

0.0 DEFINITIONS

For the purposes of these Rules, the following words have the meanings set forth below.

References in these Rules to specific sections of the Minnesota Statutes include any amendments, revisions or recodification of those sections.

“Agricultural activity” means the use of land for the production of agronomic, horticultural, or silvicultural crops, including nursery stock, sod, fruits, vegetables, flowers, forages, cover crops, grains, hay fields, aquatic plants, and Christmas trees. Agricultural activity also includes animal husbandry and grazing. Agricultural activity does not include grading and creating impervious surfaces related to retail space and event venues.

“Basement” means any area of a structure, including crawl spaces, having its floor or base below ground level on all four sides, regardless of the depth of the excavation below ground level.

“Best Management Practices (BMPs)” means measures taken to control impacts from stormwater runoff on the receiving water or groundwater. BMP specifications for design and construction follow, in order of priority, the Minnesota Stormwater Manual (MPCA, 2005); Protecting Water Quality in Urban Areas (MPCA, 2000); and Minnesota Construction Site Erosion and Sediment Control Planning Handbook (BWSR, 1988); as amended, revised or supplemented.

“Better site design practices” means development design oriented to conserve natural areas, limit hard cover, use natural pervious areas, and integrate stormwater management features to manage stormwater runoff more effectively.

“Bioengineering” means the use of vegetation and organic or inorganic materials to stabilize shorelines and streambanks.

“Biofiltration” means a series of biological and physical processes that remove particles from water.

“Bounce” means the difference in water surface elevation between the outlet or normal water elevation and the peak water surface elevation following a rainfall event.

“Buffer” means an upland area adjacent to a lake, stream or wetland that is maintained at or restored to an acceptable diversity and density of native vegetation as determined by the District.

“Critical duration flood event” means the 100-year precipitation or snow melt event with a duration resulting in the maximum 100-year return period water surface elevation. The critical duration flood event is generally either the 100-year, 24-hour rainfall event as found in NOAA Atlas 14 or the ten-day snow melt event assumed to be 7.2 inches of runoff occurring on frozen ground (CN=100); however, other durations (e.g., 6-hour) may result in the maximum 100-year return period water surface elevation.

“Dewatering” means the removal of water from an excavated or natural depression.

“Distributed CN-value approach” means an approach that assigns a curve number to each distinct land use to reflect the volume and timing of site-generated runoff more accurately. Impervious surfaces directly connected to stormwater conveyances may not be grouped with disconnected impervious and pervious areas for calculation of drainage area curve numbers.

“District” means the Carnelian-Marine-St. Croix Watershed District.

“Drainageway” means a channel or swale with intermittent, periodic, or occasional flow.

“Extended detention” means the storage of runoff in a basin, above the required (infiltration) retention pool, for the purposes of rate control, downstream channel protection and water quality treatment.

“Facility” means any part of a natural or constructed system that is proposed as part of a stormwater management plan to meet a standard of section 2.4.

“Feasible” means technically achievable at a cost not substantially disproportionate to the stormwater management benefit to be gained, in the District’s determination.

“Filtration” means a series of processes that physically removes particles from water.

“Floodplain” means the area adjoining a watercourse, or a natural or constructed water basin, including the area around lakes, rivers, wetlands, stormwater ponds, depressions, and intermittent and perennial streams, that is inundated by the critical duration flood event.

“Groundwater-Dependent Natural Resource” (GDNR) means a feature with surface emergence of groundwater at a spring or seepage area, sufficiently mineral rich to support a plant community or aquatic ecosystem listed in the Appendix to these Definitions. A map of currently identified groundwater-dependent natural resources is found in Appendix 2.1.

“Hot Spot” means a land use that is inherently of higher risk to become a point source for stormwater pollution. Examples of such land uses include, but are not limited to, gas stations, chemical storage facilities, industrial sites, and transportation depots.

“Hydrologic regime” means the seasonal pattern of wetland water level that is like a hydrologic signature of each wetland type. It defines the rise and fall of a wetland’s surface and subsurface water.

“Impervious surface” means a compacted surface, or a surface covered with material (i.e., gravel, asphalt, concrete, Class 5, etc.) that increases the depth of runoff compared to natural soils and land cover. Including but not limited to roads, driveways, parking areas, sidewalks and trails, patios, tennis courts, basketball courts, swimming pools, building roofs, covered decks, and other structures.

“Lake” within the District, means water bodies identified as “Public Waters” under Minn. Stat. §103G.005, subd. 15.

"Land disturbance" means any change of the land surface, including removing vegetative cover, excavation, fill, grading, stock piling soil, and the construction of any structure that may cause or contribute to erosion or the movement of sediment into waterbodies. The use of land for new or continuing agricultural activity, home gardens, and landscaping adjacent to existing structures shall not constitute a land-disturbing activity under these Rules. Also, roadway mill and overlay and routine vegetation management activities shall not constitute a land-disturbing activity under these Rules.

"Landlocked basin" means a basin or localized depression that is one acre or more in size that does not have a natural outlet at or below the water elevation of the 10-day runoff event with a 100-year return frequency (7.2-inch runoff event), using the 2011 LiDAR generated Digital Elevation Model for the pre-event elevation.

"Lowest floor elevation" means the lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor.

"Management Category 1" means High Quality/Highest Priority Wetlands. Refer to APPENDIX 0.2 for additional detail.

