# 4410.0200 DEFINITIONS AND ABBREVIATIONS.

Subpart 1. Scope.

For the purpose of parts 4410.0200 to 4410.6500, the following terms and abbreviations have the meanings given them, unless otherwise provided.

Subp. 1a.

[Repealed, 31 SR 539]

Subp. 2. Agricultural land.

"Agricultural land" means land that is or has, within the last five years, been devoted to the production of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, horticultural and nursery stock, fruit, vegetables, forage, grains, or bees and apiary products. Wetlands, naturally vegetated lands, and woodlands contiguous to or surrounded by agricultural land shall be considered agricultural lands if under the same ownership or management as that of the agricultural land during the period of agricultural use.

Subp. 3. Animal units.

"Animal units" has the meaning given in part 7020.0300, subpart 5.

Subp. 4. Approval.

"Approval" means a decision by a unit of government to issue a permit or to otherwise authorize the commencement of a proposed project.

Subp. 5. Attached units.

"Attached units" means in groups of four or more units each of which shares one or more common walls with another unit.

Subp. 6. Biomass sources.

"Biomass sources" means animal waste and all forms of vegetation, natural or cultivated.

Subp. 6a. Capacity.

"Capacity," as used in parts 4410.4300, subpart 17, and 4410.4400, subpart 13, means the maximum daily operational input volume a facility is designed to process on a continuing basis.

Subp. 7. Class I dam**.**

"Class I dam" has the meaning given in part 6115.0340.

Subp. 8. Class II dam.

"Class II dam" has the meaning given in part 6115.0340.

Subp. 9. Collector roadway.

"Collector roadway" means a road that provides access to minor arterial roadways from local streets and adjacent land uses.

Subp. 9a. Common open space.

"Common open space" means a portion of a development permanently set aside to preserve elements of the natural landscape for public or private use, which will not be developed or subdivided and is either owned in common by the individual owners in the development or by a permanently established management entity. Common open space does not include the area within 25 feet of any structure, any impervious surface, or the area between buildings within an individual cluster of buildings when the development is designed using clustered compact lots or clustered units or sites to create and preserve green space, such as in a conservation subdivision, planned unit development, or resort.

Subp. 9b. Compost facility.

"Compost facility" means a facility used to compost or co-compost solid waste, including:

1. structures and processing equipment used to control drainage or collect and treat leachate; and
2. storage areas for incoming waste, the final product, and residuals resulting from the composting process.

Subp. 9c. Connected actions.

Two projects are "connected actions" if a responsible governmental unit determines they are related in any of the following ways:

1. one project would directly induce the other;
2. one project is a prerequisite for the other and the prerequisite project is not justified by itself; or
3. neither project is justified by itself.

Subp. 10. Construction.

"Construction" means any activity that directly alters the environment. It includes preparation of land or fabrication of facilities. It does not include surveying or mapping.

Subp. 11. Cumulative impact.

"Cumulative impact" means the impact on the environment that results from incremental effects of the project in addition to other past, present, and reasonably foreseeable future projects regardless of what person undertakes the other projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Subp. 11a. Cumulative potential effects.

"Cumulative potential effects" means the effect on the environment that results from the incremental effects of a project in addition to other projects in the environmentally relevant area that might reasonably be expected to affect the same environmental resources, including future projects actually planned or for which a basis of expectation has been laid, regardless of what person undertakes the other projects or what jurisdictions have authority over the projects. Significant cumulative potential effects can result from individually minor projects taking place over a period of time. In analyzing the contributions of past projects to cumulative potential effects, it is sufficient to consider the current aggregate effects of past actions. It is not required to list or analyze the impacts of individual past actions, unless such information is necessary to describe the cumulative potential effects. In determining if a basis of expectation has been laid for a project, an RGU must determine whether a project is reasonably likely to occur and, if so, whether sufficiently detailed information is available about the project to contribute to the understanding of cumulative potential effects. In making these determinations, the RGU must consider: whether any applications for permits have been filed with any units of government; whether detailed plans and specifications have been prepared for the project; whether future development is indicated by adopted comprehensive plans or zoning or other ordinances; whether future development is indicated by historic or forecasted trends; and any other factors determined to be relevant by the RGU.

