

SHORELINE ALTERATIONS

Introduction

Current MN Statute (1988 NSMP)

NONE

2016 Proposed Change

Introduction

This section attempts to represent increased efforts in the past 15 years managing wetlands and in encouraging quality stormwater management.

The passage of the Minnesota Wetland Conservation Act (WCA) was a significant event in wetland management. Local units of government are responsible for implementing the standards contained in WCA. Some counties have done separate wetland management plans in addition to adding detailed language regarding wetlands to their zoning ordinances.

There has also been substantial focus on stormwater management since 1988. This section of the plan now contains a specific goal, objectives and policies regarding stormwater management. In addition, a set of Best Management Practices for stormwater management is included in Appendix F as a guide for local units of government.

It should be noted, additional map data on many of the following objectives can only be accessed via the online format of this plan.

2025 Proposed Change (update to MN Statute)

Goal

Current MN Statute (1988 NSMP)

To maintain the natural character of the North Shore as much as possible and minimize soil erosion while allowing for permitted development under the North Shore Management Plan.

2016 Proposed Change

To maintain the natural character of the North Shore as much as possible and minimize soil erosion while allowing for permitted development under the North Shore Management Plan. Alterations of vegetation and topography will be regulated to prevent erosion to public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, preserve corridor for movement of wildlife, protect fish and wildlife habitat, conserve cultural resources and to preserve the scenic and aesthetic character of

the shoreland. These Best Management Practices for shoreland alterations will protect the water quality of Lake Superior and will therefore sustain the economic values in the corridor.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Objective 1

Current MN Statute (1988 NSMP)

To maintain natural vegetative cover in so far as possible, the following policies shall apply. A vegetation management plan will be required for total vegetation removal of over 10,000 square feet or 25% of the lot area, whichever is lesser.

Policies

- a) Removal of woody vegetation shall be restricted on bluffs, steep slopes, and within the structure setback area (the area between vegetation line and structure setback line) to maintain stable soil conditions.
- b) Removal of woody vegetation shall be limited so as to screen structures, clear cuts, parked vehicles or other facilities from public roads and Lake Superior. Selective removal of woody vegetation shall be allowed to provide a reasonable view of the Lake from individual residences.
- c) All proposed clearcutting, whether by public utilities or private entities, shall be reviewed and approved by the local unit of government and shall be carried out consistent with this plan.
- d) Woody vegetation shall be preserved as much as possible along D.N.R. designated trout streams to provide for shade coverage, thereby maintaining lower stream temperatures.
- e) Private forest management including pruning, trimming, and planting of vegetation shall be encouraged through consultation with D.N.R., Agriculture Extension, or other appropriate agencies.
- f) Private driveways shall blend into the existing terrain as much as possible and public utility lines to private landowners shall be buried if at all possible.
- g) Significant public view corridors from public rights of way to Lake Superior or unique uphill features should be identified and vegetation removal be encouraged to enhance these views. A plan for vegetation alterations for each should be developed and clear cutting is specifically discouraged for this purpose.

2016 Proposed Change

Vegetation Management

To manage vegetation according to applicable statutes with regard to maintaining critical areas, limiting clear cuts, allowing for some selective removal for view purposes, and providing appropriate screening of views from the lake perspective.

To maintain natural vegetative cover in so far as possible, the following policies shall apply:

Policies

- a) A vegetation management plan will be required for total vegetation removal of over 10,000 square feet or 25% of lot area, whichever is lesser.
- b) Vegetation shall be maintained on bluffs, steep slopes, and within the shore impact zone (the area within 50 feet of the vegetation line) in order to maintain stable soil conditions.
- c) Removal of vegetation shall be limited so as to screen structures, clear cuts, parked vehicles, or other facilities from public roads and Lake Superior. Selective removal of vegetation shall be allowed to provide a reasonable view of the Lake from individual residences with an emphasis on avoiding removal in the shore impact zone. The shore impact zone is defined as the area within 50 feet of the vegetation line.
- d) All proposed clearcutting, shall be reviewed and approved by the local unit of government and shall be carried out consistent with this plan. Clearcutting in the shore impact zone is not allowed.
- e) Vegetation shall be preserved as much as possible along North Shore streams to provide for shade coverage, thereby maintaining lower stream temperatures.
- f) Private forest management including pruning, trimming, and planting of vegetation shall be encouraged through consultation with the DNR, Extension Service, or other appropriate agencies.
- g) Private driveways shall blend into the existing terrain as much as possible and public utility lines to private landowners shall be buried if at all possible.
- h) Significant public view corridors from public rights of way to Lake Superior or unique uphill features should be identified and vegetation removal encouraged to enhance these views. A plan for vegetation alterations for each should be developed and clear cutting is specifically discouraged for this purpose.
- i) The NSMB will encourage a project to produce a model ordinance that will create vegetation removal and screening standards, with a focus on quantifying the standards and defining appropriate vegetation types for revegetation when necessary. This project will need to balance the need for local units to have flexibility with the need for a shorewide exchange of ideas regarding vegetation management techniques.
- j) Local units of government should provide landowners information on how to make preservation of vegetation part of the covenants for newly platted lots.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Objective 2

