

Water Quality - Comparison of Preliminary Draft & Current MRCCA Standards

Notes:

- The preliminary draft standards in this table were presented at the work group meeting on August 12, 2010. While the format has changed to aid comparisons, the content of the preliminary draft standards has not changed.
- The DNR is revising the proposed districts and preliminary draft standards based on input from work group members, LGUs, other agencies, and the public.
- For proposed district boundaries, refer to the proposed MRCCA district maps for your area. For current district boundaries, refer to the **EO 79-19 District Map**. All maps are available on the MRCCA rulemaking project website.

Sheet 3: Water Quality

	Standard Type	Preliminary Draft Standards	Executive Order 79-19 Current Standards & Guidelines <i>(Currently in effect; all local plans and ordinances must be consistent with these standards and guidelines.)</i>	Interim Development Regulations (IDR) <i>(EO 79-19 provided the IDRs as temporary standards until local MRCCA ordinances were approved by the EQB. Hastings, Brooklyn Center, and a small area in Hennepin County are still subject to the IDRs because they do not have approved MRCCA ordinances. The DNR used some of the IDRs in drafting new MRCCA rules, and some LGUs have used portions of the IDRs in their current ordinances. The IDRs are provided here for reference. Local ordinances, which vary widely, will contain the current effective standards in any given community.)</i>
Compliance with Other Agency Regulations	MPCA	All projects/activities must meet or exceed MN Rules 7050 , 7053 , and 7090 which includes: <ul style="list-style-type: none"> • Water Quality Standards • Effluent limit and treatment requirements • Stormwater regulation including standards such as: <ul style="list-style-type: none"> ○ Permits required for greater than one acre of disturbance, ○ BMPS that remove > 80% TSS, & > 50% TP. • The following manuals are adopted by reference: <ul style="list-style-type: none"> ○ The Minnesota Stormwater Manual, Minnesota Pollution Control Agency (2005), and as subsequently amended ○ Protecting Water Quality in Urban Areas, Minnesota Pollution Control Agency (2000), and as subsequently amended. 	No standards or guidelines in EO 79-19	No standards in the IDR
	Watershed Districts/ Watershed Management Organizations	All projects/activities must meet or exceed MN Statutes 103B.235 and MN Rules 8410 . <ul style="list-style-type: none"> • LGU Local Water Management Plans, capital improvement programs and official controls must comply with Watershed District/Water Management Organizations rules. 		
	Met Council	All projects/activities must meet or exceed the Metropolitan Council's 2030 Water Resources Management Policy Plan . <ul style="list-style-type: none"> • LGU comprehensive plans must include a local water management plan. Example standard: <ul style="list-style-type: none"> ○ Requires infiltration of the first 1/2" of runoff from new impervious surfaces. 		
Wetland Protection		All projects/activities must meet or exceed MN Rules 8420 . Wetland protection is required	Each local unit of government within the river corridor shall prepare plans and regulations to protect environmentally sensitive areas in accordance with the following guidelines. <ol style="list-style-type: none"> a. Each local unit of government shall, with the assistance of the Metropolitan Council and state agencies: <ol style="list-style-type: none"> 1) Identify and prepare an inventory of: <ol style="list-style-type: none"> (b) wetlands, (3) Prepare plans and regulations to protect wetlands; 	See <i>Sheets 5a: Uses & 5b: Facilities</i>

