

Excerpt from Aitkin County Shoreland Management Ordinance

5.32 Grading and Filling/Land Alteration Permits.

- A. Grading and filling and excavations necessary for the construction of structures, sewage treatment systems, and driveways under validly issued construction permits for these facilities do not require the issuance of a separate land alteration permit. However, the grading and filling standards in this Section must be incorporated into the issuance of permits for construction of structures, sewage treatment systems, and driveways.
- B. Work below the OHW level requires approval by the Department of Natural Resources.
- C. Maintenance of driveways, public roads and parking areas are regulated by Section 5.4 of this ordinance.
- D. Except for the activities described in Items A and C above, a plan must be submitted to the Aitkin County Soil and Water Conservation District for review and to the Aitkin County Planning and Zoning Office for approval prior to issuance of a land alteration permit. A land alteration permit may require the revegetation of the shore impact zone to meet the intent of Section 5.31.

Activities requiring a land alteration permit:

- (1) On steep slopes and shore and bluff impact zones - activities that involve the excavation or placement of more than ten (10) cubic yards of material.

With a permit, a minimum amount of excavation or placement of material to achieve the goal of the project may be permitted but shall not exceed 30 cubic yards. The 30 cubic yards is the maximum amount of excavation or placement of material allowed on an existing parcel of land. The excavation or placement of material shall be done within any existing or proposed recreational use area or access path and not in a separate area; and

- (2) Outside of steep slopes and shore and bluff impact zones - activities that involve the excavation or placement of more than fifty (50) cubic yards of material.

However, when at any one time, more than 200 cubic yards of excavation or fill is proposed, an erosion or sedimentation plan must be submitted to the Aitkin County Zoning Office for referral to the Aitkin County Water and Soil Conservation District for technical review and approval.

- (3) Excavation or placement of fill, as described in D (1) and D (2) above, is allowed no more than twice, unless the excavation or placement of fill is to regrade an annual ice ridge.
- (4) Access to water bodies for purposes of launching watercraft require a land alteration permit. A plan must be submitted to the Aitkin County Soil and Water Conservation District for review and to the Aitkin County Planning and Zoning for approval. The plan must show how surface water run-off will be managed to

- (9) No filling of wetlands is permitted in the shore impact zone and in wetlands that have a contiguous connection to a protected waters, this shall not include activities in Section 5.42;
- (10) Any alterations below the ordinary high water level of public waters must first be authorized by the Department of Natural Resources under Minnesota Statutes, section 103G.245;
- (11) Alterations of topography must only be allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties, this includes the creation or changing of drainage ways; and
- (12) Placement of natural rock riprap must meet Minnesota Department of Natural Resource guidelines.

F. Connections to public waters. Excavations where the intended purpose is connection to a public water, such as boat slips, canals, lagoons, and harbors, must be controlled by local shoreland controls. Permission for excavations may be given only after the DNR commissioner has approved the proposed connection to public waters.