

# **Requirements for Improvements and Development Proposals**

September 2015

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# 1.0 Introduction

This document was prepared to assist developers and consultants in designing and managing projects that conform with the policies of the 2015-2025 Watershed Management Plan (Plan) (September 2015). The Plan, as adopted by the Bassett Creek Watershed Management Commission (**BCWMC**), may be reviewed or obtained from the **BCWMC** website at <http://www.bassettcreekwmo.org/>.

This document outlines the requirements designed to achieve the **BCWMC**'s water quality, **rate control** and other goals. The **BCWMC** adopted MIDS (the performance goal, flexible treatment options, and MIDS calculator) as part of the Plan. This document reflects the current version of MIDS at the time of development of this document; the most current version of MIDS, as it may be amended, will apply to development reviews. It gives a complete listing of the development requirements, water quality control standards and design criteria that have been adopted by **BCWMC** and includes:

## 1. *Review Process*

- The nature of the review process and procedures
- Required submittals/exhibits
- Variance procedures
- Application form

## 2. *Types of projects that require a submittal for review*

## 3. *Development/redevelopment guidelines*

## 4. *Policies, standards and requirements*

- **Floodplain** requirements
- A description of the MIDS performance goals, flexible treatment options, and approved techniques and how they can be applied to meet **BCWMC** policies
- Requirements for construction erosion and **sediment control** plan
- **Wetland** and stream buffer requirements – note that the **BCWMC** does not review projects for compliance with buffer requirements; buffer requirements are enforced through member city local controls, which must meet the minimum requirements described herein
- Other requirements

Words and phrases used in this document that are included in the Definitions appendix are presented in **bold** text.

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## 2.0 Types of Projects to be Submitted for Review

All persons, municipalities, public agencies, or other agencies proposing improvements or developments within the Bassett Creek watershed shall submit sufficient information to the **BCWMC** to determine the effect that their proposal may have on the water resources of the watershed within the following guidelines. At the request of the member cities, the **BCWMC** will review plans for improvements or developments that would not otherwise trigger review. The types of improvements and development proposals that must be submitted to the **BCWMC** for review include:

### 2.1 Floodplains

Any proposal that would consist of a major alteration of existing structures, erection of new structures, filling, floodway encroachment, activities considered incompatible with acceptable **floodplain** uses or be subject to damage by the 1% (base flood elevation, 100-year) flood, and is located below the 1% (base flood elevation, 100-year flood) **floodplain** elevation included in the Plan (Table 2-9) must be submitted for **BCWMC** review. This section shall apply to structures such as bridges, footbridges, culverts, and pipe crossings of any nature, including sanitary sewer, water supply and electrical and telephone lines. Specific **floodplain** policies are included in Section 5.0. Temporary and permanent docks or boardwalks do not require review.

### 2.2 Floodplain Storage Sites

Any proposal within the limits of the proposed **floodplain** storage sites (inundation areas) established by the **BCWMC** Plan (Table 2-9, Figure 2-14) that may be in conflict with the minimum requirements as outlined in the Plan shall be submitted for **BCWMC** review.

### 2.3 Lakes, Streams, and Wetlands

Proposals that may affect the water surface elevation, outlet storage capability, shoreline or streambank, or be incompatible with existing or proposed land use around the lakes, streams, and **wetlands** in the Bassett Creek watershed shall be submitted for **BCWMC** review. The **BCWMC** will defer **wetland** issues in cases where the municipality acts as the local government unit (LGU) for administering the **Wetland** Conservation Act, unless its involvement is requested by the municipality.

### 2.4 Water Resources

Proposals that would alter water resources in the watershed, involve the discharge of industrial or other waste to any watercourse or storm sewer, require extensive land alteration, are directly tributary to the waterbodies of the watershed, or may otherwise affect the existing water quality shall be submitted for **BCWMC** review. In addition, the **BCWMC** shall be informed of the proposed application of chemicals or other treatments to lakes and ponds in the watershed.

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## 2.5 Diversion of Surface Water Runoff

Proposals to provide intra or inter watershed diversion that may affect flood levels, lake levels, or minimum streamflows in the watershed shall be submitted for **BCWMC** review.

## 2.6 Land Use Changes

Proposed changes in land use and zoning that affect stormwater management must be consistent with the **BCWMC** Plan, and must be submitted to the **BCWMC** for review prior to adoption by the member cities.

## 2.7 Appropriations

Ground or surface water appropriations that may temporarily or permanently alter the existing ground and surface water levels in the watershed shall be submitted for **BCWMC** review.

## 2.8 Utility Crossings and Bridges

The construction of utilities through or paralleling the defined trunk creek system or bridges across the **trunk system** that require disturbance of the bed or banks of the creek or the diversion of the creek shall be submitted for **BCWMC** review.

## 2.9 Department of Natural Resources (DNR) Permit Applications

Permit applications to the DNR for work in public waters, including supporting documentation, shall be submitted for **BCWMC** review.

## 2.10 Development/Redevelopment/Land Disturbance

### 2.10.1 Erosion and Sediment Control Review

Proposals that will result in more than 200 cubic yards of cut or fill or more than 10,000 square feet of **land disturbance** shall be submitted for **BCWMC** review. **Wetland** mitigation area is not included in the **disturbed area** calculation. Requirements for **erosion control** plans are included in Section 7.0. Proposals for individual single family home sites are exempt from erosion and **sediment control** review.

### 2.10.2 Water Quality Review

Proposals for new, nonlinear development projects that create more than one acre of new impervious surface, redevelopment projects that create more than one acre of new and/or fully reconstructed impervious surface, and **linear projects** that create more than one acre of new and/or fully reconstructed impervious surface shall be submitted for **BCWMC** review. Requirements for water quality treatment are described in Section 4.0.

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## 2.11 Road Construction and Other Linear Projects (Rails, Trails, Utility Improvements, etc.)

Road and other linear project construction or reconstruction proposals that result in more than 1.0 acre of **land disturbance** shall be submitted for **BCWMC** review. Proposals for review include projects resulting in complete removal of the road or trail surface, exposing the base, and/or removal of the vegetated surface within the right-of-way. Examples include road widening projects, ditch work, road replacement, rail projects, trail projects, and utility installation. Road and trail overlay projects and resurfacing projects that do not disturb the underlying soil will not be covered by the requirements of this policy.

Requirements for **erosion control** plans are included in Section 7.0. Note: **road and other linear project construction or reconstruction projects** resulting in more than 5.0 acres of **land disturbance** require action at a **BCWMC** meeting. The **BCWMC** engineer will review and provide comments directly to the municipality for road projects between 1.0 and 5.0 acres.

## 2.12 Modifications to the Bassett Creek Tunnels

Proposals located within the jurisdiction of the **BCWMC** or the Mississippi Watershed Management Organization shall be submitted for **BCWMC** review and approval if the proposal will increase the area tributary to the new tunnel, add connections or outlets to the new tunnel, or change the rate of **runoff** in the new tunnel for the 10-year, 50-year, or 100-year event.

The City of Minneapolis owns, maintains and operates the old Bassett Creek tunnel. The city's responsibility includes maintaining 50 cfs capacity in the old tunnel during the 100-year storm event to accommodate the overflow of stormwater that cannot be accommodated in the new tunnel. Because this affects the function of the **BCWMC** Flood Control Project, the **BCWMC** has a vested interest in ensuring that the 50 cfs capacity in the old Bassett Creek tunnel is maintained, which includes ensuring that proposed projects do not jeopardize the structural integrity of the old Bassett Creek tunnel. The City of Minneapolis takes the lead on reviewing projects that affect the old Bassett Creek tunnel and the City coordinates with **BCWMC** as needed.



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## 3.0 Review Process

As outlined in Section 2.0, all persons, municipalities, public agencies, or other agencies proposing improvements or developments within the Bassett Creek watershed shall submit sufficient information to the **BCWMC** to determine the effect that their proposal may have on the water resources of the watershed.

All applications will be reviewed for compliance with the **BCWMC** policies by the **BCWMC** Engineer. Some applications will require action by the **BCWMC** at a Commission meeting; these applications are outlined in Section 3.1.3. All other applications may be processed through administrative review by the **BCWMC** Engineer.

