

EARTH MOVING

FACT SHEET

CASS COUNTY ENVIRONMENTAL SERVICES

1106 EARTHMOVING

A shoreland or land alteration permit shall not be required for earthmoving associated with site preparation for structures constructed in accordance with the provisions of a valid structure permit under this ordinance.

1106.1 Non-Shoreland Zone Standards

A land alteration permit shall be required for all land alterations, restoration or reclamation, except those done in conjunction with the operation of an active farm, including, but not limited to the following:

- A. Involve the movement of more than two hundred (200) cubic yards of earthen material.
- B. The movement of more than One Thousand (1000) cubic yards of earthen material requires a conditional use permit and also the following:
 1. Engineered stormwater control and grading plans including cost estimates;
 2. MPCA Stormwater Permit, if more than 1 acre is disturbed;
 3. Financial assurance as indicated in this ordinance.
- C. All projects shall be designed in accordance with the technical standards of the Cass County Soil and Water Conservation District.

1106.2 Shoreland Zone Standards

The movement of earthen material within the shoreland zone shall require a shoreland alteration or conditional use permit, depending on the scope of the project and the zoning district, and comply with the following standards:

- A. The movement of up to fifty (50) cubic yards of earthen material within the structure setback and/or up to 200 cubic yards behind the structure setback requires a shoreland alteration permit.
- B. The movement of more than 50 cubic yards of earthen material within the structure setback and/or more than 200 cubic yards behind the structure setback requires a conditional use permit including:
 1. Stormwater control and grading plans prepared by a registered professional engineer, including cost estimates.
 2. MPCA Stormwater Permit, if more than 1 acre is disturbed;
 3. financial assurance

1106.3 Specific Standards

A. Bluff Zones

1. No movement of earthen material is allowed within a bluff impact zone except in conjunction with a shoreland alteration permit to accommodate the placement of stairways, landings, or access paths.
2. Walkout basements shall not be allowed in bluff zones.
3. Mechanized earth moving equipment shall not be used in bluff zones.

B. Shore Impact Zone-1

1. Walkout basements shall not extend into shore impact zone-1.
2. When mechanized equipment is used for earthmoving in Shore Impact Zone 1, an erosion control plan shall be approved by the ESD Department prior to construction and the measures prescribed in the plan shall be implemented.
3. The maximum width of a shoreland alteration area through shore impact zone 1 shall be 14 feet.
4. Beach Sand Blankets:
 - a. New beach sand blankets on residential lots above the OHW shall not exceed 14 feet in width parallel to the shoreline and shall be incorporated in the shoreline alteration areas as described in Section 1106.4.
 - b. A one time addition of up to ten (10) cubic yards of sand may be placed on existing sand beach sand blankets on residential lots with a shoreland alteration permit.
 - c. New beach sand blankets on water-oriented commercial properties shall not exceed 25 feet in width.
 - d. Berms of not less than 12 inches above grade level or diversions not less than 12 inches below grade level shall be placed landward of all beach sand blankets to prevent erosion from upland runoff.
 - e. Work below the OHW requires approval by the Department of Natural Resources.
5. No alteration of wetlands is allowed.

C. Shore Impact Zone-2

1. Walkout basements may extend into shore impact zone-2. Total excavation volume shall not exceed 50 cubic yards.
2. Mechanized earth moving equipment may be used.
3. No alteration of wetlands is allowed.