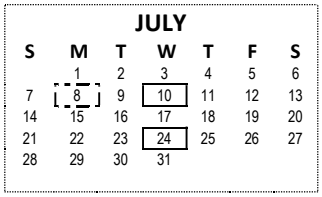
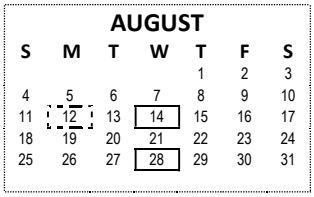
RCWD
RICE CREEK WATERSHED DISTRICT





RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, July 24, 2024, 9:00 a.m.

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

or via Zoom Meeting:
https://us06web.zoom.us/j/85178802098?pwd=bfH1qpWWqbaM3ylm4npmv9HupUCJr6.1
Meeting ID: 851 7880 2098
Passcode: 881893
+1 312 626 6799 US (Chicago)
Meeting ID: 851 7880 2098
Passcode: 881893

Agenda

CALL TO ORDER

ROLL CALL

SECRETARY PRO TEM

SETTING OF THE AGENDA

APPROVAL OF BOARD MINUTES: JULY 8, 2024, WORKSHOP AND JULY 10, 2024, REGULAR MEETING

OPEN MIC/PUBLIC COMMENT

Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

ITEMS REQUIRING BOARD ACTION

1. Anoka County Ditch 53-62 Stabilization Work Order (Tom Schmidt)
2. 2024 Rule Revision – Distribution for Public Review (Patrick Hughes)
3. Biennial Solicitation for Professional Services 2025-26 (Nick Tomczik)
4. Check Register Dated July 24, 2024, in the Amount of $239,963.25 and July Interim Financial Statements Prepared by Redpath and Company

ITEMS FOR DISCUSSION AND INFORMATION

1. Staff Reports
2. August Calendar
3. Administrator Updates
4. Manager's Update

Approval of Board Minutes: July 8, 2024, Workshop and July 10, 2024, Regular Meeting

Draft

RCWD BOARD OF MANAGERS WORKSHOP

Monday, July 8, 2024

Rice Creek Watershed District Conference Room
4325 Pheasant Ridge Drive NE, Suite 611, Blaine, Minnesota
and
Meeting also conducted by alternative means
(teleconference or video-teleconference) from remote locations.

The Board convened the workshop at 9:02 a.m.

Attendance: Board members Mike Bradley, John Waller, Jess Robertson, Marcie Weinandt

Absent: Steve Wagamon (with prior notice)

Staff: Lake & Stream Manager Matt Kocian, Water Monitoring Technician Catherine Nester, Watershed Technician/Inspector Ali Chalberg, Program Support Technician Emmet Hurley (video-conference), Office Manager Theresa Stasica

Consultants: District Engineer Chris Otterness-Houston Engineering, Inc.,

Visitors:

Monitoring Program Annual Review and Budget Projections

Lake and Stream Program staff provided a program annual review presentation to the Board which included long-term condition monitoring, proper diagnosis of water resource problems, and project and program assessments of completed projects. Lake and Stream Manager Kocian also reviewed the programs past and 2025 proposed budget. He is recommending the budget for 2025 be a zero increase from 2024.

RCWD's Draft 2025 Budget

Administrator Tomczik reviewed the draft budget with the Board and discussed changes and highlights within each program.

Updates and additional discussions included:

- Purchase of a side-by-side ATV for all staff/program use and potential additional vehicle lease/purchase.
- Office lease expiration in 2025. Administrator Tomczik discussed the need for additional secure parking at our current location. Manager Robertson stated she would contact the building's lease manager regarding this issue and facilitate a conversation to work on a solution.
- 30-03 Visual Media Program. Refocus MN Water Steward Program funding to this new program.
- 30-05 Mini-Grants Program. The Board discussed the popularity of the mini-grant program and increasing the budget to $20,000.
- 35-04 District Wide Modeling. Administrator Tomczik recommended increasing the District Wide Modeling budget by $10,000 from the amount presented for a software conversion to keep the modeling relevant.
- Fund 60-08 RCD 2, 3, 5 Basic Water Management Project. Administrator Tomczik informed the Board their MPCA resiliency grant application remains without conclusion. He is budgeting money for the project. The Board discussed the estimated MPCA grant award timeline. Manager Robertson

stated she would reach out to Senator Kreun for an MPCA contact to find out more about the grant timeline.

The Board by consensus agreed to the draft budget with the adjustments discussed and directed staff to notice the budget public hearing for August 14, 2024, at 9 a.m.

Administrator Updates

- The District has adopted an administrative electronic signature policy and will being using Adobe Docusign as its approved platform.
- Field Technician Assistant interviews will be held this week.

Manager Robertson informed the Board that she will not be attending the July 24th meeting due to a city commitment.

The workshop was adjourned at 11:13 a.m.

For Consideration of Approval at the July 24, 2024 Board Meeting.
Use these minutes only for reference until that time.

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, July 10, 2024

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota
and
Meeting also conducted by alternative means
(teleconference or video-teleconference) from remote locations

Minutes

CALL TO ORDER

President Michael Bradley called the meeting to order, a quorum being present, at 9:00 a.m.

ROLL CALL

Present: President Michael Bradley, 1st Vice-Pres. John Waller, Treasurer Marcie Weinandt, and Secretary Jess Robertson

Absent: 2nd Vice-Pres. Steve Wagamon (with prior notice)

Staff Present: District Administrator Nick Tomczik, Regulatory Manager Patrick Hughes, Program Support Technician Emmet Hurley (video-conference), Watershed Technician/Inspector Will Roach, Office Manager Theresa Stasica

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners

Visitors: None

SETTING OF THE AGENDA

Motion by Manager Robertson, seconded by Manager Weinandt, to approve the agenda as presented. Motion carried 4-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the June 26, 2024, Board of Managers Regular Meeting. Motion by *Manager Robertson, seconded by Manager Weinandt, to approve the minutes as presented.*

President Bradley referenced line 131 and asked that the word 'proposed' be struck and modified to state, 'He observed that the answer from staff only focused on…'. He referenced line 151 and 152 and explained that there was a lost half-sentence there and would propose that be removed.

Motion by Manager Robertson, seconded by Manager Weinandt, to accept the friendly amendments and approve the minutes, as revised.

Motion carried 4-0.

Manager Weinandt commended the recording secretary for the thoroughness in putting together the minutes and stated that she felt that they duly reflect what took place at the meeting.

ANNUAL PUBLIC INFORMATION MEETING-DISTRICT'S STORM WATER POLLUTION PREVENTION PROGRAM (SWPPP)

President Bradley called to order the public information meeting on the District's Stormwater Pollution Prevention Program (SWPPP).