"Management Category 2" means Stream Corridor and Shoreland Wetlands that are not a Management Category 1. Refer to APPENDIX 0.2 for additional detail.

"Management Category 3" means Isolated Wetlands that are not a Management Category 1 or 2. Refer to APPENDIX 0.2 for additional detail.

"Management Category 4" means Utilized Wetlands. Refer to APPENDIX 0.2 for additional detail.

"Mapped natural community" means a natural community identified in "Natural Communities and Rare Species Map for Washington County" (Minnesota Department of Natural Resources, Natural Heritage Program, 1990), or in a natural resources inventory using the same protocol as established by the Minnesota Department of Natural Resources.

"Middle zone" is a vegetative buffer zone that extends from the upland edge of the streamside zone to the interior edge of the outer zone of a watercourse.

"Mill and overlay" is the removal of the top layer of bituminous pavement of a roadway or street by the grinding action of a large milling machine, followed by the placement of a new layer of bituminous or concrete pavement.

"Multi-family residential" means apartment, townhouse, or twin home complexes.

"Natural environment lake" means a lake so designated by the Minnesota DNR pursuant to Minn. Rules chapter 6120.3000.

“NURP standard” means the design criteria developed pursuant to the Nationwide Urban Runoff Program (U.S. EPA, 1983) and published by the Minnesota Pollution Control Agency in “Protecting Water Quality in Urban Areas 1991” (sections 4.1-4 through 4.1-7), as may be amended.

“Ordinary high-water level” or “OHWL” means the boundary of a public water or wetland and is an elevation indicating the highest water level that has been maintained for a sufficient period of time to leave evidence on the landscape, commonly indicated by a change from predominantly aquatic to predominantly terrestrial vegetation. For watercourses, the ordinary high-water level is the elevation of the top of bank of the channel. For basins and flowages, it is the operating elevation of the summer pool. The Minnesota DNR makes all official determinations of ordinary high-water levels.

“Outer zone” is a vegetative buffer zone that extends from the upland edge of the middle zone of a watercourse to a point specified in these rules.

“Person” means any natural person, partnership, unincorporated association, corporation, limited liability company, municipal corporation, state agency, or political subdivision of the State of Minnesota.

“Public water” has the definition at Minn. Stat. §103G.005, subd. 15.

“Pre-development” means soil permeability conditions at the time preceding the proposed creation of impervious surface or substantial change in site hydrology or infiltration by alteration of site vegetation or contour, as calculated in accordance with sub-section 2.5.3.

“Receiving water” means the first of the following types of surface waters encountered by stormwater flow from the site: a lake or stream designated as public water pursuant to Minn. Stat. §103G.005, subd. 15, as amended; or a wetland.

“Reconstruction” means the rebuilding, repair or alteration of a structure, surface, or facility for which the cost would equal or exceed 50 percent of the replacement cost.

“Recreational development lake” means a lake so designated by the Minnesota DNR pursuant to Minn. Rules chapter 6120.3000.

“Redevelopment” means any proposal to re-subdivide land, or any land-disturbing activity or addition of impervious surface to a developed site.

“Regional facility” means a stormwater management facility designed to manage the stormwater runoff from five or more parcels.

“Revegetation” means the planting of native species.

“Seasonal high-water table” means the highest groundwater elevation expected on a seasonal basis.

“Shore impact zone” means land located between the OHWL of a public water and a line parallel to it at a setback of 50 percent of the structure setback applicable under the governing shoreland ordinance.

“Steep slope” means land with an average slope exceeding 12 percent over a distance of 50 feet or more upgradient of a water resource, calculated using a reasonably precise topographic surface model.

“Stream” means watercourses identified as “Public Waters” under Minn. Stat. §103G.005, Subd. 15 or identified as a Spring Creek in the Lower St. Croix River Spring Creek Stewardship Plan (Nov 2003, EOR).

“Stream buffer zone” means a streamside zone, middle zone, or outer zone.

“Streamside zone” is a vegetative buffer zone that extends from the ordinary high-water mark of a watercourse to the interior edge of the middle zone.

“Structure” means anything that is constructed or placed on the ground and that is, or is intended, to remain for longer than a brief, temporary period of time.

“Subdivision” means the separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations: where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and at least 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses; creating cemetery lots; resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary.

“Subwatershed” means the drainage area of the receiving water for the site.

“Utility” means a service, or part thereof, that conveys water, wastewater, steam, gas, electricity, telephone, or a similar commodity or service, including but not limited to cable access television and data transmission lines, but excluding stormwater management facilities.

“Waterbody” means a watercourse or waterbasin.

“Waterbasin” means an enclosed natural depression with definable banks, capable of retaining water.

“Watercourse” means a natural channel that has definable beds and banks capable of conducting confined runoff from adjacent land.

“Wet detention” means the storage of runoff in a basin, in the permanent pool below the outlet control structure, to allow for settling of particles.

“Wetland” means land transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. A wetland (a) is predominated by hydric soils; (b) is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (c) under normal circumstances, supports a prevalence of

hydrophytic vegetation. A wetland is a waterbasin if it meets the definition of that term.

“Wetland treatment system” means a constructed basin designed to replicate the physical and biological mechanisms for nutrient and sediment removal inherent of a natural wetland.