Subp. 12. Day.

"Day" in counting any period of time shall not include the day of the event from which the designated period of time begins. The last day of the period counted shall be included, unless it is a Saturday, Sunday, or a legal holiday, in which event the period runs until the end of the next day that is not a Saturday, a Sunday, or a legal holiday. When the period of time prescribed or allowed is 15 days or less, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the counting of days.

Subp. 13.

[Repealed by amendment, L 1983 c 289 s 115 subd 1]

Subp. 14. Disposal facility.

"Disposal facility" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 10[[1]](#footnote-1).

Subp. 15. DNR.

"DNR" means Department of Natural Resources.

Subp. 16. DOT.

"DOT" means Department of Transportation.

Subp. 17. EAW.

"EAW" means environmental assessment worksheet.

Subp. 18. EIS.

"EIS" means environmental impact statement.

Subp. 19. [Repealed, 21 SR 1458]

Subp. 20. [Repealed, 21 SR 1458]

Subp. 21. [Repealed, 21 SR 1458]

Subp. 22. Emergency.

"Emergency" means a sudden unexpected occurrence, natural or caused by humans, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes fire, flood, windstorm, riot, accident, or sabotage.

Subp. 22a. Energy recovery facility**.**

"Energy recovery facility" means a facility used to capture the heat value of solid waste for conversion to steam, electricity, or immediate heat by direct combustion or by first converting the solid waste into an intermediate fuel product. It does not include facilities that produce, but do not burn, refuse-derived fuel.

Subp. 23. Environment.

"Environment" means physical conditions existing in the area that may be affected by a proposed project. It includes land, air, water, minerals, flora, fauna, ambient noise, energy resources, and artifacts or natural features of historic, geologic, or aesthetic significance.

Subp. 24. Environmental assessment worksheet.

"Environmental assessment worksheet" means a brief document which is designed to set out the basic facts necessary to determine whether an EIS is required for a proposed project or to initiate the scoping process for an EIS.

Subp. 25. Environmental document.

"Environmental document" means EAW, draft EIS, final EIS, substitute review document, and other environmental analysis documents.

Subp. 26. Environmental impact statement.

"Environmental impact statement" means a detailed written statement as required by Minnesota Statutes, section 116D.04, subdivision 2a.

Subp. 27. **EQB.** "EQB" means Environmental Quality Board.

Subp. 28. Expansion.

"Expansion" means an extension of the capability of a facility to produce or operate beyond its existing capacity. It excludes repairs or renovations that do not increase the capacity of the facility.

Subp. 29. First class city.

"First class city" has the meaning given in Minnesota Statutes, section 410.01.

Subp. 30. Floodplain.

"Floodplain" has the meaning given in Minnesota Statutes, section 103F.111[[2]](#footnote-2).

Subp. 31. [Repealed, 21 SR 1458]

Subp. 32. Fourth class city.

"Fourth class city" has the meaning given in Minnesota Statutes, section 410.01.

Subp. 33. Governmental action**.**

"Governmental action" means activities including projects wholly or partially conducted, permitted, assisted, financed, regulated, or approved by governmental units, including the federal government.

Subp. 34. Governmental unit.

"Governmental unit" means any state agency and any general or special purpose unit of government in the state, including watershed districts organized under Minnesota Statutes, chapter 103D, counties, towns, cities, port authorities, housing authorities, and the Metropolitan Council, but not including courts, school districts, the Iron Range Resources and Rehabilitation Board, and regional development commissions.

Subp. 35. Gross floor space.

"Gross floor space" means the total square footage of all floors but does not include parking lots or approach areas.

Subp. 35a. Genetically engineered organism.

"Genetically engineered organism" has the meaning given in part 4420.0010, subpart 14[[3]](#footnote-3).

Subp. 35b. Genetic engineering."Genetic engineering" has the meaning given in part 4420.0010, subpart 15[[4]](#footnote-4).