Watershed Technician/Inspector Roach gave a presentation outlining the District's Stormwater Pollution Prevention Program (SWPPP) and explained that there is no Board action necessary being a public information meeting. He stated that the MPCA was currently in the process of creating a new e-service platform that was not yet active. He noted that the new platform is expected to go live in November so staff will then submit the annual reports from both 2022 and 2023 at that time. He refreshed the Board's memory on the District's MS4 General Permit and highlighted components and examples of District actions for the following areas: Public Education and Outreach; Public Participation/Involvement; Illicit Discharge Detection and Elimination; Construction Site Stormwater Runoff Control; Post-Construction Stormwater Management in New Development and Re-Development; and Pollution Prevention/Good Housekeeping for Municipal Operations. He stated that the District was responsible for reporting on Total Mass Daily Load (TMDL) and noted that there are 4 water bodies in the District that were approved to be removed from the impaired waters list including; Bald Eagle, White Rock, Golden Lake, and both basins of Island Lake. He explained that the District was in the process of updating its regulatory boundary.

Manager Weinandt stated that she has heard the term MS4 for quite a long time and this is the first time she has seen what it actually means which is 'Municipal Separate Storm Sewer System'. She referenced the urbanized areas mentioned on his last slide. She stated that she understood that the District was working on the boundary map and asked if that was within the District and, as the municipalities expand if they took a look at doing the borders as well.

Watershed Technician/Inspector Roach explained that was something that the MPCA oversees and staff's understanding is that it is based more specifically on population size. He stated that once a municipality reaches a certain threshold it is then considered part of the urbanized area.

Manager Weinandt asked if that meant that the MS4 responsibility then shifted to city and out of the District's boundary area.

Watershed Technician/Inspector Roach stated that the District's MS4 is specifically based on the public drainage system and for a municipality in that urbanized area, they are required to develop and implement their own SWPPP for their MS4 systems.

President Bradley stated that the District's MS4 will grow as the population grows.

Manager Waller stated that was incorrect because the District's MS4 is just to the ditches. He noted that he felt their whole area was urbanized and explained that he felt it depended on what they used to define 'urbanized'. He stated that population is one definition and another can be whether or not there are urban services such as sewer and city water. He stated that the District was in the metropolitan area so he thinks all of their counties qualify as urbanized. He noted that the District, a few years ago, made sure that everyone of their cities had a Stormwater Management Plan. He stated that this becomes time for the District to make that transition where they are not directly involved in regulatory matters with things like permits and inspections.

President Bradley stated that they could do that before they have the opportunity to adopt the Districts rules.

Manager Waller noted that he felt that was President Bradley's interpretation and he did not think that was quite what the statute says.

District Engineer Otterness stated that there are certain cities in the District that are not considered MS4 cities, for example Columbus. He noted that if at some point the population adjacent to Columbus or within their city grows enough, they would potentially be considered to be part of the urbanized area according to the Federal definition that the MPCA follows. He explained that, at that point, the District's MS4 obligation would likely then expand to the public drainage systems that are within Columbus. He stated that currently the ditches that are located in Columbus are not considered to be MS4 outlets. He noted that is the obligation the District has from a Federal and State standpoint, but explained that realistically, they administer their programs throughout the District whether they are in the urbanized area or not.

Manager Waller thanked Watershed Technician/Inspector Roach for the nice report.

District Administrator Tomczik suggested that the Board ask if there are any public comments, since this is a public information meeting.

President Bradley noted that nobody was present in the room and asked if there was anyone on-line that wished to comment.

No comments were received.

President Bradley closed this portion of the meeting and moved back into the Board's regular meeting.

OPEN MIC/PUBLIC COMMENT

None

ITEMS REQUIRING BOARD ACTION

1. Check Register Dated July 10, 2024, in the Amount of $107,496.81 Prepared by Redpath and Company

Motion by* Manager Weinandt, *seconded by Manager Bradley, to approve check register dated July 10, 2024, in the Amount of $107,496.81 Prepared by Redpath and Company. Motion carried 4-0.

ITEMS FOR DISCUSSION AND INFORMATION

1. Minnesota Watersheds 2024 Request for Resolutions

District Administrator Tomczik explained that Minnesota Watersheds had sent out their annual request for potential membership resolutions and the Board to begin thinking about what, if any, they may want to put forward. He noted that included in the packet was a list of the active resolutions as well as the resolutions that would be 'sunsetting' and coming off the list. He explained that this body of work establishes the Minnesota Watershed's framework for its legislative platform which was also included in the packet. He noted that this item would be brought to a future Board Workshop for further discussion on the resolutions.

President Bradley stated that he believed that the items that the District had concern about last year that were put forward ended up being adopted which meant that there was not a carryover list of items. He asked if anyone on the Board had any other new things that they felt should be requested.

Manager Waller stated that this is the annual request for resolutions from Minnesota Watersheds, so he would like to make his annual request to repeal the Wetland Conservation Act. He stated that Minnesota is the only state that has such a law and felt that it causes a lot of difficulty for the District and with the recent Supreme Court decision concerning the waters of the United States and regulatory actions, he felt they were kind of out of step.

District Administrator Tomczik stated that he thinks President Bradley was correct that the things the District had independently put forth in the past remain on the 'active' slate of resolutions. He noted that one item that is set to 'sunset' was 2019-01 – Streamline the DNR permitting process. He stated that he believed that the District had an interest in making sure that there was some DNR efficiency be established and maintained. He stated that may be something that the Board would like to make sure is kept on the table. He reminded the Board that the District has a number of discussions taking place with the DNR staff moving through its permitting.

President Bradley stated that getting the DNR to act would be 'fun' and would make their lives much better and explained that he would see no harm in asking that item be resubmitted.

Manager Weinandt noted that she did not think there would be any argument from other watersheds about that either.

President Bradley referenced 2019-06 – Oppose Legislation that Forces Spending on Political Boundaries and noted that was a defensive act designed to address particular legislation and was not a positive act on the District's behalf seeking to do something. He stated that he would suggest that the District did not need to raise that issue at this time.

District Administrator Tomczik stated that staff can bring back to the workshop 2019-01 information.

2. District Engineer Update and Timeline

District Engineer Otterness stated that the District had executed the contract with the contractor for RCD –4 repairs and it appears that the contractor will be getting started sometime in mid-August. He stated that there will be another Drainage Work Group meeting tomorrow that he plans to attend. He noted that one of the topics at the meeting will be a presentation by the State wetland representative for BWSR to talk about the changes in statute related to the Wetland Conservation Act from the last legislative session and the rule making that will be occurring along with that. He stated that another topic at the Drainage Work Group meeting would be a representative from the DNR talking about the changes in the statute regarding the definition of public waters and how the DNR is intending to implement that change.