The process the **BCWMC** will follow in reviewing projects submitted for review and the information that must be submitted by applicants is summarized below.

### 3.1 Procedure for BCWMC Review

1. The **BCWMC** will review the applicant's submittal only after the project has received preliminary review by the municipality indicating general compliance with existing local watershed management plans prepared pursuant to 103B.235. Any questions about the **BCWMC** requirements must first be directed to the municipality in which the project is located. The municipality may choose to direct the applicant to contact the **BCWMC** administrator or engineer.
  - a. The **BCWMC** will review projects and developments to evaluate compliance with the MPCA's Minimal Impact Design Standards (MIDS) performance goals (which the Commission adopted as **BCWMC** water quality management standards) if the projects are located in member cities that have not adopted the MIDS performance goals, triggers, and flexible treatment options, or at the request of the member city. For projects located in member cities that have adopted the MIDS performance goals, triggers, and flexible treatment options, the member cities shall review projects for conformance with MIDS water quality treatments standards, unless Commission review is requested by the member cities.
  - b. The **BCWMC** requires public agencies to comply with water quality management standards and policies presented in the Plan to maintain or improve water quality of stormwater runoff.
2. The **BCWMC** meetings are generally held the third Thursday of each month. For a proposed project to be included on the agenda, application materials must be submitted to the **BCWMC** engineer by the last Friday of the month prior to the meeting date. **Complex projects** may require additional review time. However, not all projects are presented at the **BCWMC** meeting for review and approval.

3. All submittals involving **floodplains**, the Bassett Creek **trunk system**, appropriations, variances, road construction projects disturbing over 5 acres, and alternative **BMPs** not included in the most current version of the Minnesota Stormwater Manual require action at a **BCWMC** meeting. **BCWMC** engineer review and approval are generally provided for submittals that are designed in accordance to the **BCWMC** policies outlined in the Plan and this requirements document.
4. Upon receipt of a submittal, the **BCWMC** engineer will review the submittal and prepare recommendations to the **BCWMC** or municipality. A memorandum describing each project and the engineer's recommendations will be sent to the **BCWMC** approximately one week before each meeting. Note: the **BCWMC** engineer will send a letter with comments directly to the municipality and to the applicant for projects that do not require review at the **BCWMC** meeting.
5. The **BCWMC** will review and comment upon the submittal at its regularly scheduled meeting. The **BCWMC** will approve, conditionally approve, table, or reject the submittal. A letter with comments, including a list of deficiencies or required modifications, will be sent to the municipality and to the applicant. This step is not necessary for projects approved by the **BCWMC** engineer.
6. The applicant must provide a revised submittal addressing each deficiency, required modification, or comment. The final submittal must include a full size (24" x 36" or larger) set of final plans and an electronic copy (pdf) of final plans. A letter of approval will be sent to the municipality and to the applicant after comments have been satisfactorily addressed.
7. The **BCWMC** engineer has 15 days to determine if an application is complete from the date that the signed application and project documentation is received by the **BCWMC** engineer. The **BCWMC** engineer has 60 days to determine if an application is approved or send a letter with comments to the municipality and to the applicant.
8. Application approvals expire two years from the date of approval. Approved projects not constructed within two years will require an additional application and approval.
9. Emergency work performed by cities (utility repair, emergency traffic issues, health and safety issues, etc.) is exempt from initial **BCWMC** review. Cities shall inform the **BCWMC** regarding emergency work, as soon as practical, in cases that would have required an application under non-emergency conditions. To document the work, the appropriate application materials shall be provided to the **BCWMC** after construction and a return to non-emergency conditions.
10. Maintenance projects (seal coating and pavement overlays, sediment and debris removal from crossings and **water quality ponds**, etc.) that do not trigger land disturbance criteria are exempt from **BCWMC** review.

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## 3.2 Required Exhibits

The applicant shall submit an application form, project review fee, and two sets of plans and supporting documentation for **BCWMC** review. The application form must be signed by City staff. The required exhibits are listed on the application form and further discussed as follows:

1. Completed application form signed by applicant and City staff.
2. Project review fee. Submit project review fee in accordance with the fee schedule. State agencies are exempted from project review fees.
3. **Wetland** fee (if applicable): Submit **wetland** fees for projects resulting in **BCWMC** review of **wetland** issues. **BCWMC** is the local government unit (LGU) administering the **Wetland** Conservation Act for the cities of Medicine Lake, Robbinsdale, and St. Louis Park. Contact the **BCWMC** engineer regarding **wetland** review fee.
4. Project plans: Submit two copies of project plans (full size and 11-inch x 17-inch sheets), including at least:
  - a. A scale drawing of the site showing property lines and delineation of lands under ownership of the applicant
  - b. Proposed and existing **stormwater facilities** location, alignment, and elevation
  - c. Existing and proposed site contour elevations related to NGVD, 1929 datum, NAVD, 1988 datum, or other datum used by municipality
  - d. Construction plans and specifications of all proposed **stormwater management facilities**
5. A stormwater management plan and computations (if applicable), signed by a registered professional engineer, and meeting the minimum requirements described in these standards. **BMP** sizing and average depth calculations for **water quality ponds** must also be provided. A stormwatermanagement plan shall include the following items:
  - a. Delineation of the subwatersheds contributing runoff from offsite, and proposed and existing subwatersheds onsite
  - b. Delineation of existing onsite **wetlands**, marshes, and/or **floodplain** areas.
  - c. Existing and proposed post-development normal, 2-year, 10-year, and 100-year water levels for the site
  - d. Stormwater runoff volume and rate analyses for existing and proposed conditions for 2-year, 10-year, and and 100-year storm events

- e. All hydrologic, hydraulic, and other computations necessary to design the proposed stormwater quality management facilities
  - f. Documentation indicating conformance with an existing municipal local watershed management plan. If a municipal plan does not exist, documentation indicating that the municipality has reviewed the project.
6. A final **erosion control** plan meeting the requirements of these standards.
  7. MIDS calculator files (in Excel), P8 model, WINSLAMM model, or other **BCWMC** approved equal, for projects requiring treatment to MIDS performance goal.
  8. A checklist of **BMPs** provided as part of the application form must be submitted demonstrating that, to the maximum extent practical, the plan has incorporated the structural and non-structural **BMPs**, as described in the referenced documents.
  9. An electronic copy of the final, approved submittal.
  10. Other items required to support the proposed project.

### 3.3 Variance Procedure

The **BCWMC** has established the following variance procedures:

- a. Applications for variances shall be filed with the City in which the property is being developed, redeveloped, or **retrofitted** and shall state the exceptional conditions of the property and the peculiar and practical difficulties claimed as a basis for a variance. The applicant shall state on the application the reasons for requesting the variance, in accordance with all of the requirements set forth in section (c) below.
- b. The City shall refer all applications for variances from the **BCWMC** requirements to the **BCWMC** engineer, and such applications shall be reviewed by the **BCWMC**. In reviewing the application, the **BCWMC** shall take into consideration the criteria, standards, and goals for maintaining and improving the quality of the watershed's water resources.

To address the applicant's hardship or special situation, the **BCWMC** may grant the variance, contingent upon conditions specified. Alternatively, the **BCWMC** may deny the request and state reasons for the denial in writing.

- c. In granting variances, the **BCWMC** shall make a finding showing that all of the following conditions exist:
  1. There are special circumstances or conditions affecting the property such that the strict application of the provisions of these standards and criteria would deprive the applicant of the reasonable use of the applicant's land.

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2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
  3. The granting of the variance will not be detrimental to the public welfare or injurious to the other property in the territory in which the property is situated.
  4. In applications relating to a use in the 1% (base flood elevation, 100-year flood) **floodplain** set forth in Table 2-9 of the Plan, the variance shall not allow a lower degree of flood protection than the current flood protection.
  5. The granting of the variance will not be contrary to the intent of taking all reasonable and practical steps to improve water quality within the watershed.

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## 4.0 General Guidelines for Development/Redevelopment

Following is a description of project “triggers” for development/redevelopment proposals that describe the level of **BCWMC** involvement and required treatment. The table in Appendix C summarizes the treatment requirements for development/redevelopment projects.