	Standard Type	Preliminary Draft Standards	Executive Order 79-19 Current Standards & Guidelines <i>(Currently in effect; all local plans and ordinances must be consistent with these standards and guidelines.)</i>	Interim Development Regulations (IDR) <i>(EO 79-19 provided the IDRs as temporary standards until local MRCCA ordinances were approved by the EQB. Hastings, Brooklyn Center, and a small area in Hennepin County are still subject to the IDRs because they do not have approved MRCCA ordinances. The DNR used some of the IDRs in drafting new MRCCA rules, and some LGUs have used portions of the IDRs in their current ordinances. The IDRs are provided here for reference. Local ordinances, which vary widely, will contain the current effective standards in any given community.)</i>
Stormwater	Impervious Surface Coverage (ISC) Performance Standards	<p>LGUs that have an approved and adopted stormwater and erosion and sediment control ordinance per 103B.235 may use performance based stormwater management.</p> <ul style="list-style-type: none"> The ISC limit for residential, commercial and industrial lots may be the same as for underlying zoning. For all development and redevelopment creating more than 3000 square feet of impervious, the LGU must require permanent treatment of 1" of runoff from the impervious surface. <ul style="list-style-type: none"> Volume reduction techniques are priority. Stormwater management BMPs must be consistent with the latest Minnesota Stormwater Manual. 	<p>C.1. Each local unit of government within the river corridor shall prepare plans and regulations to protect environmentally sensitive areas in accordance with the following guidelines.</p> <p>a. Each local unit of government shall, with the assistance of the Metropolitan Council and state agencies:</p> <p>(5) Prepare plans and regulations to minimize direct overland runoff and improve the quality of runoff onto adjoining streets and watercourses;</p>	No standards in the IDR
	Impervious Surface Coverage (ISC) Limits	<p>For LGUs without an approved and adopted stormwater and erosion and sediment control ordinance per: 103B.235:</p> <ul style="list-style-type: none"> Impervious limits apply as provided in Sheet 1 - Dimensional Standards by District. Permanent treatment of 1" of runoff from the impervious surfaces created by development with >10,000 square feet of impervious is required in addition to the ISC limits. BMP design, installation, and maintenance must use standards provided in the latest Minnesota Stormwater Manual. 		
Land Alteration	Grading, Fill, & Disturbance within the Shore Impact Zone (SIZ)	Within the Shore Impact Zone (SIZ) , grading and filling of >10 cubic yards of material and an area >250 square feet is permitted only if a plan for erosion control, storm water management, and shoreline buffer restoration is approved by the LGU and effectively implemented.	<p>C.1. Each local unit of government within the river corridor shall prepare plans and regulations to protect environmentally sensitive areas in accordance with the following guidelines.</p> <p>a. Each local unit of government shall, with the assistance of the Metropolitan Council and state agencies:</p> <p>(1) Identify and prepare an inventory of:</p> <ul style="list-style-type: none"> (c) slopes from 12% to 18% and over 18%, (d) soils not suitable for urban development onsite waste disposal, (e) significant vegetative stands, and (f) natural drainage routes. <p>(4) Prepare plans and regulations to protect bluffs greater than 18% and to provide conditions for the development of bluffs between 18% and 12% slopes;</p> <p>(5) Prepare plans and regulations to minimize direct overland runoff and improve the quality of runoff onto adjoining streets and watercourses;</p> <p>(6) Prepare plans and regulations to minimize site alteration and for beach and riverbank erosion control;</p> <p>(7) Prepare regulations for management of vegetative cutting</p> <p>Continued next page...</p>	<p>E. Earthwork and Vegetation</p> <p>1. In all districts, the following provisions shall apply to grading and filling:</p> <p>a. Grading, filling, excavating, or otherwise changing the topography landward of the ordinary high water mark shall not be conducted without a permit from the local authority. A permit may be issued only if:</p> <ul style="list-style-type: none"> (1) earthmoving, erosion, vegetative cutting, and the destruction of natural amenities is minimized; (2) the smallest amount of ground is exposed for as short a time as feasible; (3) temporary ground cover, such as mulch, is used and permanent ground cover, such as sod is planted; (4) methods to prevent erosion and trap sediment are employed; and (5) fill is established to accepted engineering standards. <p>b. A separate grading and filling permit is not required for grading, filling, or excavating the minimum area necessary for a building site, essential services, sewage disposal systems, and private road and parking areas undertaken pursuant to a validly issued building permit.</p>
	Grading, Fill, & Disturbance prohibited in Slope Preservation Zone (SPZ)	Fill, excavations, grading, and other land disturbing activities shall be prohibited in slope preservation zones with specified exceptions.*		
	Erosion & Sediment Control Required	<p>Erosion and sediment control technologies shall be required for any land disturbing activity that disturbs a total land surface area of 3,000 sq ft or more.</p> <p>All technologies deployed shall be consistent with the latest Protecting Water Quality in Urban Areas Manual.</p> <ul style="list-style-type: none"> Temporary and permanent erosion and sediment control is required. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. 		