3. Administrator Updates

District Administrator Tomczik stated that there was a good discussion about the proposed 2025 budget at the recent Workshop and noted that the updates discussed were underway including, the increase for communication/outreach mini-grants and the addition to information management for the District-wide model program for software conversions. He thanked Manager Robertson for her e-mail regarding the MPCA grant and noted that he did not yet have an update, but this could be a revenue source that would need to be reflected in the budget when they get the answer for Jones Lake application. He stated that staff are also working to include accurate Water Management District balances and there is an accounting matter that needs to be addressed related to ACD-53-62 repair to allocate the city stormwater outfall work that was done with that project back to be specific only to the general levy. He stated that he will be working with Redpath today to confirm some of their audit balances in the budget and noted that once all this work is done, they will notice the public hearing for August 14, 2024. He stated that they would also be continuing interviews later today for the Technical Field Assistant position.

4. Managers Update

Manager Waller explained that he had been contacted by Councilman McCarthy from Birchwood Village regarding the plan for the Halls Marsh/Priebe Lake outlet project. He stated that apparently one of the pipes in their park is broken and there is a question of who would be responsible for the repair costs, which seems to be the continuing question. He stated that he believed staff met amongst themselves recently to work on this agreement. He stated that he attended the Minnesota Watersheds executive meeting where two of the metro representatives reported that they had attended functions in the area including a Coon Creek/Sand Creek celebration about the clean water and the delisting party hosted by Comfort Lake/Forest Lake who had taken Bone Lake off the list. He stated that he would suggest that when the District takes their water bodies off the impaired list that they do something similar. He stated that at the Workshop meeting earlier in the week they talked about budget items and explained that he questions whether the District has the authority to collect budgeted monies under the regulatory program for permitting and enforcement.

President Bradley stated that Watershed Technician/Inspector Roach had stated in his presentation that the District's request to have those 4 lakes delisted was approved by the MPCA and asked if that meant that they were now delisted and when the District could throw the delisting party.

District Administrator Tomczik noted that the time to throw the party would be now and explained that those efforts were already in motion by District staff. He explained that invitations to the elected officials and agency staff will be made, and noted that he was not sure how they would actually celebrate due to the various locations of the water bodies. He noted that he will update the Board as the plans are solidified.

The Board discussed possible locations for delisting parties.

President Bradley stated that the Bald Eagle Area Association has a real interest in being involved.

Manager Waller noted that he was also going to suggest Bald Eagle because it would include all 3 counties and there is also a nice park area nearby.

District Administrator Tomczik stated that some communities have their own summer events and they were also looking at possible ways that the delisting may also be involved in their events.

Manager Robertson stated that she had volunteered to take a look into the MPCA funding and noted that Senator Kreun has been a great ally to the District. She explained that he had been able to provide some direct contact information for people at the MPCA who have communicated that the District should know within the next few days who was awarded the Stormwater Resiliency Implementation grants. She stated that the other thing discussed at the Workshop meeting was the need for additional vehicle storage for the District. She explained that she had reached out to agent responsible for the adjacent property who had questions regarding things like square footage

and amount of vehicles that needed to be stored. She stated that they would be following up with the agent once they have that information to attempt to solve the issue of vehicles being vandalized because they were out in the open.

ADJOURNMENT

Motion by Manager Robertson, seconded by Manager Waller, to adjourn the meeting at 9:40 a.m. Motion carried 4-0.

ITEMS REQUIRING BOARD ACTION

1. Anoka County Ditch 53-62 Stabilization Work Order (Tom Schmidt)

MEMORANDUM
Rice Creek Watershed District

Date: July 16, 2024
To: RCWD Board of Managers
From: Tom Schmidt, Drainage and Facilities Manager
Subject: ACD 53-62 Repair Project Stabilization

Introduction
The Board is being asked to consider the following work plan estimate and take action.

Background
In 2023, the District undertook the repair of the main trunk of Anoka County Ditch (ACD) 53-62, completed on October 1, 2023.

In the spring of 2024, erosion and bank sloughing were observed in some repair project areas due to heavy spring rainfall, sandy soils, and steep slopes. This destabilization occurred after the repair project was completed and exceeds standard warranty work criteria. The current condition needs to be remediated to avoid further damage to the drainage system, and to minimize potential downstream impacts. Staff engaged the repair project contractor, US Site Work, who are also part of the District's maintenance contractor pool, to provide an estimate to implement the remediation plan, which includes the installation of District-supplied sheet piling to control the slope sloughing and soil amendment and hydroseeding to allow for more vigorous vegetation growth, which they have submitted.

The Rice Creek Watershed District (District) has successfully utilized contracted services agreements as day-labor contracts with various contractors (contractor pool) to complete planned and unforeseen minor maintenance of the Public Drainage System. The Board reviewed and concurred in the use of the contracted services agreements for 2024, as they may be modified on the advice of counsel, further delegating to the administrator the ability to execute individual work orders in coordination with the Board President under these agreements within limits subject to the maintenance program budgets. The estimate from US Site Work exceeds the limits and thus requires Board approval.

Staff Recommendation
District staff recommends approval of US Site Work individual work order not to exceed $35,546.45 (estimated amount of $24,633.95 plus up to an additional $10,912.50 to cover alternative 02 as noted) and delegate to the administrator authority to execute. Work to be funded from the balance in the ACD 53-62 Main Trunk Water Management District (WMD) fund.

Proposed Motion
Manager _____ moves to approve US Site Work's work order not to exceed $35,546.45 and delegate to the administrator, on the advice of counsel, the authority to execute the described individual work, seconded by Manager _____.

Attachments
- Erosion Repair Proposal from US Sitework dated 6/28/2024
- Proposed Erosion Repair Plan from Houston Engineering
- ACD 53-62 Repair #24-046 repair report/ work order
- US SITEWORK, INC. – CONTRACTED SERVICES AGREEMENT 2024

Erosion Repair Proposal

Date:	6/28/2024
Job Name:	221276 - Anoka County Ditch 53-62 Main Trunk Repair Project
Job Address:	Circle Pines, MN
Project Manager:	Justin Heimkes
Owner:	Rice-Creek Watershed District
Describe Work:	Install approximately 20 lf of Owner supplied Sheet pile. Backfill behind sheetpile with imported topsoil. Fill approximately 55 lf of existing slope with topsoil to flatten slope and stabilize slope. Remove sandy soils from approximately 40 lf at edge of creek and fill with compacted topsoil. All topsoil to be seeded. See optional pricing 1 for erosion control blanket and option 2 for GeoCell.

