

Fabius Township
St. Joseph County, Michigan

Environmental & Wetlands Protection Advisory Committee

Dear Property Owner:

This letter is sent to you because you are listed as an owner of property that possibly contains or is adjacent to a protected wetland. It is important that you educate yourself about the importance of wetlands, the need to protect them, permit requirements at the state and township levels, and penalties for performing work without a permit. Properly protecting wetlands on your property may increase your property value and enhance local water quality.

Please take a moment to read the enclosed brochure provided by the Michigan Department of Environmental Quality entitled, "A Property Owner's Guide to Wetland Protection in Michigan".

Wetlands are a desirable, irreplaceable natural resource, and it has been estimated that nearly 35% of Fabius Township's land area contains wetlands. ~~Wetlands are part of the balance of a healthy environment; they are complex systems that serve vital ecological functions and provide many benefits to the communities in which they are found. Yet more than 40% of the wetlands that were present in Michigan at the time the territory was made a state have disappeared by filling, dredging or other destructive procedures.~~ We are dedicated to enforcing the ordinance that has been carefully created here in Fabius Township!

Because wetlands are so critical there are Federal, State, County and Township laws protecting these abundant resources. Affected property owners are subject to regulations under the State of Michigan Statutes and the Fabius Township Wetlands Protection Ordinance. State and federal laws also regulate many activities under the Inland Lakes and Streams Act. In addition, Soil Erosion permits may be required from the St. Joseph County Soil Conservation District for work performed on your property.

The State of Michigan and Fabius Township Wetland Protection laws are not the same; hence, permits may be required from one or the other, and are often required from both the State of Michigan and Fabius Township if wetlands are involved. Obtaining a permit from the State, County or Township does not excuse the lack of any other required permits. All persons are responsible for determining whether State, County or Township permits are required, and to obtain the necessary permits BEFORE commencing on any regulated activity.

The Township Wetlands Protection Ordinance controls most activities that might occur in or near wetlands, lakes, streams or ponds. Buffer zones of 25 feet around the outside edge of wetlands are required; they also serve as barriers to geese and reduce the cost and effort required for yard maintenance. One of the worst contributors to algae and weed growth - which can eventually ruin a lake - is phosphorus loading from turf lawns. Information on landscaping around wetlands to preserve water quality is available by contacting a Township official, a qualified professional, or by checking the internet at: www.shoreline.msu.edu.

Regulated activities include, but are not limited to, construction, digging, filling, sanding, changing land or drainage, changing the banks of a lake or stream or wetland. Examples of prohibited activities include dumping yard waste, grass clippings, leaves or dirt to fill along a regulated lake, stream or wetland, or digging out the muck and plants or dumping sand to make a yard, beach or swimming area without the needed permit(s).

Also, just because there are no water and wetland soil types and plant species present does not mean the area is not regulated. If the area was once a wetland (as identified by the National Wetland Inventory or local aerial photos) but has been illegally altered it is still protected. Please contact a Township official if you want more information in this regard.

Prohibited activities done without a permit, or in excess of what a permit allows, are illegal. Stiff penalties apply to land owners as well as to their contractors, agents and employees who engage in prohibited activities. ~~Violations of wetland protection laws, including the spreading of aquaeide or other aquatic herbicides in the waters of township lakes carry possible civil and criminal penalties; these include stop work orders, jail time, fines, as well as the obligation to restore damaged wetlands.~~ One purpose of this letter and the enclosed brochure is to avoid problems that may be regretted if you remain uninformed!

Copies of the Fabius Township Wetland Protection Ordinance and the Fabius Township Wetland Inventory Map may be reviewed at the Fabius Township Hall. The wetland inventories are good starting points for determining approximate locations and whether wetlands are likely to be affected. If the land is wet part or all of the year, chances are good that it is a wetland. Permit application forms may be obtained from Fabius Township Hall or online at: www.michigan.gov/jointpermit.

The same application form is used for both the State of Michigan and Fabius Township. The permit application fee for Fabius Township is \$100; the application fee for the State of Michigan varies depending on the circumstances. More information is also available from the State of Michigan DEQ.

If you have any questions after reading the enclosed brochure – or if you observe what may be a violation of any wetland protection laws, please immediately contact Tony Vaicus, Township Zoning Administrator (269-624-6387) or any other Township official. A directory of Township officials is available online at: www.fabiustownship.org.

We thank you, as do your fellow citizens who care about maintaining a high level of quality wildlife habitats, lakes, streams, wetlands and groundwater in our Fabius Township. Working together we will continue to maintain and improve the wonderful rural environment that we have been blessed with.

Sincerely yours,

John L. Barnes, Chairman

Fabius Township Hall – 13108 Broadway Road – Three Rivers, MI 49093