



County Drains

Proposed General Permit Category



Department of Environmental Quality

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Wetlands, Lakes and Streams Unit

Statute: MCL 324, Part 30105 (11)

“The Department shall develop by December 31, 2013 and maintain a general permit for activities in drains legally established pursuant to the Drain Code of 1956, 1956 PA 40, MCL 280.1 to 280.630.”



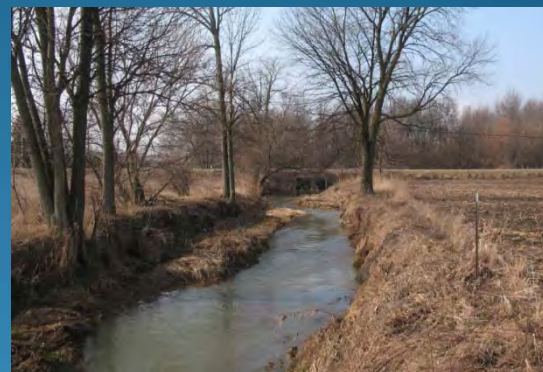
Public Noticed Sep. 9, 2013 – Oct. 23, 2013

GP is available at www.mi.gov/wetlands

Who can apply?

County-wide basis:

- A Drain Commissioner
- Drainage Board



Drainage-District-wide basis:

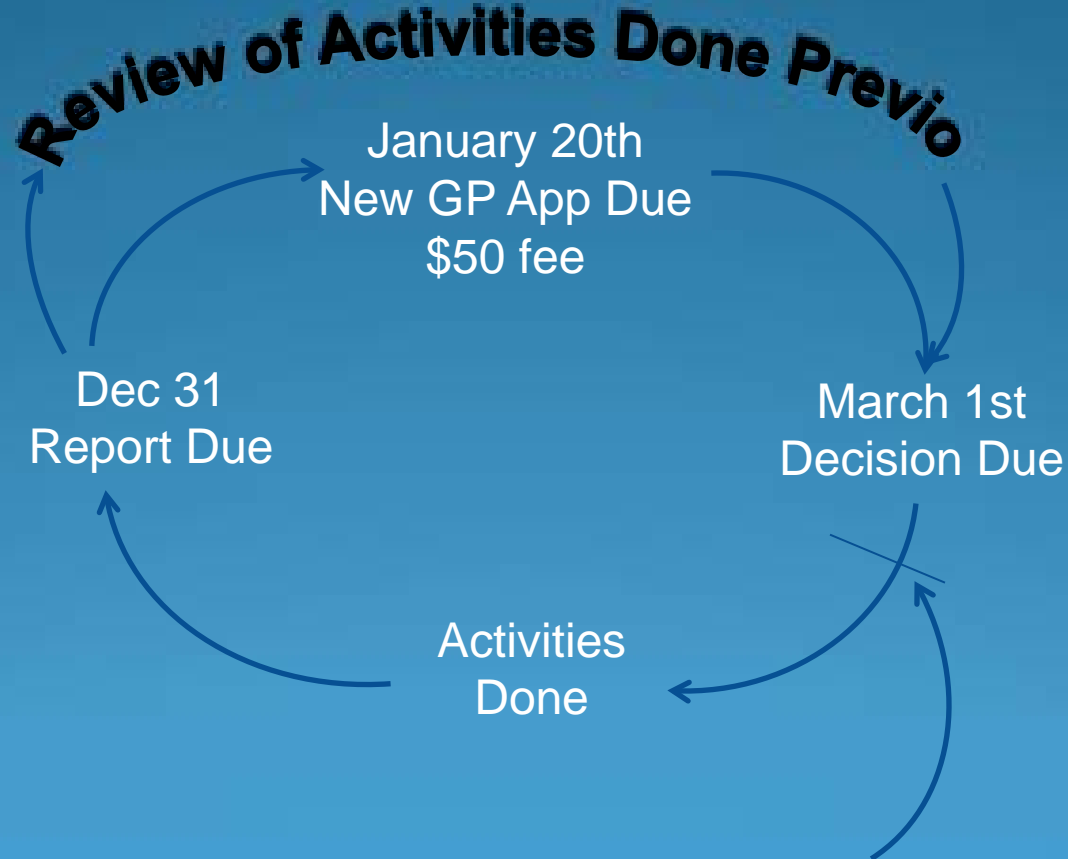
- Michigan Department of Agriculture and Rural Development (MDARD) on behalf of Intercounty Drainage Board