### 4.1 Projects Not Requiring BCWMC Review

The following projects do not require **BCWMC** review:

- Projects which result in less than 200 cubic yards of cut and fill or less than 10,000 square feet of **land disturbance**
- Maintenance projects (seal coating and pavement overlays, sediment and debris removal from crossings and **water quality ponds**, etc.) that do not trigger land disturbance criteria
- Municipal storm sewer maintenance projects
- Single family home sites are exempt from Erosion and **Sediment Control** review. Single family home sites must comply with the other requirements and be reviewed by the **BCWMC** if they meet the review triggers.

**Linear projects** disturbing less than 1 acre will be reviewed by the cities. Note other review triggers in Section 3.0.

### 4.2 Projects Requiring Construction Erosion and Sediment Control Review

When construction is proposed that will result in more than 200 cubic yards of cut or fill or more than 10,000 square feet of **land disturbance**, an application, fee, and grading, drainage, and **erosion control** plan must be submitted for **BCWMC** review. Individual single family home sites are exempt from this requirement. Requirements for construction erosion and **sediment control** plans are included in Section 7.0.

### 4.3 Projects Requiring Buffers

#### 4.3.1 Wetland Buffers

For projects containing more than 1 acre of new or redeveloped impervious area, **wetland** buffers are required consistent with the local controls of the applicable member city. Local **wetland** buffer requirements must be consistent with the minimum **BCWMC** buffer requirements as noted in Section 8.1. A plan showing the delineated boundary of the **wetland**, proposed buffer area, and MnRAM classification for the **wetland** must be submitted for city review. Maintenance of the buffer area must be included in the maintenance agreement developed between the city and the applicant. Minimum requirements for **wetland** buffers are included in Section 8.1.1, but may vary according to each member city’s local controls.

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### 4.3.2 Stream Buffers

For projects that will result in more than 200 cubic yards of cut or fill or more than 10,000 square feet of **land disturbance**, buffers adjacent to **priority streams** are required consistent with the local controls of the applicable member city. Local stream buffer requirements must be consistent with the minimum **BCWMC** buffer requirements as noted in Section 8.1.2. A plan showing the ordinary high water level of the stream (i.e., the top of the bank of the channel), nearest adjacent **structure**, and proposed buffer area must be submitted for city review. Maintenance of the buffer area must be included in the maintenance agreement developed between the city and the applicant. Minimum requirements for stream buffers are included in Section 8.2, but may vary according to each member city's local controls.

### 4.4 Projects Requiring Rate Control

For projects containing more than 1 acre of new or redeveloped impervious area, stormwater runoff must be managed such that peak flow rates leaving the site are equal to or less than the existing rate leaving the site for the 2-, 10-, and 100-year events based on Atlas 14 precipitation amounts and using a nested 24-hour rainfall distribution. Documentation of existing and proposed discharge rates for the 2-, 10-, and 100-year events must be provided for **BCWMC** review.

### 4.5 Projects Requiring Treatment to MIDS Performance Goal

The **BCWMC** Plan (Section 4.2.1 Policy 12) requires all stormwater to be treated in accordance with the MPCA's Minimal Impact Design Standards (MIDS) performance goal for new development, redevelopment, and **linear projects**. If the MIDS performance goal is not feasible and/or is not allowed for a proposed project, then the project proposer must implement the MIDS flexible treatment options, as shown in the MIDS Design Sequence Flow Chart, or a **BCWMC** approved alternative. Section 6.0 of this document outlines the MIDS performance goals, flexible treatment options, and approved **BMPs** that may be used to meet the MIDS performance goals.

The following surfaces are among those that will be analyzed as impervious: swimming pools, compacted ground surfaces such as gravel driveways, and artificially turfed fields.

The following surfaces are among those that will be analyzed as pervious (if they are designed in accordance with the Minnesota Stormwater Manual): green roofs, pervious pavers, and paved trails (if they are buffered by a vegetated area at least half the width of the trail).

A project must be designed in accordance with the MIDS performance goal or MIDS flexible treatment options when the proposed site meets one of the following criteria:

#### 4.5.1 New Development

New, nonlinear development projects that create more than one acre of new impervious surface on sites without **restrictions** must meet the MIDS performance goal for new development. Sites with **restrictions** may follow the flexible treatment options approach. Site **restrictions** include those factors listed in the MIDS flexible treatment options, which include, but are not limited to: shallow depth to bedrock, contaminated soils, shallow groundwater, tight clay soils, existing site constraints or zoning requirements).

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Section 6.2 of this document outlines the MIDS performance goal. Section 6.3 of this document outlines the flexible treatment options approach.

#### 4.5.2 Redevelopment

Redevelopment projects that create more than one acre of new and/or fully reconstructed impervious surface on sites without **restrictions** must meet the MIDS performance goal for redevelopment. Sites with **restrictions** may follow the flexible treatment options approach. Site **restrictions** include those factors listed in the MIDS flexible treatment options, which include but are not limited to: shallow depth to bedrock, contaminated soils, shallow groundwater, tight clay soils, existing site constraints or zoning requirements. Section 6.2 of this document outlines the MIDS performance goal. Section 6.3 of this document outlines the flexible treatment options approach.

Redevelopment project locations and the amount of new and/or fully reconstructed impervious surface will be tracked by the **BCWMC**. If a property has several redevelopment projects that individually do not trigger the MIDS performance goal, but would when combined, the applicant will be required to provide treatment in accordance with the MIDS performance goal for all redevelopment.

#### 4.5.3 Linear Projects

**Linear projects** on sites without **restrictions** that create more than one acre of new and/or fully reconstructed impervious surface must meet the MIDS performance goal for **linear projects**. Mill and overlay and other resurfacing activities are not considered fully reconstructed impervious surfaces. Sites with **restrictions** may follow the flexible treatment options approach. Site **restrictions** include those factors listed in the MIDS flexible treatment options, which include but are not limited to: shallow depth to bedrock, contaminated soils, shallow groundwater, tight clay soils, existing site constraints or zoning requirements. Section 6.2 of this document outlines the MIDS performance goal. Section 6.3 of this document outlines the flexible treatment options approach.

### 4.6 Projects with Other Treatment Requirements

Multiple waterbodies within the Bassett Creek watershed are on the Minnesota Pollution Control Agency's current impaired waters 303(d) list and Total Maximum Daily Load (TMDL) studies have been completed for the waterbodies. The TMDL studies may have water quality requirements that differ from those outlined in this document. The pollutant waste load allocations specified in MPCA-approved TMDL Implementation Plans are incorporated into MS4 permits and must be met by municipalities within the waterbodies' watersheds. It is recommended that **BMPs** used to meet TMDL requirements be designed and maintained in accordance with the recommendations in the respective TMDL documents. At the member city's request, the **BCWMC** may review development or redevelopment plans that include **BMPs** that are not otherwise required by **BCWMC** but address TMDL load reduction requirements.

### 4.7 Projects Requiring Streambank Review

Streambank stabilization and streambed degradation control **structures** must be submitted to the **BCWMC** for review. The review will consider the need for the work, the adequacy of design, unique or



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special site conditions, energy dissipation, the potential for adverse effects, contributing factors, preservation of natural processes, and aesthetics.

