

City of Mounds View

2401 Highway 10, Mounds View, MN 55112-1499

(763) 717-4020 * Fax: (763) 784-3462

WETLANDS AND WETLAND BUFFERS

Information Sheet

WHAT IS A WETLAND?

Chances are, when you think of a wetland, you think of swampy, marshy places covered with ducks and cattails. While that is a description that fits many wetlands, there are many different types of wetlands; some of which appear to be dry for most of the year and might even be covered with trees and shrubs.

According to the experts, a wetland has mostly wet soil, is saturated with water either above or just below the surface and is covered with plants that have adapted to wet conditions.

According to Mounds View's wetland code, a wetland is defined as those areas **greater** than one acre in size that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal circumstances do support hydrophytic vegetation, hydric soils and wetland hydrology, as delineated on the Wetland Zoning District Maps.

There are many smaller wetlands in the community that do not show up on the City's maps, however these small basins remain protected by virtue of other agency rules and regulations. For more on jurisdiction, keep reading.

WHO HAS JURISDICTION OVER WETLANDS IN THE CITY?

The Rice Creek Watershed District (RCWD) is the local governmental unit having jurisdiction over the City's wetlands. In addition, there are several wetlands in the City which are further protected by the Department of Natural Resources (DNR). The Army Corp of Engineers (ACOE) and Board of Water and Soils Resources (BWSR) also have oversight responsibilities. In addition to RCWD, ACOE, BWSR or DNR oversight, the City has adopted numerous wetlands regulations to ensure that these natural areas remain protected and preserved in accordance with the Minnesota Wetland Conservation Act of 1991.

MOUNDS VIEW'S REGULATIONS

Essentially, the City regulations coupled with the other agency regulations prohibit any development or activity within a wetland without prior permit or agency authorization. The intent, of course, is to preserve the wetland area in its natural state and to provide habitat areas for wildlife. Some specific purposes of the wetlands regulations as articulated in the City Code are as follows:

- To preserve wetlands in as natural a state as possible;
- To serve as natural retention and detention areas for surface waters;
- To regulate the use of areas adjacent to the wetlands in order to protect and enhance the natural function of the wetlands;
- To provide for the protection, preservation, proper maintenance, use and enhancement of wetland zoning districts;
- To minimize the disturbance to them and to prevent or minimize damage from excessive sedimentation or pollution;
- To prevent loss of aquatic organisms, wildlife and vegetation or the habitats of the same;
- To provide for the protection of surface and ground water supplies from the danger of drought, overdraft, pollution or mismanagement;
- To secure safety from floods; and
- To prevent loss of life, property damage and the losses and risks associated with flood conditions;

Development, for the purposes of the wetlands regulations, is defined as:

"The construction, installation or alteration of any structure, the extraction, clearing or other alteration of land or terrestrial or aquatic vegetation or the course, current or cross-section of any water body or watercourse or the subdivision of land into parcels pursuant to Title 1200 of the Municipal Code."

THE WETLAND BUFFER

The City of Mounds View, much like most other municipalities in the metropolitan area, has designated a “protected” area surrounding all identified wetlands. This protective buffer extends one hundred feet from all boundaries of a wetland. Any planned or proposed development (as defined on the previous page) within the buffer area of a wetland would require issuance of a wetland buffer permit from the City of Mounds View, in addition to any other permits required for the work.

Generally speaking, for a buffer permit to be approved, there should be no adverse impacts to the wetland: no substantial additional runoff, no substantial change of slope or elevations, and no substantial loss of trees or native groundcover. In no event shall construction or development cause erosion or sediment runoff into the wetland.

Depending upon the scale or extent of the development planned for the buffer area, the permit may be issued administratively or may need City Council review and authorization. City staff can administratively review and approve the following types of buffer permits applications:

- Installation and maintenance of fences.
- Landscaping, and impervious surfaces which surfaces do not exceed 1,264 square feet.
- Detached garages, accessory buildings and driveways, and additions thereto which do not require a conditional use permit.
- Grading which does not adversely alter storm water storage capacity, storm water flow direction or runoff intensity.
- Temporary structures not requiring permanent foundations or pads for support.
- Buildings and structural additions to a principal building which do not exceed one thousand two hundred sixty four (1,264) square feet.

Some buffer permit applications may require additional review by the Public Works Department staff or by the City Engineer to ensure that the above standards and requirements are satisfied. Buffer permit applications administratively denied by staff may be appealed to the City Council for review and consideration.

WETLAND ALTERATION PERMITS

Any development contemplated within a designated wetland must first be reviewed and approved by the City Council as well as Rice Creek Watershed District. The standards for approving such an alteration are high, which is to say that the proposed alteration shall be kept to a minimum, and only for that which is necessary or unavoidable. The City Code indicates the following regarding alteration requests:

A minimum alteration of a wetland may be allowed when necessary for the use of property but only when it will not have a substantially or significantly adverse effect, as determined by the City, upon the ecological and hydrological characteristics of the wetland.

Generally speaking, an alteration shall not:

- Cause a reduction in the flood storage capacity of the wetland
- Reduce the existing water quality enhancement value of a wetland under conditions of ultimate development.
- Reduce the existing wildlife habitat value of a wetland as measured using methods approved by the City.
- Adversely affect the water flow characteristics within the wetland as determined by the City.
- Cause storm water runoff from the development to take place at a rate which would exceed the rate or volume as anticipated by the City's Local Water Management Plan.

QUESTIONS?

If you have questions regarding the city's wetland buffer or wetland alteration regulations, or if you'd like to know whether your property is located within such an area, please contact the Mounds View Community Development Department at 763-717-4020.

To inquire about Rice Creek Watershed District regulations and their permit process, call the RCWD at 763-398-3070 or check their website which is located at <http://www.mnwatershed.org/rice.htm>. Keep in mind that a RCWD permit does not constitute approval by the City—both approvals are required for any wetland alteration. RCWD however does NOT regulate wetland buffer areas.

~ **Wetland areas are to be preserved and protected for the benefit of all** ~