Subp. 36. Ground area.

"Ground area" means the total surface area of land that would be converted to an impervious surface by the proposed project. It includes structures, parking lots, approaches, service facilities, appurtenant structures, and recreational facilities.

Subp. 37. Hazardous waste.

"Hazardous waste" has the meaning given in parts 7045.0129 to 7045.0141.[[5]](#footnote-5)

Subp. 38. High voltage transmission line.

"High voltage transmission line" has the meaning given in part 7849.1100[[6]](#footnote-6).

Subp. 39. Highway safety improvement project.

"Highway safety improvement project" means a project designed to improve safety of highway locations that have been identified as hazardous or potentially hazardous. Projects in this category include the removal, relocation, remodeling, or shielding of roadside hazards; installation or replacement of traffic signals; and the geometric correction of identified high accident locations requiring the acquisition of minimal amounts of right-of-way.

Subp. 40. HVTL."HVTL" means high voltage transmission line.

Subp. 40a. Incinerator.

"Incinerator" means any furnace used in the process of burning solid waste for the purpose of reducing the volume of waste by removing combustible matter.

Subp. 41. Large electric power generating plant; LEPGP.

"Large electric power generating plant" or "LEPGP" has the meaning given in part 7849.1100[[7]](#footnote-7).

Subp. 42. LEPGP.

"LEPGP" means large electric power generating plant.

Subp. 42a. Light industrial facility.

"Light industrial facility" means a subcategory of industrial land use with a primary function other than manufacturing and less than 500 employees.

Subp. 43. Local governmental unit.

"Local governmental unit" means any unit of government other than the state or a state agency or the federal government or a federal agency. It includes watershed districts established pursuant to Minnesota Statutes, chapter 103D, counties, towns, cities, port authorities, housing authorities, and the Metropolitan Council. It does not include courts, school districts, and regional development commissions.

Subp. 44. Marina."Marina" has the meaning given in part 6115.0170[[8]](#footnote-8).

Subp. 45. MDA."MDA" means Minnesota Department of Agriculture.

Subp. 46. MDH."MDH" means Minnesota Department of Health.

Subp. 47. Mineral deposit evaluation.

"Mineral deposit evaluation" has the meaning given in Minnesota Statutes, section 103I.605, subdivision 2.[[9]](#footnote-9)

Subp. 48. Minnesota River Project Riverbend area.

"Minnesota River Project Riverbend area" means an area subject to the comprehensive land use plan of the Project Riverbend Board established under Minnesota Statutes, chapter 103F.

Subp. 49. Mississippi headwaters area.

"Mississippi headwaters area" means an area subject to the comprehensive land use plan of the Mississippi River Headwaters Board established under Minnesota Statutes, chapter 103F.

Subp. 50. Mississippi headwaters plan.

"Mississippi headwaters plan" means the comprehensive land use plan of the Mississippi River Headwaters Board established under Minnesota Statutes, chapter 103F.

Subp. 51. Mitigation."Mitigation" means:

1. avoiding impacts altogether by not undertaking a certain project or parts of a project;
2. minimizing impacts by limiting the degree of magnitude of a project;
3. rectifying impacts by repairing, rehabilitating, or restoring the affected environment;
4. reducing or eliminating impacts over time by preservation and maintenance operations during the life of the project;
5. compensating for impacts by replacing or providing substitute resources or environments; or
6. reducing or avoiding impacts by implementation of pollution prevention measures.

Subp. 52. Mixed municipal solid waste**.**

"Mixed municipal solid waste" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 21.

Subp. 53. Natural watercourse.

"Natural watercourse" has the meaning given in Minnesota Statutes, section 103G.005, subdivision 13[[10]](#footnote-10).

Subp. 54. Negative declaration**.**

"Negative declaration" means a written statement by the RGU that a proposed project does not require the preparation of an EIS.

Subp. 55. Open space land use.

"Open space land use" means a use particularly oriented to and using the outdoor character of an area including agriculture, campgrounds, parks, and recreation areas.