Labor

Name		Qty	Hours	Rate	Total
Install Sheet Pile					
Operator		1	5.0	$109.00	$545.00
Laborer		2	5.0	$102.00	$1,020.00
Backfill Upslope					
Operator		1	10.0	$109.00	$1,090.00
Laborer		2	10.0	$102.00	$2,040.00
Excavate and Backfill Downslope					
Operator		1	5.0	$109.00	$545.00
Laborer		2	5.0	$102.00	$1,020.00
Supervision					
Foreman		1	20.0	$114.00	$2,280.00
			Subtotal Labor:		$8,540.00

Equipment

Number & Description		Qty	Hours	Rate	Total
Install Sheet Pile					
Backhoe Cat 320		1	5.0	$112.00	$560.00
Compact Terrain 289		2	5.0	$84.00	$840.00
Backfill Upslope					
Backhoe Cat 320		1	10.0	$112.00	$1,120.00
Compact Terrain 289		1	10.0	$84.00	$840.00
Excavate and Backfill Downslope					
Backhoe Cat 320		1	5.0	$112.00	$560.00
Compact Terrain 289		1	5.0	$84.00	$420.00
Supervision					
Pickup		1	20.0	$29.00	$580.00
			Subtotal Equipment:		$4,920.00

Materials

Description	Unit	Estimated Quantity	Rate	Total
Common Topsoil - Borrow	CY	140	$31.95	$4,473.00
		Subtotal Materials:		$4,473.00

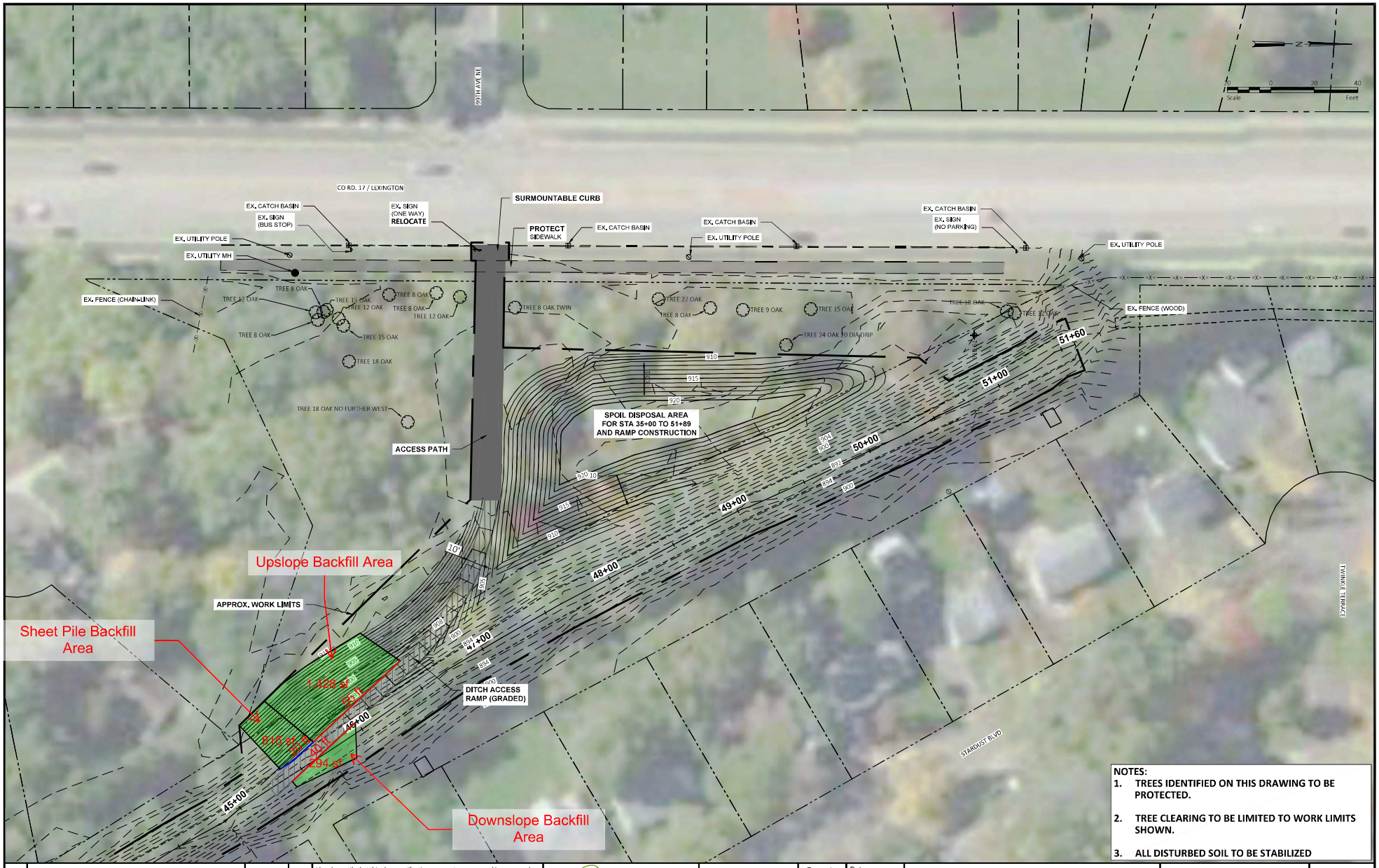
Subcontractor

Description	Unit	Estimated Quantity	Rate	Total
Seed and Mulch	SY	250	$5.25	$1,312.50
Mobilization	Load	4	$787.25	$3,149.00
		Subtotal Subcontracted:		$4,461.50

Labor Total:	$8,540.00
Equipment Total:	$4,920.00
Materials Cost:	$4,473.00
Subcontracted Cost:	$4,461.50
Total Cost:	$22,394.50
10% Overhead:	$2,239.45
Total Price	**$24,633.95**

Alternates

Description	Unit	Estimated Quantity	Rate	Total
01 - Cat 3 Erosion Control Blanket	SY	250	$2.15	$537.50
02 - GeoCell in Slope Grading	SY	250	$43.65	$10,912.50



NOTES:

1. TREES IDENTIFIED ON THIS DRAWING TO BE PROTECTED.
2. TREE CLEARING TO BE LIMITED TO WORK LIMITS SHOWN.
3. ALL DISTURBED SOIL TO BE STABILIZED

No.	Revision	Date	By

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Garrett M. Monson
License No. 54326

MARCH 18, 2022
Date

HOUSTON ENGINEERING INC.