<p>Rock Riprap & Retaining Walls</p>	<p>Placement of rip rap, retaining walls, and sand blankets below the OHWL requires a DNR permit, and must comply with MN Rules 6115.0211, Subp. 5.</p> <p>Above the OHWL, placement or replacement of retaining walls, rip rap, or other impervious cover requires a permit from the LGU and must meet design, construction, and maintenance standards. LGU permit issuance is contingent upon the existing or expected erosion problems precluding the use of bioengineering techniques.</p> <p>Rock riprap, boulder walls and retaining walls within the SIZ and SPZ shall only be used for the correction of an established erosion problem (as determined by a PE, and/or person with certification in erosion control) that cannot be controlled through the use of vegetation, slope stabilization using mulch, biomat, or similar bioengineered means.</p>		<p>C.2. a. Site Plans. Site plans shall be required to meet the following guidelines:</p> <ol style="list-style-type: none"> (1) New development and expansion shall be permitted only after the approval of site plans which adequately assess and minimize adverse effects and maximize beneficial effects. (2) Site plans shall be required for all developments for which a development permit is required, except for the modification of an existing single-family residential structure or the construction of one single-family residence. (3) Site plans shall include, but not be limited to, the submission of an adequate and detailed description of the project, including activities undertaken to ensure consistency with the objectives of the Designation Order; maps which specify soil types, topography, and the expected physical changes in the site as the result of the development; the measures which address adverse environmental effects. (4) Site plans shall include standards to ensure that structure, road, screening, landscaping, construction placement, maintenance, and storm water runoff are compatible with the character and use of the river corridor in that district. (5) Site plans shall provide opportunities for open space establishment and for public viewing of the river corridor whenever applicable, and shall contain specific conditions with regard to buffering, landscaping, and revegetation. <p>b. Structure site and location shall be regulated to ensure that riverbanks, bluffs and scenic overlooks remain in their natural state, and to minimize interference with views of and from the river, except for specific uses requiring river access.</p> <p>e. Existing Development. Local plans and regulations shall include provisions to:</p> <ol style="list-style-type: none"> (1) Retain existing vegetation and landscaping. 	<p>I. Administration</p> <ol style="list-style-type: none"> 1. Local units of government and regional and state agencies shall notify the Council of the following types of proposed development within the Mississippi River Corridor: <ol style="list-style-type: none"> e. Any development on or involving the alteration of: <ol style="list-style-type: none"> (4) a slope of greater than 12 percent; (5) the removal of 5 contiguous acres or more of vegetative cover; (6) the grading or filling of 20 contiguous acres of land; (7) the deposit of dredge spoil; (8) more than 50 linear feet of a riverbank. h. Any development which would result in the discharge of water into or withdrawal of water from the Mississippi River which would require a state permit.
<p>Riverbank Stabilization / Alteration</p>	<p>No person shall install an improvement to prevent erosion or alteration of the riverbank of the Mississippi River, including but not limited to a bioengineered installation, riprap, a retaining wall, a sand-blanket or a boat ramp, without first securing a permit. (Below the OHWL a DNR permit is required; above the OHWL a permit is required from the LGU.) Planting of vegetation does not require a permit.</p>			

* Exceptions: extractive uses pursuant to part [6120.3300, subp. 9](#), and placement of stairways, chair lifts, and associated landings

Preliminary Draft Definitions

Shore Impact Zone (SIZ) = land located between the OHWL and a line parallel to it as ½ the required structure setback from the OHWL, but not less than 50'. The SIZ is 50' landward of the OHWL in agricultural areas.

Slope Preservation Zone (SPZ) = land on and within 20' of bluffs and very steep slopes.