Trail, Ann Arbor, MI 48105. A permit cannot be transferred if there are any outstanding balances or violations against the permit.

### Permit Waiver

The Township may grant a permit waiver for an earth change after receiving a signed affidavit from the landowner stating that the earth change will disturb less than 225 square feet and that the earth change will not contribute sediment to lakes, streams or onto adjacent properties.

## What are my responsibilities?

Some of the activities you will need to manage, depending on the slope and nature of your site, include, but are not limited to, the following:

➤ Install and maintain a temporary silt fence barrier or sod filter strip around your lot. A silt fence is a black, woven plastic material with wooden stakes. The fence should be trenched 6 inches into the ground and should stop muddy runoff water from leaving the site. Using sod to filter (at least 25' wide) where runoff water leaves your property, may be acceptable for your area. These controls need to remain in place until final vegetation is established. If removed for other work projects, they will need to be reinstalled at the end of each day.

➤ Establish cover as quickly as possible.

If the timing, budget, or season is not appropriate for seeding or sod, you will need to install additional controls to prevent soil loss from your lot, such as mulch or other vegetative material.

➤ Redirect your downspout so rain water runs away from the bare soil on your lot.

Use a flexible plastic pipe to direct water gently away from bare soil to avoid it washing away.

## What if I do not maintain my controls?

You will get a letter from the Township saying that you are not in compliance and you have 5 days to fix the items listed. If they are not corrected, you could be subject to one or all of the following: fine of \$2,500 to \$25,000 a day, the cost of the Township installing the necessary controls, or a stop work order and/or other legal action to get the site into compliance.

## How do I close the permit?

When you believe that all permanent vegetation is in place (90% growth, 1 inch tall on every square foot), you can request a final completion inspection.

## Are there any additional fees (renewals)?

If the site is not stabilized with vegetation by the time the permit expires, you will need to pay renewal fees.

## DEFINITIONS

Earth Change: A human-made change in the cover or topography of land which may result in, or contribute to, erosion and sedimentation of surface waters.

Soil Erosion: The wearing away of land by the action of wind, water, or gravity.

Sediment: Solid particulate matter (usually soil) removed from this site and deposited elsewhere.

Sedimentation: The process whereby the detached particles generated by erosion are deposited elsewhere on the land, or in our lakes, streams, ponds and wetlands.

Sheet Flow: Unconcentrated flow of water over a relatively large surface area with a relatively low erosion potential (e.g., lawn).

Concentrated Flow: A stronger, more intense flow of waters confined to a relatively smaller surface area with a much higher erosion potential (e.g., ditch or gully).

Temporary Soil Erosion Control Measures: Measures that impede water flow and impede sediment from leaving the site that need to be maintained (e.g., silt fence).

Permanent Soil Stabilization: Maintenance-free measures that impede water flow and impede sediment from leaving the site (e.g., thick grass, asphalt driveway, etc.).

## FOR ADDITIONAL INFORMATION

[www.aatwp.org/ordinances](http://www.aatwp.org/ordinances)

[www.michigan.gov/deq](http://www.michigan.gov/deq) (Select "Land", then "Soil Erosion and Sedimentation Control")

Rick Judkins at (734) 663-3418 or [rjudkins@aatwp.org](mailto:rjudkins@aatwp.org)



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