

**MINNEHAHA CREEK WATERSHED DISTRICT  
BOARD OF MANAGERS**

**REVISIONS  
PURSUANT TO MINNESOTA STATUTES §103D.341**

**Adopted January 13, 2005**

**RULE C: FLOODPLAIN ALTERATION**

1. POLICY. It is the policy of the [Board of Managers](#) to:

(a) Preserve existing water storage capacity below 100-year high water elevations on all waterbodies in the watershed to minimize the frequency and severity of high water;

(b) Minimize development below projected 100-year high water elevations that will unduly restrict flood flows or aggravate known high water problems.

2. REGULATION. No person shall alter or fill land below the projected 100-year high water elevation of a waterbody without a permit from the District. A Fast Track permit may be issued for 1" or less of fill in preparation for sodding or seeding.

3. CRITERIA.

(a) The filling shall not cause a net decrease in storage capacity below the projected 100-year high water elevation unless it is shown that the proposed filling, together with the filling of all other properties on the affected reach of the waterbody to the same degree of encroachment as proposed by the applicant, will not cause high water or aggravate flooding on other properties and will not unduly restrict flood flows. The allowable fill area shall be calculated by a professional engineer registered in the State of Minnesota. Creation of floodplain storage capacity to offset fill shall occur within the original permit term. If offsetting storage capacity will be off-site, it shall be created before floodplain filling.

(b) Ice ridge regrading within the floodplain must conform to the original cross-section of the lakebed. Approval for ice ridge regrading or removal of ice ridge material from the floodplain requires the applicant to demonstrate that the ice ridge resulted from ice action during the previous winter. No additional material may be placed within the floodplain except in accordance with this Rule.

(c) All new residential, commercial, industrial and institutional structures shall be constructed such that all door and window openings are at a minimum of two feet above the 100-year high water elevation.

4. REQUIRED EXHIBITS. The following exhibits shall accompany the permit application. One set - full size; one set - reduced to maximum size of 11"x17".

(a) Site plan showing property lines, delineation of the work area, existing elevation contours of the work area, ordinary high water elevation (OHW), and regional flood elevation. All elevations must be reduced to NGVD (1929 datum).

(b) Grading plan showing any proposed elevation changes.

(c) Preliminary plat of any proposed land development.

(d) Determination by a professional engineer of the 100-year high water elevation before and after the project.

(e) Computation by a professional engineer of cut, fill and change in water storage capacity resulting from proposed grading.

(f) Soil boring results if available.

(g) If not otherwise subject to District Rule B (Erosion Control), an erosion control plan conforming to paragraphs 5(b) through (f) and section 9 of Rule B.

5. EXCEPTION.

If the 100-year elevation of a waterbasin is entirely within a municipality, the waterbasin does not outlet during the 100-year event, and the municipality has adopted a floodplain ordinance prescribing an allowable degree of floodplain encroachment, the ordinance governs the allowable degree of encroachment and no permit is required under this rule.