

# Upper Rum River Watershed Management Organization (URRWMO) Watershed Management Plan

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## Wetland Standards

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*The following standards were recommended by a Technical Advisory Committee (TAC) including representation from each URRWMO member city. Each member community must update their local water plan and ordinances for consistency with this amendment within two years of the effective date.*

Date of URRWMO Board Approval of Wetland Standards: September 1, 2020

Date of Amendment to URRWMO Plan: May 4, 2021

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### Goals:

- Filter runoff through a vegetated buffer.
- Prevent disturbance within the wetland.

### Standards:

- **Applicability:** These standards apply to:
  - Subdivision or development of three or more lots OR
  - >1 ac disturbance creating new impervious surfaces.
- **Buffer width:** A minimum 16.5 ft perennially vegetated buffer is required at the wetland boundary. Note that a 50 ft perennial vegetated buffer is required by State law for public waters.
- **Protections during construction:** The delineated wetland, but not necessarily the buffer area, must be protected during construction with appropriate perimeter erosion control.
- **Buffer seeding:** Any areas where vegetation is removed in the buffer area during construction must be reseeded with a native seed mix, and the applicant is responsible for maintenance or reseeded for 3 years through a legally enforceable agreement with the city/township. These requirements do not apply if the buffer area vegetation is not disturbed during construction.
- **Buffer vegetation:** Buffer shall be a perennial, unmowed vegetation creating continuous cover. Existing vegetation may be used.

- **Buffer within an easement:** For subdivisions of 3 or more lots, the buffer shall be within a drainage and utility easement with the community's restrictions on structures and other activities in a drainage and utility easement.
- **Buffer averaging:** For linear projects such as roadways or other special circumstances as determined by the city, the buffer width may vary if it achieves the minimum width on average.
- **Stormwater discharge to wetlands:** Discharged stormwater must be treated to URRWMO stormwater standards.
- **Water level bounce:** Allowable water level bounce in wetlands must follow MPCA guidance document - *Stormwater and Wetlands: Planning and Evaluation Guidelines for Addressing Potential Impacts of Urban Stormwater and Snowmelt Runoff on Wetlands*, Minnesota Pollution Control Agency 1997, or subsequent updates.
- **Variances:** Buffer variances may be granted in any of the following conditions:
  - Small wetlands where the entire wetland area is less than or equal to the area of wetland impact allowed without replacement as *de minimis* under the MN Wetland Conservation Act. It is acceptable to have no buffers in these cases.
  - Part of the required buffer is outside of the wetland's watershed. Due to topography near the wetland, runoff flows away from and never enters the wetland through surface flows. Variances should only be for that portion of the buffer that would be outside of the wetland's watershed.
  - If drainage is redirected to an area where a buffer is feasible.
  - If the site is not generating stormwater or is using storm water minimizing techniques that also provide habitat value such as rain gardens, vegetated swales, and other Best Management Practices (BMP's) replace the functions of buffers.
  - If the applicant is protecting additional upland, beyond that required by other ordinances or control measures, to connect existing wildlife habitat.
  - Undue hardship, as defined in MN Statutes 462.357, subd. 6, subpart 2.
  - Others as determined by the permitting authority.
  - Roads and other linear projects, except those created as part of new residential or commercial developments.