Maple Grove
P: 763.493.4522
F: 763.493.5572

Drawn by AMZ | Date 3-30-2020
Checked by GMM | Scale AS SHOWN

ACD 53-62 MAIN TRUNK REPAIR
RICE CREEK WATERSHED DISTRICT
CIRCLE PINES AND BLAINE, MN

GRADING PLAN
STA. 43+00 TO STA. 52+00
PROJECT NO. 5555-0255

SHEET 8 of 20

h:\maple grove\RCWD\JOBS\5555-0255_acd53-62_branch2_creek_memo\CAD\Plans\55552255_MT_Design Bench XS.dwg-3 GRADING PLAN-3/18/2022 10:16 AM-Mund

Rice Creek Watershed District
DRAINAGE DEPARTMENT
REPAIR REPORT

For Staff Documentation & Contractor Information

ACD 53-62 Repair/Work Order #24-046

OVERVIEW

Date Repair Was Created:	2024-07-12	Branch:	main
Problem/Proposed Work:	Repair erosion of access ramp and Reestablish vegetative cover, stabilize slope toe.		
Ditch Repair:	Slough, Stabilize erosion		
Tile Repair:			
FEMA Event:	None	FEMA Date:	None

REPAIR LOCATION DETAILS

County:		Township:	Circle Pines
Twp:	31	Range:	23
Section:	25	Qtr-Qtr Section:	
Latitude:		Longitude:	
Parcel Number:			
Location Details			

PERSON REQUESTING REPAIR

Name	Address	Phone

Rice Creek Watershed District
DRAINAGE DEPARTMENT
REPAIR REPORT
For Staff Documentation & Contractor Information

Tom Schmidt	4325 Pheasant Ridge Drive NE. #611	Office: 7633983076 Cell: 651-491-1125

LANDOWNER

Name	Address	Phone
None	None	None

STATUS LOG

Action	Date	Initials	Notes
For Review	07/12/2024	tschmidt	None

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
For Approval	2024-07-24	2024-07-24	tschmidt	Will require Board Approval

REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2024-07-12	US Site work	NTE $35,546.45	All work to be as directed by RCWD Staff

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes

INSPECTION LOG

Date	Initials	Notes

Contracted Services Agreement

RICE CREEK WATERSHED DISTRICT and
US SITEWORK, INC.

CONTRACT entered into between the **Rice Creek Watershed District**, a political subdivision of the State of Minnesota (**RCWD**), and **US SITEWORK, INC.** ("**CONTRACTOR**"), in effect from **date of signature to December 31st, 2024.** The RCWD and CONTRACTOR agree as follows:

1. Scope of Work

This CONTRACT will govern CONTRACTOR's performance of Work Orders issued hereunder. The RCWD administrator or drainage inspector will transmit a written work order to CONTRACTOR. CONTRACTOR will promptly confirm receipt and acceptance in writing and, after confirmation, initiate the work requested. All work is to be completed on a "time and materials" basis. At its discretion, the RCWD may in writing suspend or delete the work or a part thereof. Authorized work by CONTRACTOR will be compensated in accordance with Paragraph 5.

This contract is terminable by either party with respect to future work orders, for any reason, upon receipt of written notice. Entering into this Contract does not guarantee that the CONTRACTOR will be retained for the performance of any work during the term of the Contract. Assignment of all work is at the sole discretion of RCWD.

CONTRACTOR may employ an unmanned aircraft system to obtain video of its worksite or work performed. Any such activity will be solely at CONTRACTOR's election, for its own purposes, and at its own risk, and will not be pursuant to any authority or direction of the RCWD.

2. Independent Contractor

CONTRACTOR is an independent contractor under this agreement. CONTRACTOR will select the means, method and manner of performing the work. CONTRACTOR is not the agent, representative or employee of the RCWD in any manner. Personnel performing the work on behalf of CONTRACTOR will not be considered employees of the RCWD and will not be entitled to any compensation, rights or benefits of any kind from the RCWD.

3. Subcontract and Assignment

CONTRACTOR will not assign, subcontract or transfer any obligation or interest in this contract or the work without the written consent of the RCWD.

4. Indemnification

CONTRACTOR will indemnify, defend and hold harmless the RCWD, its officers, board members, employees and agents from any and all actions, costs, damages and liabilities of any nature to the degree they are the result of CONTRACTOR's negligence or other action or inaction by CONTRACTOR that is the basis for CONTRACTOR's liability.

5. Compensation

All payments to be made based on actual materials used and recorded time reported. Costs and rates to be based on the proposal/estimate CONTRACTOR provides when accepting Work Order

and RCWD affirms. When work is completed, or when monthly payment application or itemized invoice is submitted, the RCWD will compensate CONTRACTOR for undisputed work within 30 days of receipt of invoice.

Final payment requires that CONTRACTOR provide proof of compliance with applicable state income tax withholding requirements under Minnesota Statutes § 270C.66.

Each Work Order will be billed and paid independently. RCWD will not engage in setoff or withholding among multiple Work Orders under this Contract. CONTRACTOR and RCWD waive any and all claims against one another for all indirect or unforeseeable consequential damages for Work performed.

CONTRACTOR will maintain records concerning fees or costs incurred in connection with the work for six years from the date the work is completed and agrees that the RCWD or the State Auditor may examine, audit, and copy any such records during normal business hours.

6. Insurance

At all times during the performance of the work, CONTRACTOR will have and keep in force the following insurance coverage:

A. Commercial general liability (CGL): $1.5 million each occurrence and aggregate, covering ongoing and completed operations.

B. Automobile liability: combined single limit each occurrence coverage for bodily injury and property damage covering all vehicles, $1 million.

C. Workers' compensation: in accordance with legal requirements applicable to CONTRACTOR.

Insurance coverage will be on an occurrence basis. Before beginning work under the initial Work Order pursuant to this contract, CONTRACTOR will file with the RCWD a certificate of insurance showing the required coverages. The certificate will name the RCWD as a holder and will state that the RCWD will receive written notice before cancellation, non-renewal, or a decrease in the limit of any described policy under the same terms as CONTRACTOR. CONTRACTOR will not commence work until it has provided the RCWD with an endorsement naming the RCWD as an additional insured with primary and non-contributory coverage under the CGL policy, for ongoing and completed operations.

7. Compliance with Laws

CONTRACTOR will comply with the laws and requirements of all federal, state, local and other governmental units in connection with performing the work, and will procure all licenses, permits and other rights necessary to perform the work. RCWD will advise CONTRACTOR of authorized access and right-of-way. CONTRACTOR will confirm authorized right-of-way, maintain all operations within authorized right-of-way, and dispose of, place and stabilize spoils in accordance with all legal requirements.

CONTRACTOR is responsible for site conditions relating to worker and public safety, cleanliness and environmental protection and in all other respects. CONTRACTOR will report to Gopher State One Call before any excavation in accordance with Minnesota Statutes chapter 216 as may

be applicable to the work and is responsible to identify and protect all structures and marked utilities, whether above or below ground, and for any damage or injury resulting from the failure to do so. On CONTRACTOR's request, the RCWD will mark any private utilities or concealed structures before CONTRACTOR begins work. CONTRACTOR will protect all marked utilities and structures, and will follow industry practice to avoid damage to any unmarked utility or structure.