Category Set Up

- General Conditions
- Exclusions & Screening
 - Kick-out Provisions
- Category Conditions and Activities
 - Timeline
 - Reporting
 - Best Management Practices

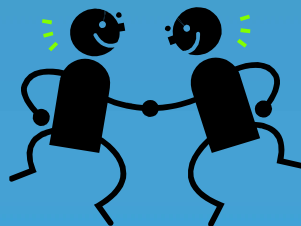
Timeline



Authorization good through March 30th of the next year

Up-front Restrictions & Screening

- Cannot involve activities that require public noticing, other GP/MP categories, or permits under Parts 325, 315, 323, or 353
- Cannot be activities conducted by those other than the Drain Commissioner:
 - *i.e.*, does not include activities completed by an individual, agency, or developer that are not part of a project conducted pursuant to the drain code.



Up-front Restrictions & Screening

Cannot be associated with sensitive natural resources

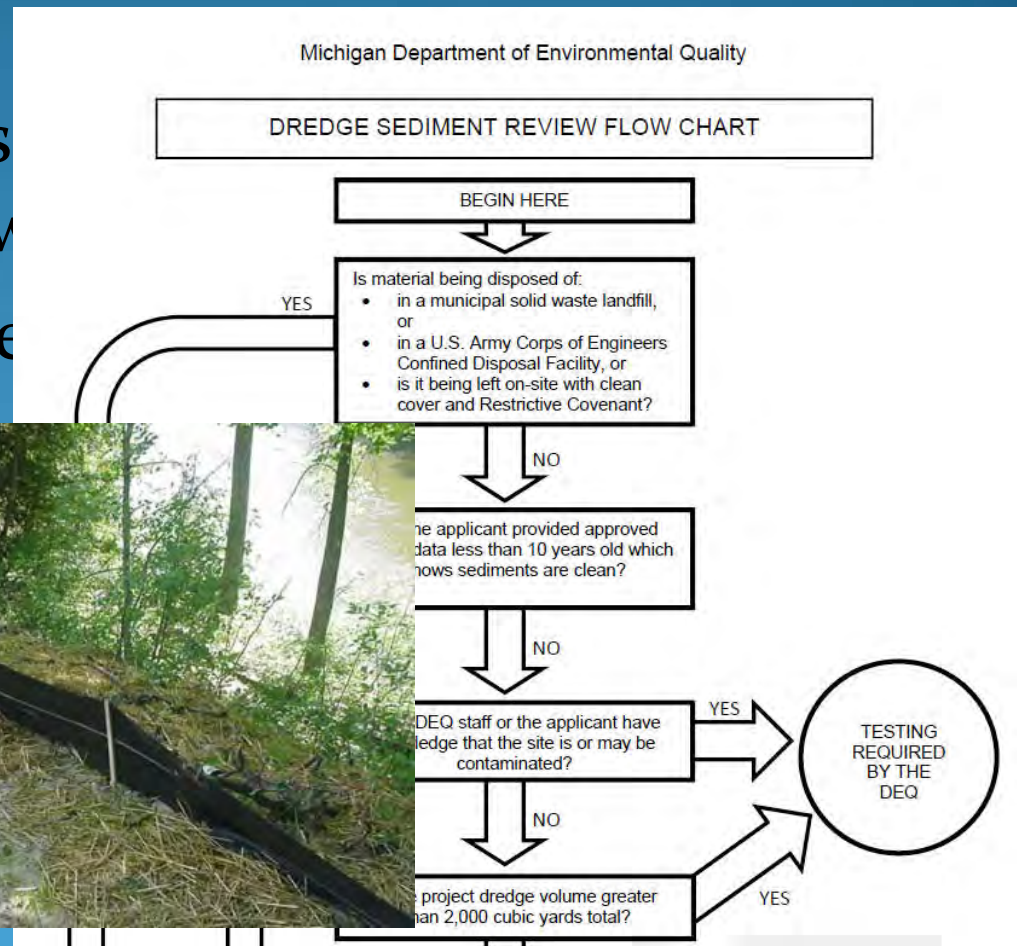
- Procedures in place to screen for state and federally listed threatened and endangered species:
 - Must notify MDEQ prior to activity if any state listed Threatened/Endangered species or their potential suitable habitat are present in the project area.
 - Does not qualify if the project has reasonable potential to affect federally listed species.