## 5.0 Floodplain Policies

The **floodplain** of the Bassett Creek **trunk system** is that area lying below the 1% (base flood elevation, 100–year) flood elevations as shown in Table 2-9 of the Plan, or as subsequently revised due to channel improvement, storage site development, or requirements established by appropriate state or federal governmental agencies. The **BCWMC** uses the flood profiles in Table 2-9 in its review of improvements and development proposals. The **BCWMC** adopted the following policies regarding **floodplain** regulation within the Bassett Creek watershed (see policies in Section 4.2.2 of the Plan):

1. The member cities must implement the **BCWMC's** development policies, including **minimum building elevations** (lowest floor) of at least 2.0 feet above the 100-year flood level for new and redeveloped **structures**. *(Policy 29)*
2. The **BCWMC** encourages property owners to implement **best management practices** to reduce the volume of stormwater runoff beyond the minimum requirements imposed by the city's MS4 permit, NPDES construction stormwater permit and MIDS performance goal adopted by the **BCWMC**. Examples of stormwater runoff volume reduction methods include:
  - Reducing the amount of planned impervious surface (as areas develop).
  - Reducing the amount of impervious surface (during redevelopment).
  - Additional infiltration and/or evapotranspiration.
  - Permeable pavement.
  - Stormwater reuse. *(Policy 30)*
3. The **BCWMC** requires the **retention** of on-site runoff from development and redevelopment projects consistent with the MPCA's Minimal Impact Design Standards (MIDS) performance goals. These include the **retention** of:
  - 1.1 inches of runoff from impervious areas for new development creating more than 1 acre of new impervious area.
  - 1.1 inches of runoff from new or fully reconstructed impervious areas for redevelopment creating one or more acres of new or fully redeveloped impervious area.
  - 0.55 inches of runoff from new or fully reconstructed impervious areas for **linear projects** creating one or more acres of new or fully redeveloped impervious area (or 1.1 inches from the net increase in impervious area, whichever is greater). *(Policy 32)*
4. For projects not requiring the **retention** of on-site runoff in accordance with the MIDS performance goals, the **BCWMC** encourages the use of infiltration, filtration, or other abstraction of runoff from impervious areas for all development and redevelopment projects as a best practice to reduce stormwater runoff. *(Policy 32)*

5. The **BCWMC** will allow only those land uses in the **BCWMC**-established **floodplain** that will not be damaged by floodwaters and will not increase flooding. *(Policy 34)*
6. Allowable types of land use that are consistent with the **floodplain** include recreation areas, parking lots, temporary excavation and storage areas, public utility lines, agriculture, and other open spaces. *(Policy 34)*
7. The **BCWMC** prohibits the construction of basements in the **floodplain**; construction of all other infrastructure within the **floodplain** is subject to **BCWMC** review and approval. *(Policy 35)*
8. The **BCWMC** prohibits permanent storage piles, fences and other obstructions in the **floodplain** that would collect debris or restrict flood flows. *(Policy 36)*
9. Where streets, utilities, and **structures** currently exist below the 100-year **floodplain**, the **BCWMC** encourages the member cities to remove these features from the **floodplain** as development or redevelopment allows. *(Policy 37)*
10. The **BCWMC** requires that projects within the **floodplain** maintain no net loss in **floodplain** storage and no increase in flood level at any point along the **trunk system**. *(Policy 38)* No increase in flood level will be managed to at least a precision of 0.00 feet.
11. The **BCWMC** prohibits expansion of existing non-conforming land uses within the **floodplain** unless they are fully flood-proofed in accordance with codes and regulations. *(Policy 38)*
12. The **BCWMC** will review diversion plans to determine the effect of the proposal on the Bassett Creek watershed and such plans will be subject to **BCWMC** approval. With respect to diversions, the **BCWMC**:
  - Prohibits any diversions of surface water within, into, or out of the watershed that may have a substantial adverse effect on stream flow or water levels at any point within the watershed.
  - Requires that plans for intra- or inter-watershed diversions must include an analysis of the effects of the diversion on flooding, water quality and aesthetic quality along the creek.
  - Requires effort be made to ensure that there is no fish migration from one watershed to another. *(Policy 42)*
13. The lowest member of all crossings shall be at least 1 foot above the **floodplain** to prevent debris accumulation unless approved otherwise by the **BCWMC**.
14. Utility crossings installed using directional boring shall be at least 4 feet below the channel invert.

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## 6.0 MIDS Performance Goal

The Plan (see Section 4.2.1, Policy 12) requires that all stormwater be treated in accordance with the MPCA's Minimal Impact Design Standards. The **BCWMC** has approved the listed **BMPs** and **BMP** design guidance as outlined in the Minnesota Stormwater Manual.

### 6.1 BCWMC Policies

The **BCWMC** requires all stormwater to be treated in accordance with the MPCA's Minimal Impact Design Standards (MIDS) performance goal for new development, redevelopment, and **linear projects**. If the MIDS performance goal is not feasible and/or is not allowed for a proposed project, then the project proposer must implement the MIDS flexible treatment options, as shown in the MIDS Design Sequence Flow Chart.

The **BCWMC** will review projects and developments to evaluate compliance with the MPCA's MIDS performance goals if the projects are located in member cities that have not adopted the MIDS performance goals, triggers, and flexible treatment options or equivalent requirements, or at the request of the member city. For projects located in member cities that have adopted the MIDS performance goals, triggers, and flexible treatment options or equivalent requirements, the member cities shall review projects for conformance with MIDS water quality treatment standards, unless Commission review is requested by the member cities.

### 6.2 MIDS Performance Goals

A performance goal specifies what level of stormwater treatment must be achieved on a site. The following paragraphs represent the MIDS performance goals at the time of the development of this document. The most current version of the MIDS performance goals as found in the Minnesota Stormwater Manual should be used in design development. The Minnesota Stormwater Manual can be found online at: [http://stormwater.pca.state.mn.us/index.php/Main\\_Page](http://stormwater.pca.state.mn.us/index.php/Main_Page).

#### 6.2.1 MIDS Performance Goal for New Development

For new, nonlinear developments that create more than one acre of new **impervious surface** on sites without **restrictions**, the post-construction stormwater runoff volume retained on site shall be equivalent to 1.1 inches of runoff from **impervious surfaces**.

#### 6.2.2 MIDS Performance Goal for Redevelopment

Nonlinear redevelopment projects on sites without **restrictions** that create one or more acres of new and/or fully reconstructed **impervious surfaces** shall capture and retain on site 1.1 inches of runoff from the new and/or fully reconstructed **impervious surfaces**.

Mill and overlay and other resurfacing activities are not considered fully reconstructed **impervious surfaces**.

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### 6.2.3 MIDS Performance Goal for Linear Projects

**Linear projects** on sites without **restrictions** that create one acre or greater of new and/or fully reconstructed **impervious surfaces**, shall capture and retain the larger of the following:

- 0.55 inches of runoff from the new and fully reconstructed **impervious surfaces**
- 1.1 inches of runoff from the net increase in impervious area

Mill and overlay and other resurfacing activities are not considered fully reconstructed **impervious surfaces**.

### 6.3 MIDS Flowchart/Flexible Treatment Options

If an applicant is unable to achieve the performance goals due to site **restrictions**, the MIDS flexible treatment options approach shall be used following the MIDS design sequence flow chart. The presence of tight clay soils, shallow bedrock, and karst topography are examples of locations that are not conducive to infiltration as a stormwater management approach. Other **restrictions** include but are not limited to sites that have contaminated soil or shallow groundwater, existing building or utility conflicts, or other site constraints such as zoning requirements that create difficulties in providing volume reduction.

Using the flow chart, project proposers are taken through a step-by-step approach to document site **restrictions** and how they have attempted to meet the 1.1 inches performance goal. If the performance goal is shown to be infeasible, a 0.55 inch performance and a 75 percent annual total phosphorus removal goal is explored, followed by a maximum extent practicable volume reduction and a 60 percent annual total phosphorus removal goal, and then a final option to meet the 1.1 inches volume reduction goal at an off-site location.

### 6.4 Approved Techniques

In order to receive credit toward meeting the MIDS performance goals, **BMPs** must be designed in accordance with the Minnesota Stormwater Manual or as otherwise approved by the **BCWMC**.

#### 6.4.1 MIDS Calculator

To demonstrate compliance with the MIDS performance goals, the MIDS calculator may be used to demonstrate volume reduction, total phosphorus removals, and total suspended solids removals at the site. Alternatively, P8, WINSLMM, or other **BCWMC** approved approaches may be used to demonstrate compliance with the performance goals.

The MIDS calculator may be downloaded from the Minnesota Stormwater Manual. The applicant must submit the MIDS calculator Excel file for review by the **BCWMC**, along with the output summaries generated by the program. If using alternative modeling programs, either the model file or adequate summaries of input and output information must be provided for review by the **BCWMC**.