Subp. 55a. Ordinary high water level**.**

"Ordinary high water level" has the meaning given in Minnesota Statutes, section 103G.005, subdivision 14.[[11]](#footnote-11)

Subp. 55b. Organism.

"Organism" has the meaning given in part 4420.0010, subpart 18.

Subp. 56. PCA."PCA" means Minnesota Pollution Control Agency.

Subp. 56a. PCB.

"PCB" has the meaning given in Minnesota Statutes, section 116.36, subdivision 4.

Subp. 57. Permanent conversion**.**

"Permanent conversion" means a change in use of agricultural, naturally vegetated, or forest lands that impairs the ability to convert the land back to its agricultural, natural, or forest capacity in the future. It does not include changes in management practices, such as conversion to parklands, open space, or natural areas.

Subp. 58. Permit.

"Permit" means a permit, lease, license, certificate, or other entitlement for use or permission to act that may be granted or issued by a governmental unit, or the commitment to issue or the issuance of a discretionary contract, grant, subsidy, loan, or other form of financial assistance, by a governmental unit.

Subp. 59. Person.

"Person" means any natural person, state, municipality, or other governmental unit, political subdivision, other agency or instrumentality, or public or private corporation, partnership, firm, association, or other organization, receiver, trustee, assignee, agent, or other legal representative of the foregoing, and any other entity.

Subp. 60. Phased action.

"Phased action" means two or more projects to be undertaken by the same proposer that a RGU determines:

1. will have environmental effects on the same geographic area; and
2. are substantially certain to be undertaken sequentially over a limited period of time.

Subp. 61. Positive declaration.

"Positive declaration" means a written statement by the RGU that a proposed project requires the preparation of an EIS.

Subp. 62. Potentially permanent.

"Potentially permanent" means a dwelling for human habitation that is permanently affixed to the ground or commonly used as a place of residence. It includes houses, seasonal and year round cabins, and mobile homes.

Subp. 63. Preparation notice.

"Preparation notice" means a written notice issued by the RGU stating that an EIS will be prepared for a proposed project.

Subp. 64. Processing**.**

"Processing," as used in parts 4410.4300, subpart 16, items B and C, and 4410.4400, subpart 12, item C, has the meaning given in Minnesota Statutes, section 115A.03, subdivision 25[[12]](#footnote-12).

Subp. 65. Project.

"Project" means a governmental action, the results of which would cause physical manipulation of the environment, directly or indirectly. The determination of whether a project requires environmental documents shall be made by reference to the physical activity to be undertaken and not to the governmental process of approving the project.

Subp. 66. [Repealed, 13 SR 1437]

Subp. 67. Project Riverbend plan.

"Project Riverbend plan" means the comprehensive land use plan of the Project Riverbend Board established under Minnesota Statutes, chapter 103F.

Subp. 68. Proposer.

"Proposer" means the person or governmental unit that proposes to undertake or to direct others to undertake a project.

Subp. 69. Public waters.

"Public waters" has the meaning given in Minnesota Statutes, section 103G.005[[13]](#footnote-13).

Subp. 70. Public waters wetland.

"Public waters wetland" has the meaning given in Minnesota Statutes, section 103G.005, subdivision 15a[[14]](#footnote-14).

Subp. 70a. PUC.

"PUC" means the Minnesota Public Utilities Commission.

Subp. 71. Recreational development.

"Recreational development" means facilities for temporary residence while in pursuit of leisure activities. Recreational development includes, but is not limited to, recreational vehicle parks, rental or owned campgrounds, and condominium campgrounds.

Subp. 71a. Refuse-derived fuel.

"Refuse-derived fuel" means the product resulting from techniques or processes used to prepare solid waste by shredding, sorting, or compacting for use as an energy source.

Subp. 71b. Release.

"Release" has the meaning given in part 4420.0010, subpart 19.[[15]](#footnote-15)

Subp. 72. [Repealed, 13 SR 1437]

Subp. 73. Resource recovery.

"Resource recovery" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 27.