Snuffbox – State & Federally Listed Species

Up-front Restrictions & Screening

- Areas where sediment testing is required by DEQ does not fit category
- Must use only species in wetlands and below
- Must provide proper e



Best Management Practices

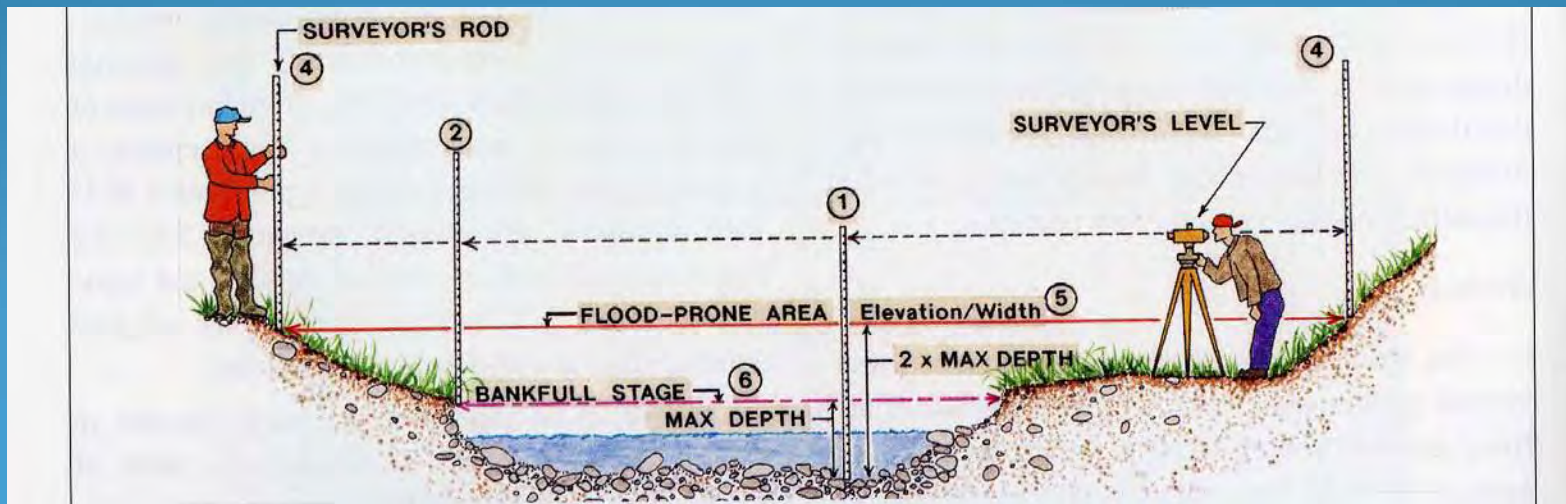
Examples

Bankfull Calculations

Match Stream Slope

Burial of Culverts

Proper Alignment with Stream Flow



GP Activities Covered

Clear Span Bridges

- New or replacement
- Minimum 1.2 x bankfull width for abutments or piers
- Lowest elevation at or above natural ground and spans bankfull
- Passage of watercraft
- Anchored



GP Activities Covered

Culvert End Sections, Headwalls, and Wingwalls

- New or replacement
- End area equal to or greater than existing structure
- Maximum 12 feet on each end
- Set at or below stream bottom; not perched
- Riprap allowed within 25 feet