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## 6.4.2 Minnesota Stormwater Manual

A list of approved **BMPs** and corresponding design guidance can be found in the Minnesota Stormwater Manual. The Minnesota Stormwater Manual should be used to determine the currently approved **BMPs** and design guidance. At the time of the development of this document, the following **BMPs** were included in the Minnesota Stormwater Manual:

- **Bioretention** Basin/Bioinfiltration Basin/Biofiltration Basin (Rain Garden)
- Swale/Bioswale
- **Sand Filter**
- Iron Enhanced **Sand Filter** (Minnesota Filter)
- Green Roof
- **Infiltration Basin**/Underground Infiltration
- Infiltration Trench
- Permeable Pavement
- Stormwater Pond
- Stormwater **Wetland**
- Tree Trench System
- Stormwater Reuse
- Hydrodynamic Device (e.g. SAFL Baffle)
- Filtration Device

The Minnesota Stormwater Manual can be found online at:  
[http://stormwater.pca.state.mn.us/index.php/Main\\_Page](http://stormwater.pca.state.mn.us/index.php/Main_Page).

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## 7.0 Requirements for Construction Erosion and Sediment Control

1. For construction projects that involve more than 200 cubic yards of cut or fill, or disturb more than 10,000 square feet, an Erosion and **Sediment Control** Plan shall be prepared that meets the requirements listed below. It is recommended that applicants follow the standards given in the NPDES Permit for Construction Activity (MPCA) and Protecting Water Quality in Urban Areas (MPCA, 2000). Single family home sites are exempt from this requirement.
2. Erosion and **sediment control** plans submitted for **BCWMC** review shall show the proposed methods of retaining waterborne sediments onsite during the period of construction, and shall specify methods and schedules to determine how the site will be restored, covered, or revegetated after construction.
3. In addition, the project proposer shall:
  - a. Provide specific measures to control erosion based on the grade and length of the slopes on the site, as follows:
    1. **Silt fences** shall be placed along the toe of the slopes that have a grade of less than 3 percent and are less than 400 feet long from top to toe. The **silt fences** shall be supported by sturdy metal or wooden posts at intervals of 6 feet or less.
    2. Flow lengths up-slope from each **silt fence** shall not exceed 400 feet for slopes that have a grade of less than 3 percent.
    3. **Silt fences** or other **erosion control** features shall be placed along the toe of the slopes that have a grade of 3 to 10 percent and are less than 200 feet long from top to toe. These fences shall be supported by sturdy metal or wooden posts at intervals of 6 feet or less.
    4. Flow lengths up-slope from each **silt fence** shall not exceed 200 feet for slopes that have a grade of 3 to 10 percent.
    5. Diversion channels or dikes and temporary slope drains shall be provided to intercept all drainage at the top of slopes that have a grade of more than 10 percent and are less than 100 feet long from top to toe. **Silt fence** shall be placed along the toe of said slopes, and shall be supported by sturdy metal or wooden posts at intervals of 6 feet or less.
    6. Diversion channels or dikes and temporary slope drains shall be provided to intercept all drainage at the top of slopes that have grades of more than 10 percent. Also, diversion channels or diked terraces and temporary slope drains shall be provided across said slopes if needed to ensure that the maximum flow

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length does not exceed 100 feet. **Silt fence** shall be placed along the toe of said slopes, and shall be supported by sturdy metal or wooden posts at intervals of 6 feet or less.

7. **Sediment control logs** shall be installed in accordance with the manufacturer's recommendations for effective construction site **erosion control**.
  8. Other **erosion control** practices such as compost blankets, compost filter berms, and other practices should also be considered for construction site **erosion control**.
- b. Require that **silt fences**, silt socks, or approved inlet protection devices be installed at or around each catch basin inlet on the site and that this barrier remain in place until pavement surfaces have been installed and/or final turf establishment has been achieved.
  - c. Ensure that flows from diversion channels or pipes are routed to sedimentation basins or appropriate energy dissipaters in order to prevent transport of sediment to outflow conveyors and to prevent erosion and sedimentation when runoff flows into the conveyors.
  - d. Provide that site-access roads be graded or otherwise protected with **silt fences**, diversion channels, or dikes and temporary slope drains to prevent sediment from leaving the site via the access roads. Vehicle tracking of sediment from the construction site (or onto streets within the site) must be minimized by installing rock construction entrances, rumble strips (mud mats), wood chips, wash racks, or equivalent systems at each site access. Rock construction entrances must have a minimum height of 6 inches above the adjacent roadway and a wash-off berm with a minimum height of 2 feet above the adjacent roadway and with maximum side slopes of 4:1. An allowable alternative to the wash-off berm is to install mud mats across the entire width of the rock construction entrance, over at least 50% of the length of the rock construction entrance, and centrally placed within the total length of the rock construction entrance.
  - e. Require that soils tracked from the site be removed from all paved surfaces within 24 hours of discovery throughout the duration of construction.
  - f. Assure that **silt fences** and diversion channels or dikes and temporary slope drains be deployed and maintained for the duration of site construction. If construction operations interfere with these control measures, the **silt fences**, diversion channels or dikes and temporary slope drains may be removed or altered as needed but shall be restored to serve their intended function at the end of each day.
  - g. Specify that all exposed soil areas must be stabilized as soon as possible, but in no case later than 14 days after the construction activity has temporarily or permanently ceased or within 7 days if the project is within 1 mile of a special or impaired water. A schedule of



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significant **land disturbance** work will be required as part of the erosion and sedimentation control plan.

- h. Require that temporary or permanent mulch be uniformly applied by mechanical or hydraulic means and stabilized by disc-anchoring or use of hydraulic soil stabilizers.
- i. Provide a temporary vegetative cover consisting of a suitable, fast-growing, dense grass-seed mix spread at a minimum at the MnDOT-specified rate per acre. If temporary cover is to remain in place beyond the present growing season, two-thirds of the seed mix shall be composed of perennial grasses.
- j. Provide a 4-foot wide sod buffer along the curb line of all streets adjacent to the site and along all property boundaries where runoff could leave the site.
- k. Specify a permanent vegetation cover consisting of sod, a suitable grass-seed mixture, or a combination thereof. On slopes greater than or equal to 3 feet horizontal: 1 foot vertical, seeded areas shall be either mulched or covered by fibrous blankets to protect seeds and limit erosion.
- l. Provide temporary on-site sedimentation basins when 10 or more acres of **disturbed area** drain to a common location. Install temporary sediment basins where appropriate in areas with steep slopes or highly erodible soils drain to one area. On-site detention basins shall be designed to achieve pollutant removal efficiencies equal to or greater than those obtained by implementing the criteria set forth by the NPDES Permit for Construction Activity (MPCA, latest version) *and Protecting Water Quality in Urban Areas* (MPCA, 2000).
- m. Include effective energy dissipation devices or stilling basins to prevent erosion at all stormwater outfalls. Specifically:
  - 1. Outfalls with outlet velocities of less than 4 fps that project flows downstream in a direction of 30 degrees or less from the normal flow direction generally shall not require energy dissipaters or stilling basins, but they may need some riprap protection.
  - 2. Energy dissipaters shall be sized to provide an average outlet velocity of no more than 6 fps. If riprap is also used, the average outlet velocity may be increased to 8 fps.
- n. Specify riprap consisting of natural angular stone suitably graded by weight for the anticipated velocities.
- o. Provide riprap to an adequate depth below the ordinary high water level and to a height above the outfall or channel bottom so as to ensure that the riprap will not be undermined by scour or rendered ineffective by displacement.

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- p. Specify that riprap be placed over a suitably graded filter material or filter fabric to ensure that soil particles do not migrate through the riprap and reduce its stability.
  - q. Streambank erosion and streambed degradation control measures must be employed whenever the net sediment transport for a reach of stream is greater than zero or whenever the stream's natural tendency to form meanders directly threatens damage to **structures**, utilities, or natural amenities in public areas.

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## 8.0 Buffer Requirements

The **BCWMC** requires that member cities maintain and enforce **wetland** buffer requirements for projects containing more than one acre of new or fully redeveloped impervious area and **priority stream** buffer requirements for projects that will result in more than 200 yards of cut or fill, or more than 10,000 square feet of **land disturbance**. **Priority streams** in the Bassett Creek watershed include the Main Stem of Bassett Creek, the North Branch of Bassett Creek, the Sweeney Branch of Bassett Creek, and Plymouth Creek. A map of the priority streams can be found in Figure 2-8 of the Plan. Buffer requirements will vary depending on the type of water body and classification of the water body. Buffer areas are areas of vegetative cover that are upland of the **wetland** or stream edge, and that occur in a natural condition or through restoration. Buffer areas consist of shrubbery and trees, and native grasses or forbs or both that are not mowed, fertilized or manicured in any manner. These strips of land surrounding water bodies protect their shorelines from erosion, while serving to filter sediment, chemicals and other nutrients before stormwater discharges into the water body. Buffer strips are also beneficial in providing habitat for wildlife.

