

EQB Categories for Lakeshore (Shoreland) Development

I. Revisions to Existing Categories (strikethrough or underlined):

4410.4300. MANDATORY EAW CATEGORIES.

Subp. 33. Communications towers.

For construction of a communications tower equal to or in excess of 500 feet in height, or ~~300~~ 200 feet in height within 1,000 feet of any ~~protected~~ public water or ~~protected~~ public wetland or within two miles of the Mississippi, Minnesota, Red, or St. Croix rivers or Lake Superior, the local governmental unit is the RGU.

II. Addition of New Shoreland Development Categories:

1. Subdivisions in shorelands;
2. Planned unit developments (PUDs) in shorelands;
3. Resorts in shorelands;
4. Other large projects in shorelands, exclusive of existing EAW categories.

Lower thresholds apply to communities without DNR-approved shoreland ordinances and in designated sensitive areas. Higher thresholds apply to developments with higher regard for natural features or common open space. See table for specific thresholds.

1 ALT6120 refers to Minnesota's Alternative Shoreland Management Standards, Version 1, December 12, 2005, Minnesota Department of Natural Resources, St. Paul, Minnesota. They are voluntary alternatives to corresponding elements in the Statewide Standards for Management of Shoreland Areas, Minn.Reg. 6120.2500 – 6120.3900, July 3, 1989.

2 "Sensitive shoreland" means any government designated sensitive or vulnerable shoreline or shoreland. Sensitive shorelands include:

- shorelands of natural environment classified lakes and bays (M.R. 6120.3000, Subp. 1a.);
- shorelands of designated trout lakes and streams (M.R. 6264.0050);
- shorelands of designated wildlife lakes (M.S. 97A.001, subd. 2);
- shorelands of designated migratory waterfowl feeding and resting lakes (M.S. 97A.095, subd. 2);
- shorelands of state or federally designated wild and scenic rivers (M.S. 103F.305 – 103F.351);
- shorelands of waterbodies on PCA Special Waters list for stormwater construction permits (M.R. 7001, Appendix A);
- shorelands of outstanding resource value waters (M.R. 7050.0180).

EAW SHORELAND CATEGORIES

Sensitive Area		Threshold Category	Non-sensitive area	
Without shoreland ordinance	With shoreland ordinance		Without shoreland ordinance	With shoreland ordinance
1. Subdivision (lots)				
≥8	≥10	Riparian lots in a conventional subdivision	≥16	≥20
≥16	≥20	Total shoreland lots in a conventional subdivision	≥32	≥40
≥20	≥25	Lots for a conservation subdivision where common open space < 50% of parcel or where density exceeds M.R. 6120 single, unsewered, residential density by more than 15%	≥40	≥50
≥32	≥40	Lots for a conservation subdivision where the local ordinance is consistent with ALT6120 standards or where common open space ≥ 50% of parcel and where density does not exceed M.R. 6120 single, unsewered, residential density by more than 15%	≥64	≥80
Yes	Yes	Any new lake access lot for nonriparians	Yes	no
2. New Planned Unit Development (units or sites)				
Any size	Any size	Units/sites for a proposed PUD where the density exceeds M.R. 6120 single, unsewered, residential density by more than 15% or impervious surface coverage exceeds 15%	≥16	≥20
≥16	≥20	Units/sites for a proposed PUD where the density does not exceed M.R. 6120 single, unsewered, residential density by more than 15% and impervious coverage ≤ 15%	≥64	≥80
≥40	≥50	Units/sites for a PUD where local ordinance is consistent with ALT6120	≥80	≥100
3. Resort (units or sites)				
Yes	Yes	Construction of any new resort where local ordinance is not consistent with ALT6120	Yes	Yes
Yes	Yes	Construction of a new resort where local ordinance is consistent with ALT6120	No	No
≥8	≥10	Units added in a resort expansion	≥16	≥20
≥16	≥20	Sites added in a resort expansion	≥24	≥30
Yes	Yes	Conversion to planned unit or residential development where local ordinance is not consistent with ALT6120	Yes	Yes
4. Shoreland alteration (other projects)				
≥800 feet	≥800 feet	Contiguous length of shore impact zone that any other project alters	≥1320 feet	≥1320 feet
Yes	Yes	Any other land alteration project that alters >50% of the shore impact zone and is larger than 5000 square feet	Yes	Yes
Yes	Yes	Any other project that exceeds 15% impervious surface coverage	No	No
Yes	Yes	Any other project that exceeds 25% impervious surface coverage	Yes	Yes
≥20 acres	≥20 acres	Area of naturally vegetated land that any project permanently converts	≥40 acres	≥40 acres

EIS SHORELAND CATEGORIES

threshold category	Sensitive Area	non-sensitive area
1. Subdivision (lots)		
Riparian lots in a conventional subdivision	≥20	≥40
Total shoreland lots in a conventional subdivision	≥40	≥80
Lots for a conservation subdivision where common open space < 50% of parcel or where density exceeds M.R. 6120 single, unsewered, residential density by more than 15%	≥50	≥100
Lots for a conservation subdivision where the local ordinance is consistent with ALT6120 standards or where common open space ≥ 50% of parcel and density does not exceed M.R. 6120 single, unsewered, residential density by more than 15%	≥80	≥160
Any new lake access that serves 10 or more boats or nonriparian lots	Yes	No
2. Planned Unit Development (units or sites)		
Units/sites for a proposed PUD where density exceeds density exceeds M.R. 6120 single, unsewered, residential density by more than 15% or impervious surface coverage exceeds 15%	≥20	≥40
Units/sites for a proposed PUD where density does not exceed M.R. 6120 single, unsewered, residential density by more than 15% and impervious coverage ≤ 15%	≥40	≥160
Units/sites where local ordinance is consistent with ALT6120	≥100	≥200
3. Resort (units or sites)		
Units/sites in a new resort to be constructed	≥20	≥40
Units added in a resort expansion	≥20	≥40
Sites added in a resort expansion	≥30	≥50
Units/sites converted to planned unit or residential development where local ordinance is not consistent with ALT6120	≥20	≥40
4. Shoreland Alteration		
Area of naturally vegetated land that any project permanently converts	≥40 acres	≥80 acres