GP Activities Covered

Installation of New and Replacement Culverts

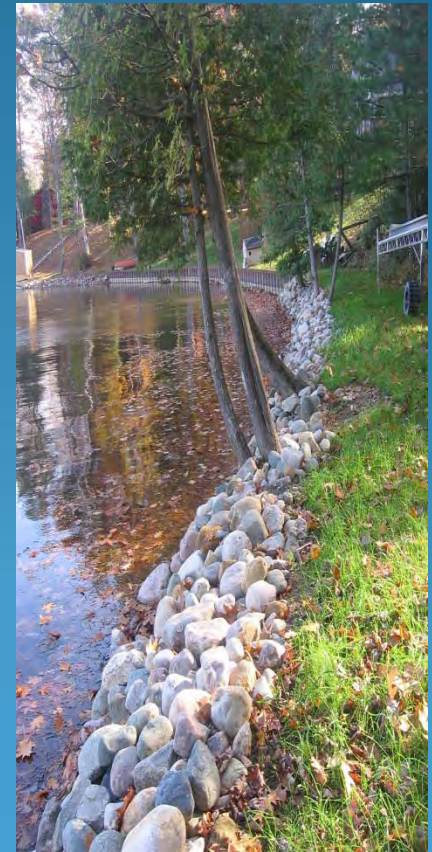
- ❖ For new culverts up to 100 feet in length
- ❖ For replacement culverts extending >24 feet; total culvert length cannot be >100 feet

Short culverts: $\leq 6'$ span and up to 30' length, 8 new per drain project
Long culverts: $\leq 100'$ length each, total of $< 300'$ per drain project

Requirements: spans bankfull width, bottomless or buried to specifications, aligned with stream flow, riprap no more than 25 feet from each end

GP Activities Covered

- **Riprap:** <1,000 lf per drain project for toe protection, spillways, and other preventative measures
 - Sized based on velocity
 - < 1 cubic yard per lineal foot
 - Recessed to match bank and bottom grade
 - No over-excavation



GP Activities Covered

Drain Realignments: up to 300 linear feet per drain project **necessary for transportation safety**

- Runs parallel to the road
- Within drain or road ROW
- Match dimensions of existing drain
- Retain same slope and bed features



GP Activities Covered

Installation of Vanes: cross vanes, j-hooks, and rock vanes for grade control and streambank stabilization, that are compatible with dimension, pattern, profile and bed features

- Very specific design elements and criteria!



GP Activities Covered

Two activities dealing with Part 303 (wetlands)

- **Wetland Equalizer Culverts**
 - Minimum 18 inches diameter
 - Buried 20% culvert diameter
 - Provides free flow and shall not increase wetland drainage
- **Minor repair/stabilization of streambanks above OHWM**
 - Placement of up to 5 cubic yards of fill per repair

QUESTIONS?

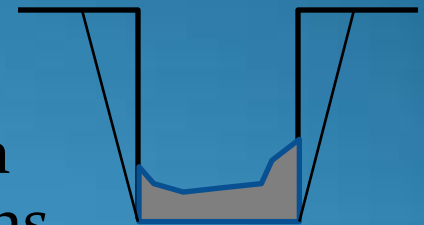
For more program info see:

- Permit Application – www.mi.gov/jointpermit
- Wetlands Protection - www.mi.gov/wetlands
- Inland Lakes and Streams – www.mi.gov/deqinlandlakes
- Great Lakes – www.mi.gov/deqgreatlakes
- On-line Tracking System for Joint Permit Applications (CIWPIS) - www.deq.state.mi.us/ciwpis/

Exempt Activities

Drains legally established under Drain Code prior to 1973 OR under a permit.

- Excavation of accumulated sediments back to original contours (no straightening, deepening, or widening)
- Reshaping side slopes
- Bank stabilization to prevent erosion with compatible materials to existing conditions
- Armoring, lining, piping of previously treated areas
- Replacement of control structures (weirs, etc) without increasing capacity of drain
- Repair of stabilization structures such as cross vanes, log revetments, etc.



Exempt Activities

- Culvert replacement, including culvert extensions of not more than 24 additional feet
- Emergency reconstruction of recently damaged parts of the drain
- Placement of spoils in previous spoils areas
- Maintenance of a drain does not include any modification that results in additional wetland drainage or conversion of a wetland to a use to which it was not previously subject