In performing the work, CONTRACTOR will ensure that no person is excluded from full employment rights or participation in or the benefits of any program, service or activity on the ground of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status or national origin; and no person who is protected by applicable federal or state laws, rules or regulations against discrimination otherwise will be subjected to discrimination.

The Minnesota Data Practices Act applies to this Agreement to the extent specified at Minnesota Statutes §13.05, subdivision 11.

Any provision or part of the Contract held to be void or unenforceable as the final determination of a court will be deemed stricken and all remaining provisions shall continue to be valid and binding upon CONTRACTOR and RCWD, who agree that the Contract shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

8. Prompt Payment

In accordance with Minnesota Statutes §471.425, subdivision 4a, CONTRACTOR will pay any subcontractor to which the RCWD, under paragraph 3, above, has consented within 10 days of CONTRACTOR's receipt of payment from RCWD for undisputed services provided by the subcontractor. CONTRACTOR will pay interest of 1½ percent per month or any part of a month to a subcontractor on any undisputed amount not paid on time to the subcontractor. The minimum monthly interest penalty payment for an unpaid balance of $100 or more is $10. For an unpaid balance of less than $100, CONTRACTOR will pay the actual penalty due to the subcontractor.

IN WITNESS WHEREOF, intending to be legally bound, the parties hereto execute and deliver this contract.

[US SITEWORK, INC.]

By _____ Date: July 15, 2024

Owner/Representative
Scott Kerzman, CEO

RICE CREEK WATERSHED DISTRICT

By _____ Date: 7/15/2024

Administrator

ITEMS REQUIRING BOARD ACTION

2. 2024 Rule Revision – Distribution for Public Review (Patrick Hughes)

MEMORANDUM
Rice Creek Watershed District

Date: **July 16th, 2024**

To: **RCWD Board of Managers**

From: **Patrick Hughes, Regulatory Manager**

Subject: **2024 Rule Revision – Distribution for public review**

Introduction

RCWD staff are requesting that the Board of Managers consider authorizing staff to distribute the draft proposed revisions of the District Rules for public review and comment.

Background

Per the 2020 RCWD Watershed Management Plan (WMP), the District reviews the need for rule modification every 2 to 3 years. The current rule set was adopted in 2020 and took effect on January 1, 2021. Since March 2024, staff have been working with the district engineer and legal counsel on a revised rule, incorporating the District's experience, direction from the Board of Managers, and feedback that has been received since the previous rule revision. At the June Workshop, staff provided the proposed rule modifications, and a comparison of the District rules with the MS4 minimum control measures, and gave a presentation summarizing the information. RCWD offered an informal opportunity for public partners to provide feedback on the rules. Staff's response to the received comments was discussed at the June 26th Board Meeting, and since that meeting, staff have provided the written response to each commenting community and invited them to meet and discuss further.

As required by Minnesota Statute §103D.341, proposed modification of the rules must be made available for review by the District's municipal and agency partners and by the public for at least 45 days prior to adoption. In addition, the Board must hold a noticed public hearing to afford interested parties the opportunity to address the Board directly. Staff are seeking to have the public review period begin on Wednesday, July 24th following Board action and end on Friday, September 20th (57 days), with a public hearing at the regular Board meeting on September 11th. This agenda item includes the materials to be provided with the notice, including the District Rules both with tracked proposed changes ("redline") and with the changes incorporated ("clean"), as well as a public memorandum that describes the proposed changes and the rationale behind them. If the Board of Managers would like to incorporate additional materials or engagement with the District's partners or the public, it may do so. Staff will be available to all public partners and the public to discuss the proposed revisions.

Staff Recommendation

Staff recommends that the Board of Managers approve the enclosed resolution to distribute the proposed rule and accompanying memorandum for public review for a period of at least 45 days and notice a public hearing for September 11, 2024.

Proposed Motion

Manager _____ moves to offer Resolution 2024-05, directing the District administrator to distribute the proposed rule and memorandum for a public review and comment period until September 20th, 2024 and to provide notice of a public hearing for September 11th, 2024, seconded by Manager _____.

Attachments (all to be provided for public review)

- Proposed rule with tracked ("redline") changes
- Proposed rule with changes accepted ("clean")
- Memorandum describing the proposed rule revision
- Resolution 2024-05

RICE CREEK WATERSHED DISTRICT RULES

BOARD APPROVED: ~~DECEMBER 9, 2020~~XXXX, 2024
EFFECTIVE DATE: JANUARY 1, ~~2021~~2025

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CERTIFICATION OF
REVISED WATERSHED DISTRICT RULES

I, ~~Marcia A. Weinandt~~Jessica Robertson, Secretary of the Rice Creek Watershed District Board of Managers, certify that the attached is a true and correct copy of the Rules of the Rice Creek Watershed District as revised and adopted by the Board of Managers on ~~December 9~~XXXX, ~~2020~~2024, and effective January 1, ~~2021~~2025.

Dated: _____ _____

~~Marcia A. Weinandt~~Jessica Robertson,
Secretary

ACKNOWLEDGEMENT

State of Minnesota
County of Anoka

This instrument was acknowledged before me on ~~December 9~~XXXXX, ~~2020~~2024, by ~~Marcia A. Weinandt~~Jessica Robertson, as secretary of the Rice Creek Watershed District Board of Managers.

_____
Notary Public

3

GENERAL POLICY STATEMENT

The Rice Creek Watershed District (District) is a political subdivision of the State of Minnesota, established under the Minnesota Watershed Law. The District is also a watershed management organization as defined under the Minnesota Metropolitan Surface Water Management Act, and is subject to the directives and authorizations in that Act. Under the Watershed Law and the Metropolitan Surface Water Management Act, the District exercises a series of powers to accomplish its statutory purposes. The District's general statutory purpose is to conserve natural resources through development planning, flood control, and other conservation projects, based upon sound scientific principles.

As required under the Metropolitan Surface Water Management Act, the District has adopted a Watershed Management Plan, which contains the framework and guiding principles for the District in carrying out its statutory purposes. It is the District's intent to implement the Plan's principles and objectives in these rules.

Land alteration affects the rate, volume, and quality of surface water runoff which ultimately must be accommodated by the existing surface water systems within the District. The watershed is large, 186 square miles, and its outlet, Rice Creek, has limited capacity to carry flows. Flooding problems already occur in urbanized areas along Lower Rice Creek and other localized areas.

Land alteration and utilization also can degrade the quality of runoff entering the streams and waterbodies of the District due to non-point source pollution. Lake and stream sedimentation from ongoing erosion processes and construction activities reduces the hydraulic capacity of waterbodies and degrades water quality. Water quality problems already exist in many of the lakes and streams throughout the District.