The following sections include the minimum buffer requirements that must be included in each member city's local controls. Member city buffer requirements may be more stringent than the minimum requirements specified herein.

### 8.1 Buffer Width Requirements

#### 8.1.1 Wetland Buffer Width Requirements

Member city local controls must require average minimum buffer widths according to the Minnesota Rapid Assessment Method (MnRAM) classification (or similar classification system approved by the municipality):

- An average of 75 feet and a minimum of 50 feet from the edge of **wetlands** classified as Preserve.
- An average of 50 feet and a minimum of 30 feet from the edge of **wetlands** classified as Manage 1.
- An average of 25 feet and a minimum of 15 feet from the edge of **wetlands** classified as Manage 2 or Manage 3 (Policy 68).

#### 8.1.2 Stream Buffer Width Requirements

Member city local controls must require buffer widths adjacent to **priority streams** of 10 feet or 25 percent of the distance between the ordinary high water level (i.e., the top of the bank of the channel) and the nearest existing **structure**, whichever is less. (Policy 64)

### 8.2 Buffer Design Requirements

- Buffer required for all projects shall be limited to property owned or managed by the applicant (i.e. to the extent of a drainage and utility easement owned by a city on a city stormwater project or to the property boundary on a commercial, institutional, or residential project).

- Buffer areas must be left native if not disturbed as part of the project and where acceptable natural vegetation exists. A buffer has acceptable natural vegetation if it:
  - Has a continuous, dense layer of perennial grasses that have been uncultivated or unbroken for at least five consecutive years, or
  - Has an overstory of trees or shrubs with at least 80 percent canopy closure that have been uncultivated or unbroken for at least five consecutive years, or
  - Contains a mixture of the plant communities described above that have been uncultivated or unbroken for at least five consecutive years.
- Buffer areas must be planted with native plants if disturbed as part of the project (plantings must be comprised of at least 75% native species).
- Soil in the buffer areas disturbed as part of the project shall be amended, as necessary, to ensure that the soil has an organic content of not less than 10 percent and not more than 35 percent.
- Buffers must be kept free of all **structures** and features, including fences and play equipment.
- Buffers shall not be used for storage of household and personal items, lawn equipment, furniture, firewood, parts, yard waste, and the like.
- A conservation easement or equivalent to the city for the buffer area is recommended to ensure appropriate maintenance of the buffer.
- Buffer vegetation must not be cultivated, cropped, pastured, mowed, fertilized, subject to the placement of mulch or yard waste, or otherwise disturbed, except for periodic cutting or burning that promotes the health of the buffer, actions to address disease or invasive species, mowing for purposes of public safety, temporary disturbance for placement or repair of buried utilities, or other actions to maintain or improve buffer quality and performance.
- The edge of the buffer must be indicated by permanent, free-standing markers at the buffer's upland edge. A marker will be placed along each lot line, with additional markers at an interval of no more than 200 feet or where needed to indicate the contour of the buffer area.

### 8.3 Buffer Maintenance Requirements

The affected property owner or homeowner association that is responsible for the maintenance must:

- Maintain and repair damage to buffer areas from such activities as mowing, cutting, grading or other prohibited activities, unless mowing is approved by city staff as a buffer management strategy. Permission must be obtained from the city before implementing buffer management strategies, which may include mowing, burning, and the use of herbicides.
- Be responsible for maintaining only the permitted vegetation in the buffer area and must remove all noxious weeds and invasive, non-native species such as European buckthorn.
- Ensure that all soil surfaces in the buffer area are planted with the permitted vegetation and that there is no open soil surface that may result in erosion.

### 8.4 Buffer Exemptions

Exemption areas must be properly designed, maintained, and constructed to prevent erodible conditions. The **BCWMC** will allow the following exemptions from the buffer requirements to be included in member city local controls, at the discretion of the member city:

- 
- Public recreational facilities adjacent to the feature (e.g. trails, stairways, and docks) up to 20 feet in width will be allowed, with that width being added to the required buffer width.
  - Minimally improved areas within the buffer for private access to the feature will be allowed (e.g. wood chip trails, stairways, and docks).

A perpendicular access to the feature is allowed up to 20 feet in width or 20 percent of the lot width, whichever is more restrictive.

## **Appendix A**

### **Application Form**



[www.bassettcreekwmo.org](http://www.bassettcreekwmo.org)

Obtain City staff signature and send application, check for fee, and submittals to:

Bassett Creek Watershed Management Commission  
c/o Barr Engineering Co.  
Attn: Jim Herbert, P.E.  
4700 W 77th Street, Suite 200, Minneapolis, MN 55435-4803

A.F. # \_\_\_\_\_

## Application Form for Development Proposals

Direct questions about this application to Laura Jester, BCWMC Administrator, at 952-270-1990 or [laura.jester@keystonewaters.com](mailto:laura.jester@keystonewaters.com).

### Complete by City Staff

This application is being submitted to the Bassett Creek Watershed Management Commission for review purposes by the City of \_\_\_\_\_, by \_\_\_\_\_

City Staff Signature

Date

*The contents of the application are solely the responsibility of the applicant.*

### Complete by Applicant

#### General Information:

(Name of development or description of project)

(City/¼ Section)

(Location of work—reference major streets and highways, and attach map)

Name of Applicant (owner): \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Name of Agent (project contact): \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

**Submittals**

Requirements for each submittal are provided in the document *Requirements for Improvements and Development Proposals*. The required fee is shown on the Commission’s Fee Schedule attached to this application.

Enclosed is the following required information for review:

- Project review fee (see fee schedule)
- Project plans
- Runoff water quality plan and computations
- Erosion control plan
- MIDS calculator file, P8 model, WINSLAMM model, or BCWMC approved equal; or documentation of approved city review of MIDS performance goal requirements
- Applicant has completed checklist of BMPs attached to this application
- An electronic copy of the final approved submittal
- Other: \_\_\_\_\_
- Variance request

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**Project Information:**

Nature of work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plat/parcel area: \_\_\_\_\_ Area to be disturbed (graded): \_\_\_\_\_

Existing impervious area: \_\_\_\_\_ New or fully reconstructed impervious area: \_\_\_\_\_

Land use proposed: \_\_\_\_\_

**(Industrial, commercial, multiple residential, single residential, utility, public)**

Number and type of units: \_\_\_\_\_

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**Authorized Signature (Applicant)**

**Date**



Proposed Best Management Practices (BMPs)  
to be Implemented on Project for Water Quality Protection

Description of BMP	Was BMP Used?	Location Used or Basis for No Use
<b>STORMWATER INFILTRATION/VOLUME REDUCTION BMPs</b>		
1. Reduce area of impervious surface (pavement, roofs, etc.)		
2. Infiltration basin		
3. Underground infiltration		
4. Infiltration trench		
5. Permeable pavement		
6. Stormwater reuse		
<b>STORMWATER FILTRATION BMPs</b>		
7. Bioretention basin (Rain Garden)		
8. Sand filter		
9. Iron enhanced sand filter (Minnesota Filter)		
10. Green roof		
11. Stormwater pond		
12. Stormwater wetland		
13. Tree trench system		
<b>FLOATABLE/OIL REMOVAL BMPs</b>		
13. Floatable skimmer		
14. Parking lot oil/grease separators		
<b>SEDIMENT CONTROL BMPs</b>		
15. Riprap or other storm drain outlet protection		
16. Storm drain inlet protection		
17. Slope stabilization and erosion control measures		
18. Vegetated swale/Bioswale		
<b>NONSTRUCTURAL BMPs</b>		
19. Street sweeping		
20. Fertilizer manager		
21. Other (describe):		