Subp. 74. [Repealed, 13 SR 1437]

Subp. 75. Responsible governmental unit.

"Responsible governmental unit" means the governmental unit that is responsible for preparation and review of environmental documents.

Subp. 76. RGU.

"RGU" means responsible governmental unit.

Subp. 77. Scientific and natural area.

"Scientific and natural area" means an outdoor recreation system unit designated pursuant to Minnesota Statutes, [section 86A.05, subdivision 5](https://www.revisor.mn.gov/statutes/?id=86A.05).

Subp. 78. Scram mining operation.

"Scram mining operation" has the meaning given in part 6130.0100[[16]](#footnote-16).

Subp. 79. Second class city.

"Second class city" has the meaning given in Minnesota Statutes, section 410.01.

Subp. 79a. Sensitive shoreland area.

"Sensitive shoreland area" means shoreland designated as a special protection district pursuant to part 6120.3200 or shoreland riparian to any of the following types of public waters:

1. lakes or bays of lakes classified as natural environment pursuant to part 6120.3000;
2. trout lakes and streams designated pursuant to part 6264.0050;
3. wildlife lakes designated pursuant to Minnesota Statutes, section 97A.101, subdivision 2;
4. migratory waterfowl feeding and resting lakes designated pursuant to Minnesota Statutes, section 97A.095, subdivision 2; or
5. outstanding resource value waters designated pursuant to part 7050.0180.

Subp. 80. Sewage collection system.

"Sewage collection system" means a piping or conveyance system that conveys wastewater to a wastewater treatment plant.

Subp. 81. Sewered area.

"Sewered area" means an area:

1. that is serviced by a wastewater treatment facility or a centralized septic system servicing the entire development; or
2. that is located within the boundaries of the metropolitan urban service area, as defined pursuant to the development framework of the Metropolitan Council.

Subp. 81a. Shore impact zone.

"Shore impact zone" has the meaning given in part 6120.2500[[17]](#footnote-17), or in a local ordinance, if the ordinance specifies a greater size for the zone.

Subp. 82. Shoreland.

"Shoreland" has the meaning given in part 6120.2500, subpart 15[[18]](#footnote-18), of the Department of Natural Resources.

Subp. 83. [Repealed, 21 SR 1458]

Subp. 84. Solid waste.

"Solid waste" has the meaning given in Minnesota Statutes, section 116.06, subdivision 22[[19]](#footnote-19).

Subp. 84a. Sports or entertainment facility.

"Sports or entertainment facility" means a facility intended for the presentation of sports events and various forms of entertainment or amusement. Examples include sports stadiums or arenas, racetracks, concert halls or amphitheaters, theaters, facilities for pageants or festivals, fairgrounds, amusement parks, and zoological gardens.

Subp. 85. State trail corridor.

"State trail corridor" means an outdoor recreation system unit designated pursuant to Minnesota Statutes, section 86A.05, subdivision 4.

Subp. 86. Storage**.**

"Storage," as used in part 4410.4300, subpart 16, item D, has the meaning given in Code of Federal Regulations [1980, title 40, section 260.10 (a)(66)[[20]](#footnote-20).](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=8037aedbdc921e36a84e4dcf0a451f93&r=PART&n=40y27.0.1.1.1#40:27.0.1.1.1.2.1.1)

Subp. 87. Third class city.

"Third class city" has the meaning given in Minnesota Statutes, section 410.01.

Subp. 88. Tiering.

"Tiering" means incorporating by reference the discussion of an issue from a broader or more general EIS. An example of tiering is the incorporation of a program or policy statement into a subsequent environmental document of a more narrow scope, such as a site-specific EIS.

Subp. 89. Transfer station.

"Transfer station" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 33[[21]](#footnote-21).

Subp. 89a. Warehousing facility.

"Warehousing facility" means a subcategory of industrial-commercial land use that has as its primary function the storage of goods or materials. Warehousing facilities may include other uses, such as office space or sales, in minor amounts.

Subp. 90. Waste.

"Waste" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 34[[22]](#footnote-22).

Subp. 91. Waste facility.