Projects which increase the rate or volume of stormwater runoff can aggravate existing flooding problems and contribute to new ones. Projects which degrade runoff quality can aggravate existing water quality problems and contribute to new ones. Projects which fill floodplain or wetland areas can aggravate existing flooding by reducing flood storage and hydraulic capacity of waterbodies, and can degrade water quality by eliminating the filtering capacity of those areas.

In these rules the District seeks to protect the public health and welfare and the natural resources of the District by providing reasonable regulation of the modification or alteration of the District's lands and waters to reduce the severity and frequency of flooding and high water, to preserve floodplain and wetland storage capacity, to improve the chemical, physical and biological quality of surface water, to reduce sedimentation, to preserve waterbodies' hydraulic and navigational capacity, to preserve natural wetland and shoreland features, and to minimize public expenditures to avoid or correct these problems in the future.

The District rules include certain rules adopted to implement area-specific Comprehensive Wetland Protection and Management Plans (CWPMP) as provided under the Wetland Conservation Act (WCA). CWPMPs are designed to achieve identified wetland resource management needs within specific drainage areas of the watershed. These rules (within Rule F) apply to a delineated geographic area. Accordingly, a property owner intending an activity subject to District permitting requirements first should determine whether the activity will be governed by the CWPMP rule.

RELATIONSHIP OF RICE CREEK WATERSHED DISTRICT TO MUNICIPALITIES

The District recognizes that the primary control and determination of appropriate land uses is the responsibility of the municipalities. Accordingly, the District will coordinate permit application reviews involving land development with the municipality where the land is located.

The District intends to be active in the regulatory process to ensure that its water resources are managed in accordance with District goals and policies. Municipalities have the option of assuming a more active role in the permitting process after adoption of a local water management plan approved by the District and adoption and implementation of local ordinances consistent with the approved plan.

The District will also review projects sponsored or undertaken by municipalities and other governmental units, and generally will require permits for governmental projects impacting water resources of the District. These projects include but are not limited to, land development, road, trail, and utility construction and reconstruction.

The District desires to serve as technical advisor to the municipalities in their preparation of local surface water management plans and the review of individual development proposals prior to investment of significant public or private funds. To promote a coordinated review process between the District and the municipalities, the District encourages the municipalities or townships to contact the District early in the planning process.

RULE A: DEFINITIONS

For the purposes of these rules, the following words have the meanings set forth below.

References in these rules to specific sections of the Minnesota Statutes include any amendments, revisions or recodification of those sections.

As Constructed and Subsequently Improved Condition (ACSIC): the legally established geometry of the public drainage system as constructed and subsequently modified through drainage code procedures.

Beds of Protected Waters: all portions of public waters and public waters wetlands located below the ordinary high water level.

Best Management Practices (BMPs): measures taken to minimize the negative effects on water resources and systems as referenced in the Minnesota Construction Site Erosion and Sediment Control Planning Handbook (BWSR, 1988), Protecting Water Quality in Urban Areas (MPCA, 1989) and the Minnesota Stormwater Manual (MPCA, 2006) or similar guidance documents.

Better Site Design (BSD): an approach to managing runoff that seeks to attain post development hydrology which mimics the undeveloped condition in terms of volume, rate and timing of runoff. The goals of Better Site Design include reducing the amount of impervious cover, increasing the amount of natural lands set aside for conservation, using pervious areas for more effective stormwater treatment, innovative grading and drainage techniques and through the review of every aspect of the project site planning process. Better Site Design involves techniques applied early in the design process to reduce impervious cover, conserve natural areas and use pervious areas to more effectively treat stormwater runoff and promote a treatment train approach to runoff management.

Bridge: a road, path, railroad or utility crossing over a waterbody, wetland, ditch, ravine, road, railroad, or other obstacle.

Bridge Span: the clear span between the inside surfaces of a bridge's terminal supports.

Channel: a perceptible natural or artificial depression, with a defined bed and banks that confines and conducts water flowing either continuously or periodically.

Common Plan of Development: A contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

Comprehensive Wetland Protection and Management Plan (CWPMP): a locally developed comprehensive wetland protection and management plan approved by the Minnesota Board of Soil and Water Resources, pursuant to Minnesota Rules 8420.0830.

Conditional Approval Pending Receipt of Changes (CAPROC): approval of a District permit application that requires the applicant to provide further information or plan changes, or meet other stated conditions, prior to District issuance of the permit, See Rule B.5.

Conveyance System: Open channel, pipe or tile that is not a Public Drainage System. A portion of a conveyance system is defined as "regional" if it carries flows from a drainage area of greater than 200 acres.

Criteria: specific details, methods and specifications that apply to all permits and reviews and that guide implementation of the District's goals and policies.

Critical Duration Flood Event: the 100-year precipitation or snow melt event with a duration resulting in the maximum 100-year return period water surface elevation. The critical duration flood event is generally either the 100-year, 24-hour rainfall event as found in NOAA Atlas 14 or the ten-day snow melt event assumed to be 7.2 inches of runoff occurring on frozen ground (CN=100); however, other durations (e.g., 6-hour) may result in the maximum 100 year return period water surface elevation.

CWPMP Contributing Drainage Area: the areas tributary to CWPMP jurisdictional areas from which banked or off-site wetland replacement credits may be used to replace wetland impacts under Rule F.6(c). Figure 4 illustrates the Contributing Drainage Area; however, the precise boundary will be determined on a hydrologic basis at the time of permitting.

Detention Basin: any natural or man-made depression that stores stormwater runoff temporarily.

Development: any land-disturbing activity resulting in creation or reconstruction of impervious surface including, but not limited to, municipal road construction. Normal farming practices part of an ongoing farming operation shall not be considered development.

District: the Rice Creek Watershed District established under the Minnesota Watershed Law, Minnesota Statutes Chapter 103D.

Effectively Drained Wetland: an area whose natural hydrology has been altered to the point that it is no longer considered wetland.

Emergency Overflow (EOF): a primary overflow to pass flows above the design capacity around the principal outlet safely downstream without causing flooding.

Excavation: the displacement or removal of soil, sediment or other material.

Floodplain: the areas adjoining a waterbody that are inundated by the 100-year flood elevation.

Floodway: the channel of a watercourse, the bed of waterbasins and those portions of adjoining floodplains that must be kept free of encroachment to accommodate the 100-year flood.

Floodway Fringe: the area between the floodway and the boundary of the 100-year flood.

Flood Management Zone: land within the Rice Creek Watershed District draining to and entering Rice Creek downstream from the outlets of Baldwin Lake and Golden Lake.

Freeboard: vertical distance between the 100-year flood elevation or emergency overflow elevation of a waterbasin or watercourse and the elevation of the regulatory elevation of a structure.

Governmental Project: projects sponsored or paid for by a governmental agency.

