

4410.8100 DEFINITIONS.

Subpart 1. **Scope.** The following terms as used in these rules shall have the following meanings, unless otherwise defined.

Subp. 2. **Board.** "Board" means the Minnesota Environmental Quality Board created pursuant to Minnesota Statutes, section 116C.01 et seq.

Subp. 3. **Developer.** "Developer" means any person or governmental agency undertaking any development as defined in these rules.

Subp. 4. **Development.** "Development" means the making of any material change in the use or appearance of any structure or land including but not limited to:

- A. alteration of a shore or bank of a river, stream, lake, or pond;
- B. change in the intensity of use of the land;
- C. clearing of land as an adjunct to construction;
- D. commencement of drilling (except to obtain soil samples), mining, or excavation;
- E. demolition of a structure;
- F. deposit of refuse, solid or liquid waste, or fill on a parcel of land;
- G. division of land into three or more parcels; and
- H. reconstruction, alteration of the size, or material change in the external appearance of a structure on the land.

Subp. 5. **Development permit.** "Development permit" means a building permit; zoning permit; water use permit; discharge permit; permit for dredging, filling or altering any portion of a watercourse; plat approval; rezoning; certification; variance or other action having the effect of permitting any development as defined in the act or these rules.

Subp. 6. **Government development.** "Government development" means any development financed in whole or in substantial part, directly or indirectly, by the United States, the state of Minnesota, or any agency or political subdivision thereof.

A. "Development financed indirectly" means development underwritten or insured by moneys of the governments, or any agency or political subdivision thereof.

B. "Development financed in substantial part" means development with more than 50 percent of its financing or reimbursement from moneys of the governments, or any agency or political subdivision thereof.

Subp. 7. **Land.** "Land" means the earth, water, and air, above, below, or on the surface and includes any improvements or structures customarily regarded as land.

Subp. 8. **Local unit of government.** "Local unit of government" means any political subdivision of the state, including but not limited to counties, municipalities, townships, and all agencies and boards thereof.

Subp. 9. **Order.** "Order" means the governor's executive order that formally designates a particular area as a critical area upon the recommendation of the board.

Subp. 10. **Parcel.** "Parcel" of land means any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Subp. 11. **Powers.** "Powers" means the statutory or other legal authority of federal, state, or regional agencies and local units of government.

Subp. 12. **Recommendation.** "Recommendation" means a written document proposing a particular area as a critical area that is officially submitted for review and action by the appropriate bodies.

Subp. 13. **Regional development commission.** "Regional development commission" means any regional development commission created pursuant to Minnesota Statutes, sections 462.381 to 462.396, and the Metropolitan Council created pursuant to Minnesota Statutes, chapter 473B.

Subp. 14. **Rules.** "Rules" means the instruments by which state agencies and local units of government control the physical development of the critical area or any part or detail thereof. Rules include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and the adoption of detailed maps.

Subp. 15. **State agency.** "State agency" means a state board, commission, institution, or any other unit of state government.

Subp. 16. **Structure.** "Structure" means anything constructed or installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure which can, while it is located on land, be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.

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