"Waste facility" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 35[[23]](#footnote-23).

Subp. 92. Wastewater treatment facility**.**

"Wastewater treatment facility" means a facility for the treatment of municipal or industrial waste water.

Subp. 92a. Water-related land use management district**.**

"Water-related land use management district" includes:

1. shoreland areas;
2. floodplains;
3. wild and scenic rivers districts;
4. areas subject to the comprehensive land use plan of the Project Riverbend Board under Minnesota Statutes, chapter 103F; and
5. areas subject to the comprehensive land use plan of the Mississippi River Headwaters Board under Minnesota Statutes, chapter 103F.

## Subp. 92b. Water-related land use management district ordinance or plan, approved.

"Water-related land use management district ordinance or plan, approved" means:

1. a state-approved shoreland ordinance;
2. a state-approved floodplain ordinance;
3. a state-approved wild and scenic rivers district ordinance;
4. the comprehensive land use plan of the Project Riverbend Board under Minnesota Statutes, chapter 103F; or
5. the comprehensive land use plan of the Mississippi River Headwaters Board under Minnesota Statutes, chapter 103F.

Subp. 92c. Waters of the state.

"Waters of the state" has the meaning given in Minnesota Statutes, section 103G.005, subdivision 17[[24]](#footnote-24).

Subp. 93. Wetland.

"Wetland" has the meaning given in U.S. Fish and Wildlife Service Circular No. 39 (1971 edition).

Subp. 94. Wild and scenic rivers district**.**

"Wild and scenic rivers district" means a river or a segment of the river and its adjacent lands that possess outstanding scenic, recreational, natural, historical, scientific, or similar values and has been designated by the commissioner of the DNR or by the legislature of the state of Minnesota for inclusion within the Minnesota wild and scenic rivers system pursuant to Minnesota Statutes, sections 103F.301 to 103F.345, or by congress for inclusion within the national wild and scenic rivers system pursuant to United States Code 1976, title 16, sections 1274 to 1286.

Subp. 95. Wild and scenic rivers district ordinances, state approved.

"Wild and scenic rivers district ordinances, state approved" means a local governmental unit ordinance implementing the state management plan for the district. The ordinance must be approved by the commissioner of the DNR pursuant to parts 6105.0220 to 6105.0250 or 6105.0500 to 6105.0550 of the Department of Natural Resources.

Subp. 96. Wilderness area.

"Wilderness area" means an outdoor recreation system unit designated pursuant to Minnesota Statutes, section 86A.05, subdivision 6.

*Statutory Authority: MS s 14.388; 116C.94; 116D.04; 116D.045*

*History: L 1983 c 289 s 115; 11 SR 714; 13 SR 1437; 17 SR 139; 17 SR 1279; 21 SR 1458; 28 SR*