## Fee Schedule (Effective September 17, 2015)

### Bassett Creek Watershed Management Commission Project Reviews

<b>Project Review Fees (check appropriate boxes)</b>		
<b>Base Fees<sup>1</sup></b>		
	Single Family Lot	\$300
<b>Single Family Residential Development (density less than 3 units per acre)</b>		
	Total parcel size <15 acres	\$1,500
	Total parcel size 15–30 acres	\$1,800
	Total parcel size >30 acres	\$2,500
<b>All Other Development<sup>2</sup></b>		
	Total parcel size <5 acres	\$1,700
	Total parcel size 5–20 acres	\$2,200
	Total parcel size >20 acres	\$3,000
	Street/highway/trails/utility/municipal projects	\$1,100
<b>Add-On Fees<sup>3</sup></b>		
	Work within or below the 100-year floodplain (Table 2-9, Watershed Management Plan)	\$300
	Work involving creek crossings (bridges, culverts, etc.)	\$300
	Projects involving review of alternative BMPs <sup>4</sup>	\$300
<b>Other Fees</b>		
	Variance escrow	\$2,000
<b>Wetland Fees<sup>5</sup></b>		
	Wetland delineation review	Varies
	Wetland replacement plan review	Varies
	Monitoring and reporting	Varies
	Wetland replacement escrow	Varies
<b>Total Project Review Fees<sup>6</sup></b>		\$_____
<ol style="list-style-type: none"> <li>1 Project-review fee based on total parcel size (not disturbed area) including wetlands, buffer, right-of-way, and other nondeveloped area.</li> <li>2 State agencies are exempt from review fees.</li> <li>3 Required in addition to base fee.</li> <li>4 BMPs not included in <i>Minnesota Stormwater Manual</i>.</li> <li>5 Wetland fees will be billed at actual cost for projects where BCWMC acts as the LGU for the Wetland Conservation Act or when a member city requests assistance from the BCWMC for wetland-related review tasks (BCWMC is the LGU for the cities of Medicine Lake, Robbinsdale and St. Louis Park).</li> <li>6 Include check for total project review fees or other fees with application form. Check should be payable to Bassett Creek Watershed Management Commission.</li> </ol>		

## **Appendix B**

### **Definitions**

## Definitions

- **BCWMC:** Bassett Creek Watershed Management Commission
- **Best management practices (BMPs):** the structural, non-structural, and institutional controls used to improve the quality of stormwater runoff.
- **Bioretention:** a soil- and plant-based stormwater management best management practice (BMP) used to filter runoff
- **Commercial, industrial, institutional or public development/redevelopment projects:** typically result in larger areas of **impervious surface**, typically in the range of 60 to 80 percent imperviousness. Examples of these developments include shopping malls, stores, schools, hospitals, and warehouses.
- **Complex projects:** include projects that are 40 acres or more, controversial, involve more than one property owner, require detailed hydrologic or hydraulic modeling, require vast changes to infrastructure (such as stormwater systems), include many **wetland** impacts, require extensive environmental review, or involve many different land uses within the same development project
- **Construction sequencing:** a specified work schedule that coordinates the timing of land-disturbing activities and the installation of erosion-protection and sedimentation-control measures
- **Disturbed area:** total graded area as part of a commercial industrial, institutional, public, residential, or road project
- **Erosion control:** any efforts to prevent the wearing or washing away of the soil or land surface
- **Floodplain:** land adjacent to a water body which is inundated when the discharge exceeds the conveyance capacity of the normal channel. Often described in the regulatory sense as the extent of the 1% (base flood elevation, 100-year) flood.
- **Impervious surface:** a surface in the landscape that impedes the infiltration of rainfall and results in an increased volume of surface runoff. **Impervious surface** includes but is not limited to building roofs and structures, bituminous and concrete surfaces and compacted ground surfaces such as gravel areas.
- **Infiltration basin:** stormwater runoff impoundment designed to capture and hold stormwater runoff and infiltrate it into the ground over a period of days. This impoundment does not retain a permanent pool of water.
- **Land disturbance:** any alteration of the ground surface that could result, through the action of wind and/or water in soil erosion, substantial compaction, or the movement of sediment into waters, **wetlands**, storm sewers, or adjacent property. Land disturbing activity includes but is not limited to soil stripping, clearing, grubbing, grading, excavating, filling, and the storage of soil or

earth materials. Typical, routine farming operations (e.g., plowing, harvesting) are not land disturbing activities for the purpose of these requirements.

- **Linear project:** Construction or reconstruction of a public road or other transportation route, sidewalk or trail, or construction, repair or reconstruction of a utility or utilities right-of-way that is not a component of a larger development or redevelopment project.
- **Minimum building elevation:** the lowest floor of a structure, including the basement.
- **Perimeter control:** activities or practices designed to contain sediments on a project site.
- **Priority stream:** Main Stem of Bassett Creek, North Branch of Bassett Creek, Sweeney Branch of Bassett Creek, and Plymouth Creek. A map of the priority streams can be found in Figure 2-8 of the Plan.
- **Rate control:** controlling the rate that stormwater is released from localized holding areas into larger conveyance systems
- **Residential development/redevelopment projects:** typically result in smaller areas of **impervious surface**, typically in the range of 25 to 60 percent imperviousness. Examples of these projects include single family home construction, townhome construction, and apartment building construction.
- **Restriction:** as described in the MIDS flexible treatment options, one or more of the following factors that prevent full compliance with the MIDS volume reduction performance goal:
  - i. Karst geology
  - ii. Shallow bedrock
  - iii. High groundwater
  - iv. Hotspots or contaminated soils
  - v. Drinking Water Source Management Areas or within 200 feet of drinking water wells
  - vi. Zoning, setbacks or other land use requirements
  - vii. Excessive cost
  - viii. Poor soils (infiltration rates that are too low or too high, problematic urban soils)
- **Retention:** the permanent or temporary storage of stormwater to prevent it from leaving the development site
- **Retrofit:** the introduction of a new or improved stormwater management element where it either never existed or did not operate effectively
- **Road and other linear project construction or reconstruction projects:** include any project which results in the complete removal of the road surface, exposing the base, and/or removal of the vegetated surface within the road right-of-way. Examples include road and trail widening projects, ditch work, road and trail replacement and utility installation. Road and trail overlay

projects and road and trail resurfacing projects which do not disturb the underlying soil will not be covered by the requirements of this policy.

- **Runoff or stormwater runoff:** under Minnesota Rule 7077.0105, subpart 41b, stormwater “means precipitation runoff, stormwater runoff, snow melt runoff, and any other surface runoff and drainage.” (according to the Federal Code of Regulations under 40 CFR 122.26 [b][13], “stormwater means stormwater runoff, snow melt runoff and surface runoff and drainage.”). Stormwater does not include construction site dewatering.
- **Sediment control:** The methods employed to prevent sediment from leaving the development site. **Sediment control** practices include **silt fences**, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, pipe slope drains, storm drain inlet protection, other appropriate measures, and temporary or permanent sedimentation basins.
- **Sediment control log:** Also called wattles or sediment retention fiber rolls, are filtering material in a fabric or netting tube used for slowing water and filtering stormwater runoff or other water encountered on a construction project.
- **Silt fence:** fence constructed of wood or steel supports and either natural or synthetic fabric stretched across an area of non-concentrated flow during site development to trap and retain on-site sediment due to rainfall runoff
- **Stormwater (management) facilities:** include storm sewer pipes, ditches, ponds, **infiltration basins**, etc.
- **Structure:** Any impervious building or other object that is constructed or placed on the ground and that is, or is intended, to remain in place for longer than a temporary period.
- **Sand filter:** consists of a pretreatment basin, a water storage reservoir, a flow spreader, and underdrain piping that treats stormwater runoff via filtration
- **Temporary protection (measure):** short-term methods employed to prevent erosion. Examples of such protection include straw, mulch, erosion control blankets, wood chips, and erosion netting.
- **Trunk system:** The trunk creek system is the responsibility of the **BCWMC** and includes the Main Stem of Bassett Creek from Medicine Lake to the box culvert/tunnel; the North Branch from upstream of Co. Rd P to its junction with the Main Stem; the Sweeney Lake Branch from its source in Section 5, T117N, R21W to its junction with the Main Stem downstream of Sweeney Lake; and Plymouth Creek from the point where it intersects with Highway 55 in Section 17, T118N, R33W, to Medicine Lake.
- **Water quality pond:** a collection area with a permanent pool of water for treating incoming stormwater runoff

- **Wetland:** defined in Minn. R. 7050.0130, subp. F and includes those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. **Wetlands** generally include swamps, marshes, bogs, and similar areas. Constructed **wetlands** designed for wastewater treatment are not waters of the state; to be a **wetland** the area must meet **wetland** criteria for soils, vegetation, and hydrology as outlined in the 1987 U.S. Army Corps of Engineers **Wetland** Delineation Manual.