Current MN Statute (1988 NSMP)

To maintain wetlands.

Policies

- a) Alterations to wetlands shall not be permitted unless part of an approved site development plan. Any alterations shall be first permitted by the D.N.R. and U.S. Army Corps of Engineers as required.
- b) Alterations to wetlands, if permitted, shall require suitable mitigation.
- c) Wetlands shall be identified on the site development plan.

2016 Proposed Change

Wetlands

To maintain and protect Minnesota's wetlands and the benefits they provide through local administration and enforcement of the Minnesota Wetland Conservation Act.

Policies

- a) Anyone proposing to drain, fill, or excavate a wetland must first try to avoid disturbing the wetland.
- b) Any impacts to wetlands must be minimized as much as possible.
- c) Any lost wetland acres, functions, and values must be replaced according to the wetland management strategies employed by local units of government under the auspices of the WCA.
- d) Wetlands shall be identified on site development plans.
- e) Wetlands on the North Shore should be defined, identified, and inventoried and offered special consideration in determining their functional value. These wetlands may be small to be noted on existing maps.
- f) Raise the awareness of natural resource management options that are permitted strategies for wetland mitigation

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Objective X

Current MN Statute (1988 NSMP)

NONE

2016 Proposed Change

Storm Water Management

Minimize the impact of stormwater runoff through professionally designed storm water management plans.

Policies

a) Stormwater management plans shall be required for the following types of development

i) Whenever lot coverage by impervious surfaces is proposed to be 25 percent or more

ii) Planned Unit Development

b) Stormwater management plans should meet the following criteria:

i) All plans shall be approved by professional engineer licensed by the state of Minnesota

ii) Designed to ensure that there is no post-construction increase in the peak rate or volume of stormwater runoff

c) Local units of government should ask for assistance as needed from appropriate parties in reviewing storm water management plans. If not already in place, formal agreements should be created to facilitate such partnerships.

d) Utilize Best Management Practices to control post-development stormwater runoff quantity and quality.

Any increase in surface runoff resulting from new development or redevelopment within the North Shore Management Area shall be controlled so that post-development stormwater runoff quantity and quality do not exceed pre-development conditions. Stormwater management can be accomplished through the application of best management practices aimed at maintaining post-development runoff at pre-development levels.

Best Management Practices can be defined as physical, structural, and/or land management practices that, when used singly, or in combination, prevent or reduce pollution of water. Stormwater quality and quantity BMPs include source control, runoff treatment, and streambank erosion control. Source control BMPs aim to prevent pollution from occurring. Examples include using mulches to cover disturbed soils, re-seeding disturbed vegetation, enclosing outside storage areas, and other practices that prevent soil and other pollutants from being transported by runoff. Runoff treatment attempts to remove sediment and other pollutants from runoff once transport has begun. Runoff treatment BMPs include facilities that remove pollutants by gravity settling of suspended solids, filtration, biological uptake, and soil adsorption. Streambank erosion control BMPs typically control the rate, frequency and duration of stormwater runoff releases. Examples of runoff treatment and streambank erosion control BMPs include detention & retention ponds, biofiltration swales, infiltration ponds & trenches and dry vaults.

It should be noted that it is generally less expensive to prevent pollution of runoff using source control BMPs than it is to treat runoff once it has become polluted. However, since source controls cannot prevent all impacts, a combination of measures will always be needed. Sound watershed management requires that both structural and nonstructural measures be employed to mitigate negative impacts on stormwater runoff. For detailed information on suggested BMP's for water quantity treatment and water quality treatment, see the Appendix F.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Objective 3

Current MN Statute (1988 NSMP)

To maintain natural topography and minimize soil erosion, the following policies shall apply. An erosion and sediment control plan shall be required under the following circumstances: 1. for excavations exceeding 1,000 square feet or 100 cubic yards; 2. For fill exceeding 1,000 cubic yards and: 3. for any shoreland alteration exceeding 50 cubic yards within the structure setback area. Shoreland alterations done in connection with work authorized by a building or sewage disposal permit shall be exempt from the erosion control plan requirements.