*951; 31 SR 539; 31 SR 646; 34 SR 721; 37 SR 820*

1. **Subd. 10.Disposal facility**. "Disposal facility" means a waste facility permitted by the agency that is designed or operated for the purpose of disposing of waste on or in the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility. [↑](#footnote-ref-1)
2. **Subd. 4. Floodplain**. "Floodplain" means the areas adjoining a watercourse or water basin that have been or may be covered by a regional flood. [↑](#footnote-ref-2)
3. **Subp. 14. Genetically engineered organism.** "Genetically engineered organism" means an organism derived from genetic engineering. [↑](#footnote-ref-3)
4. **Subp. 15. Genetic engineering.** "Genetic engineering" means the introduction of new genetic material to an organism or the regrouping of an organism's genes using techniques or technology designed by humans. Genetic engineering does not include selective breeding, hybridization, or nondirected mutagenesis, such as hand pollination, procedures based on sexual reproduction that have not involved molecular level manipulation of the genetic material, hybridization where the parent strains do not include genetic material that has been manipulated on the molecular level, mutagenesis induced by chemical, radiation, or heat, embryo rescue, selection of spontaneous mutants, somaclonal variant selection, and artificial insemination. [↑](#footnote-ref-4)
5. <https://www.revisor.mn.gov/rules/?id=7045> [↑](#footnote-ref-5)
6. **Subp. 5. High voltage transmission line or HVTL**. "High voltage transmission line" or "HVTL" means any high voltage transmission line with a capacity of 200 kilovolts or more and any high voltage transmission line with a capacity of 100 kilovolts or more with more than ten miles of its length in Minnesota or that crosses a state line. [↑](#footnote-ref-6)
7. **Subp. 6. Large electric power generating plant or LEPGP.** "Large electric power generating plant" or "LEPGP" means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more and transmission lines directly associated with the plant that are necessary to interconnect the plant to the transmission system. [↑](#footnote-ref-7)
8. **Subp. 20. Marina.** "Marina" means either an inland or offshore commercial mooring facility for the concentrated mooring of seven or more watercraft or seaplanes wherein commercial ancillary services common to marinas are provided. [↑](#footnote-ref-8)
9. <https://www.revisor.mn.gov/statutes/?id=103I.605> [↑](#footnote-ref-9)
10. **Subd. 13.Natural watercourse.** "Natural watercourse" means a natural channel that has definable beds and banks capable of conducting confined runoff from adjacent land. [↑](#footnote-ref-10)
11. <https://www.revisor.mn.gov/statutes/?id=103G.005> [↑](#footnote-ref-11)
12. **Subd. 25.Processing.** "Processing" means the treatment of waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification, and transfer from one waste facility to another. [↑](#footnote-ref-12)
13. <https://www.revisor.mn.gov/statutes/?id=103G.005> [↑](#footnote-ref-13)
14. **Subd. 15a.Public waters wetlands.** "Public waters wetlands" means all types 3, 4, and 5 wetlands, as defined in United States Fish and Wildlife Service Circular No. 39 (1971 edition), not included within the definition of public waters, that are ten or more acres in size in unincorporated areas or 2-1/2 or more acres in incorporated areas. [↑](#footnote-ref-14)
15. **Subp. 19. Release.** "Release" means the placement or use of a genetically engineered organism outside a containment facility or under any other conditions not specifically determined by the board to be adequate containment pursuant to part 4420.0070, subpart 3. [↑](#footnote-ref-15)
16. **Subp. 16. Scram mining operation.** "Scram mining operation" means a mining operation which produces natural iron ore or natural iron ore concentrates as defined by Minnesota Statutes, section 93.20, subdivisions 12 to 17, from previously developed stockpiles, tailings basins, underground mine workings, or open pits, which involves no more than 80 acres of land not previously affected by mining. Greater areas shall be allowed if the operator can demonstrate that impacts would be substantially the same as other scram operations. "Lands not previously affected by mining" means lands upon which mine wastes have not been deposited and lands from which materials have not been removed in connection with the production or extraction of metallic minerals. [↑](#footnote-ref-16)
17. **Subp. 14c. Shore impact zone.** "Shore impact zone" means land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback. [↑](#footnote-ref-17)
18. **Subp. 15. Shoreland. "Shoreland"** means land located within the following distances from public water: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a flood plain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner. [↑](#footnote-ref-18)
19. **Subd. 22.Solid waste.** "Solid waste" means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; concrete diamond grinding and saw slurry associated with the construction, improvement, or repair of a road when deposited on the road project site in a manner that is in compliance with best management practices and rules of the agency; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents or discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended. [↑](#footnote-ref-19)
20. **Storage** means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere. [↑](#footnote-ref-20)
21. **Subd. 33.Transfer station.** "Transfer station" means an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility. [↑](#footnote-ref-21)
22. **Subd. 34.Waste.** "Waste" means solid waste, sewage sludge, and hazardous waste. [↑](#footnote-ref-22)
23. **Subd. 35.Waste facility.** "Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities. [↑](#footnote-ref-23)
24. **Subd. 17.Waters of the state.** "Waters of the state" means surface or underground waters, except surface waters that are not confined but are spread and diffused over the land. Waters of the state includes boundary and inland waters. [↑](#footnote-ref-24)