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1– Some definitions taken directly from the *Minnesota Stormwater Manual*

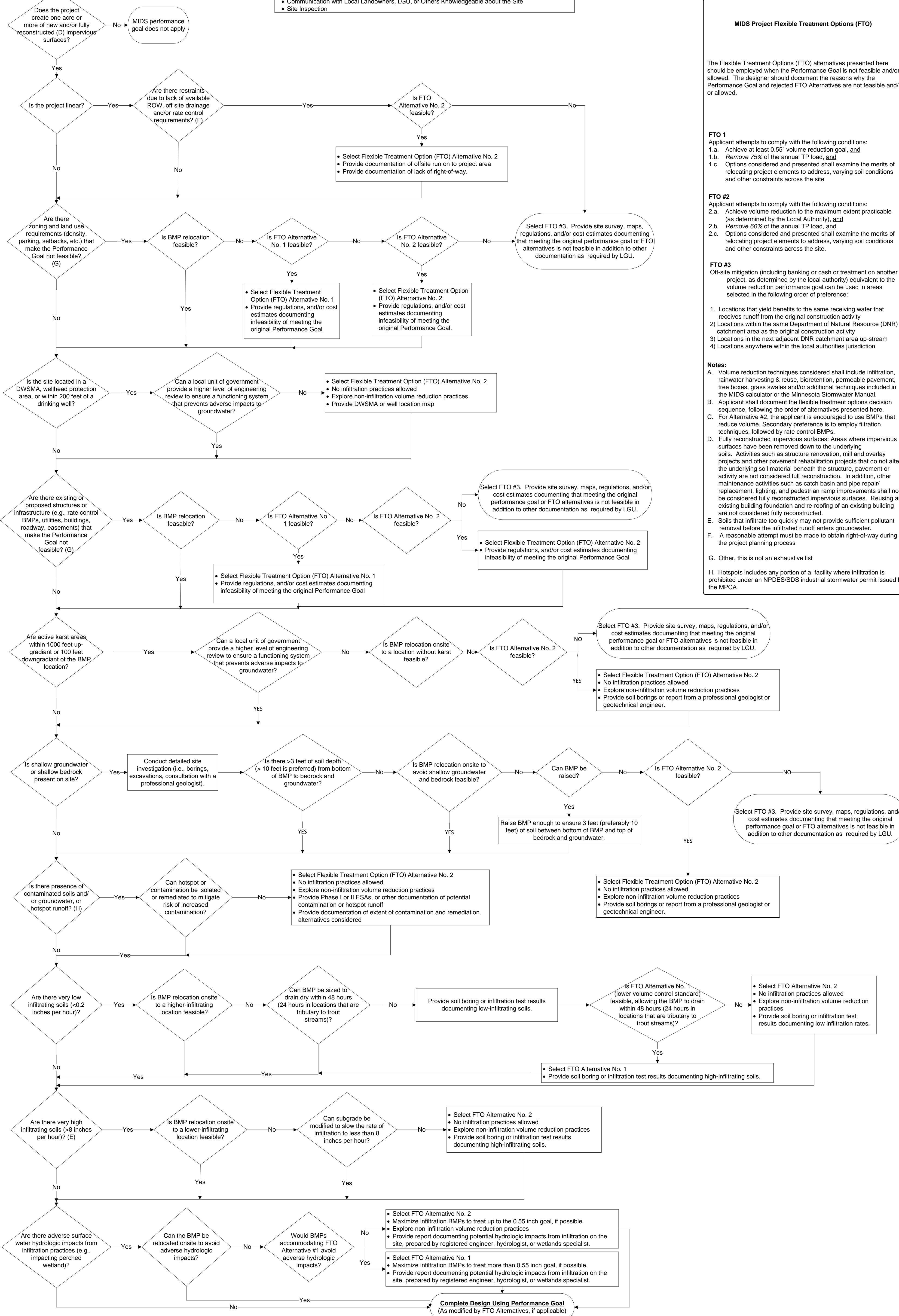
## Appendix C

### MIDS Flexible Treatment Options Flow Chart



- Conduct Site Review:**
- Aerial Photos and Topographic Maps
  - County Soil Surveys and other Soil Information as Available
  - County Geologic Atlas
  - Local Groundwater Levels
  - DWSMA and Wellhead Protection Maps
  - FEMA and Local Floodplain Maps
  - Soil Borings and Site Survey
  - MPCA Listing of Potentially Contaminated Sites
  - Phase 1 and 2 Environmental Site Assessments
  - TMDLs and Local Water Quality Standards
  - Wetland Delineations, MNRAM Assessments, and Wetland Classifications
  - Proposed Conditions, Conceptual/Preliminary Site Design
  - Local zoning and land use requirements/ordinances, including stormwater rate control requirements
  - Communication with Local Landowners, LGU, or Others Knowledgeable about the Site
  - Site Inspection

**Define Performance Goal**  
 New and redevelopment projects: Retain on site a volume of 1.1" from impervious surfaces  
 Linear projects: Retain on site the larger of 1.1" from all new, or .55" from all new and fully reconstructed (D) impervious surfaces.



**MIDS Project Flexible Treatment Options (FTO)**

The Flexible Treatment Options (FTO) alternatives presented here should be employed when the Performance Goal is not feasible and/or allowed. The designer should document the reasons why the Performance Goal and rejected FTO Alternatives are not feasible and/or allowed.

**FTO #1**  
 Applicant attempts to comply with the following conditions:  
 1.a. Achieve at least 0.55" volume reduction goal, and  
 1.b. Remove 75% of the annual TP load, and  
 1.c. Options considered and presented shall examine the merits of relocating project elements to address, varying soil conditions and other constraints across the site

**FTO #2**  
 Applicant attempts to comply with the following conditions:  
 2.a. Achieve volume reduction to the maximum extent practicable (as determined by the Local Authority), and  
 2.b. Remove 60% of the annual TP load, and  
 2.c. Options considered and presented shall examine the merits of relocating project elements to address, varying soil conditions and other constraints across the site.

**FTO #3**  
 Off-site mitigation (including banking or cash or treatment on another project, as determined by the local authority) equivalent to the volume reduction performance goal can be used in areas selected in the following order of preference:  
 1. Locations that yield benefits to the same receiving water that receives runoff from the original construction activity  
 2) Locations within the same Department of Natural Resource (DNR) catchment area as the original construction activity  
 3) Locations in the next adjacent DNR catchment area up-stream  
 4) Locations anywhere within the local authorities jurisdiction

**Notes:**  
 A. Volume reduction techniques considered shall include infiltration, rainwater harvesting & reuse, bioretention, permeable pavement, tree boxes, grass swales and/or additional techniques included in the MIDS calculator or the Minnesota Stormwater Manual.  
 B. Applicant shall document the flexible treatment options decision sequence, following the order of alternatives presented here.  
 C. For Alternative #2, the applicant is encouraged to use BMPs that reduce volume. Secondary preference is to employ filtration techniques, followed by rate control BMPs.  
 D. Fully reconstructed impervious surfaces: Areas where impervious surfaces have been removed down to the underlying soils. Activities such as structure renovation, mill and overlay projects and other pavement rehabilitation projects that do not alter the underlying soil material beneath the structure, pavement or activity are not considered full reconstruction. In addition, other maintenance activities such as catch basin and pipe repair/replacement, lighting, and pedestrian ramp improvements shall not be considered fully reconstructed impervious surfaces. Reusing an existing building foundation and re-roofing of an existing building are not considered fully reconstructed.  
 E. Soils that infiltrate too quickly may not provide sufficient pollutant removal before the infiltrated runoff enters groundwater.  
 F. A reasonable attempt must be made to obtain right-of-way during the project planning process  
 G. Other, this is not an exhaustive list  
 H. Hotspots includes any portion of a facility where infiltration is prohibited under an NPDES/SDS industrial stormwater permit issued by the MPCA