Policies

- a) Erosion and sediment control plans shall be reviewed by the local Soil and Water Conservation District and approved by the local zoning office prior to the start of the land alteration work.
- b) Alterations must be designed and conducted in a manner which insures that only the smallest amount of bare ground is exposed for the shortest time possible.
- c) Mulches or similar materials must be used, where necessary, for temporary bare soil coverage and a permanent vegetative cover must be established as soon as possible.
- d) Methods to minimize soil erosion and to trap sediment before they reach any surface water feature must be used. Such methods shall be in place before development occurs.
- e) Altered areas must be stabilized to acceptable erosion control standards consistent with the Field Office Technical Guides of the local Soil and Water Conservation Districts and the U.S. Soil Conservation Service.
- f) Fill or excavated material must be stabilized to prevent erosion and slope failure.
- g) Fill or excavated material must not be placed on steep slopes, except as designed by qualified professionals.
- h) Approved permanent erosion control practices should be maintained.

2016 Proposed Change

Erosion Control

To maintain natural topography and minimize soil erosion, the following policies shall apply. An erosion and sediment control plan shall be required under the following circumstances:

- a) For land disturbances exceeding 1,000 square feet or 100 cubic yards
- b) For fill exceeding 1,000 cubic yards
- c) For any shoreland alteration exceeding 50 cubic yards within the structure setback area. Shoreland alterations done in connection with work authorized by a building or sewage disposal permit shall be exempt from the erosion control plan requirements.

Policies

- a) Erosion and sediment control plans shall be reviewed by the local Soil and Water Conservation District and approved by the local zoning office prior to the start of land alteration work.
- b) Alterations must be designed and conducted in a manner that insures that only the smallest amount of bare ground is exposed for the shortest time possible.
- c) Mulches or similar materials must be used, where necessary, for temporary bare soil coverage and a permanent vegetative cover must be established as soon as possible.
- d) Methods to minimize soil erosion and to trap sediment before they reach any surface water feature must be used. Such methods shall be in place before development occurs.

- e) Altered areas must be stabilized to acceptable erosion control standards consistent with Field Office Technical Guides of the local Soil and Water Conservation Districts and the U.S. Soil Conservation Service.
- f) Fill or excavated material must be stabilized to prevent erosion and slope failure.
- g) Fill or excavated material must not be placed on steep slopes, except as designed by qualified professionals.
- h) Approved permanent erosion control practices should be maintained.
- i) Any development that disturbs one acre or more of land and smaller sites that are part of a larger development disturbing one or more acre of land must obtain a combined National Pollutant Discharge Elimination System/State Disposal System permit from the Minnesota Pollution Control Agency.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Objective 4

Current MN Statute (1988 NSMP)

Alterations below the Ordinary High Water Level of lakes and streams shall follow accepted practices. Any alterations shall be first permitted by the D.N.R. and U.S. Army Corps of Engineers, as required.

2016 Proposed Change

Shoreline Alteration (5)

Alterations below the Ordinary High Water Level of lakes and streams shall follow accepted practices. Any alterations shall be first permitted by the responsible government entity, which may be the DNR, Army Corps of Engineers or local unit of government.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?

Objective 5

Current MN Statute (1988 NSMP)

To encourage restoration of disturbed areas along the North Shore where feasible.

Policies

- a) Utilize existing Soil and Water Conservation District Programs.
- b) Encourage new programs to beautify Minnesota's North Shore.

2016 Proposed Change

Shoreland Restoration (6)

To encourage restoration of disturbed areas along the North Shore where feasible.

Policies

- a) Utilize existing Soil and Water Conservation District Programs
- b) Encourage new programs to beautify Minnesota's North Shore.
- c) Develop partnership by working with the Minnesota Lake Superior Coastal Program, the Lake Superior Basin Plan, the Save Lake Superior Association and other public and private entities concerned with the protection and enhancement of the Lake Superior Coastal area.

2025 Proposed Change (update to MN Statute)

Do either of the 1988 or 2016 standards fulfill your needs? What changes would you propose to the 1988 standard (currently in MN Statute)?