High Quality Wetland: an existing wetland reflecting a score of “high/high” for the functional indicators “outlet condition” and “vegetative quality”, respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Impervious Surface: a compacted surface or a surface covered with material (i.e., gravel, asphalt, concrete, Class 5, etc.) that increases the depth of runoff compared to natural soils and land cover. Including but not limited to roads, driveways, parking areas, sidewalks and trails, patios, tennis courts, basketball courts, swimming pools, building roofs, covered decks, and other structures.

Infiltration: water entering the ground through the soil.

Land-Disturbing Activity: any disturbance to the ground surface that, through the action of wind or water, may result in soil erosion or the movement of sediment into waters, wetlands or storm sewers or onto adjacent property. Land-disturbing activity includes but is not limited to the demolition of a structure or surface, soil stripping, clearing, grubbing, grading, excavating, filling and the storage of soil or earth materials. The term does not include normal farming practices as part of an ongoing farming operation.

Landlocked Basin: a waterbasin lacking an outlet at an elevation at or below the water level produced by the critical duration flood event, generally the 10-day snowmelt event.

Local Government Unit (LGU): the public body responsible for implementing the Minnesota Wetland Conservation Act, as defined at Minnesota Statutes §103G.005, subdivision 10e.

Low Entry Elevation: the elevation of the lowest opening in a structure.

Low Floor Elevation: the elevation of the lowest floor of a habitable or uninhabitable structure, which is often the elevation of the basement floor or walk-out level.

Major Watercourse: any watercourse having a tributary area of 200 acres or more.

Marginally Degraded Wetland: an existing wetland reflecting a score of "high/low" or "low/high" for the functional indicators "outlet condition" and "vegetative quality", respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Mill, Reclamation and Overlay: removal of the top layer(s) of an impervious surface (e.g. roadway, parking lot, sport court) by mechanical means, followed by the placement of a new layer of impervious surface, without exposure of the underlying native soil.

Moderately Degraded Wetland: an existing wetland reflecting a score of "medium/medium" or "low/medium" for the functional indicators "outlet condition" and "vegetative quality", respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Municipal Separate Storm Sewer System (MS4): the system of conveyances owned or operated by the District and designed or used to collect or convey storm water, and that is not used to collect or convey sewage.

Municipality: any city or township wholly or partly within the Rice Creek Watershed District.

Native Vegetation: plant species that are indigenous to Minnesota or that expand their range into Minnesota without being intentionally or unintentionally introduced by human activity and that are classified as native in the Minnesota Plant Database.

NPDES Permit: general permit authorization to discharge storm water associated with construction activity under the National Pollutant Discharge Elimination System (NPDES), issued by the Minnesota Pollution Control Agency.

Non-Degraded Wetland: an existing wetland reflecting a score of "high/medium" or "medium/high" for the functional indicators "outlet condition" and "vegetative quality", respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Non-Invasive Vegetation: plant species that do not typically invade or rapidly colonize existing, stable plant communities.

NURP: Nationwide Urban Runoff Program.

100-Year Flood Elevation: the elevation of water resulting from the critical duration flood event, as mapped under the RCWD District Wide Model and as the RCWD may refine on the basis of site-specific data.

Ordinary High Water Level (OHW): the highest water level elevation that has been maintained for a sufficiently long period of time to leave evidence upon the landscape. The OHW is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. If an OHW has been established for a waterbody by the Minnesota Department of Natural Resources, it will constitute the OHW under this definition.

Outlet Control Structure: a permanent structure with rigid overflow designed to control peak flow rates for the two-, 10-, and 100-year events. A riprap-covered berm is not considered a rigid overflow.

Parcel: a lot of record in the office of the county recorder or registrar or that otherwise has a defined legal existence.

Person: any natural person, partnership, unincorporated association, corporation, limited liability company, municipal corporation, state agency, or political subdivision of the State of Minnesota.

Political Subdivision: a municipality, county, town, school district, metropolitan or regional agency, or other special purpose district of Minnesota.

Pollutant: Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind. (This definition is for the purpose of Rule H only and is incorporated from the U.S. EPA model ordinance.)

Public Drainage System: Open channel, pipe tile, and appurtenant structures, within a public system as established or delineated under Minnesota Statutes Chapter 103E.

Public Linear Project: a project involving a roadway, sidewalk, trail, or utility not part of an industrial, commercial, institutional or residential development.

Public Waters: waters identified as public waters under Minnesota Statutes section 103G.005, Subdivision 15.

Public Waters Wetlands: all wetlands identified as public waters wetlands under Minnesota Statutes section 103G.005, subdivision 15a.

Reconstruction: removal of an impervious surface such that the underlying structural aggregate base is effectively removed and the underlying native soil exposed.

Resource of Concern (ROC): lakes identified in Figures C1A through C1E. If an area within the jurisdictional boundary of the District drains to a location outside the District without reaching an ROC, the District will identify the receiving water outside of the District that is the ROC for the purpose of the permit.

Resource of Concern Drainage Area: Land draining to a Resource of Concern. The Resource of

Concern drainage area excludes lands draining first to an upstream Resource of Concern.

Seasonal High Water Table: The highest known seasonal elevation of groundwater as indicated by redoximorphic features such as mottling within the soil.

Severely Degraded Wetland: an existing wetland reflecting a score of "medium/low" or "low/low" for the functional indicators "outlet condition" and "vegetative quality", respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Site: All contiguous lots of record on which activity subject to any District rule is proposed to occur or occurs, as well as all other lots of record contiguous to any such lot under common ownership at the time of the permitted activity. Linear right of way does not disturb contiguity. For public linear projects not occurring in conjunction with land development, the term means the portion of right-of-way defined by the project work limits.

Single Family Residential Construction~~Development~~: Construction of one or more single-family homes on individual lots of record.

Storm Sewer: a pipe system for stormwater conveyance.

Stormwater Pond: Constructed basins placed in the landscape to capture stormwater runoff.

Structure: a building with walls and a roof, excluding structures such as pavilions, playgrounds, gazebos, and garbage enclosures.

Subdivision, Subdivide: the legal separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots.

Technical Evaluation Panel (TEP): The body described in Minnesota Rules 8420.0240.

Total Phosphorus (TP): A measure of all forms of phosphorus, dissolved or particulate, in a given sample or flow.

Upland Habitat Area: A non-wetland area that is contiguous with an existing, restored, or created wetland and scores "C" or better using the Natural Heritage Ranking methodology.

Volume Control Practice: A stormwater infiltration practice or stormwater reuse system.

Waterbasin: an enclosed natural depression with definable banks capable of containing water.

Waterbody: a waterbasin, watercourse or wetland as defined in these Rules.

Watercourse: a channel that has definable beds and banks capable of conducting confined runoff from adjacent land.

Wetland: area identified as wetland under Minnesota Statutes section 103G.005, subdivision 19.

Wetland Management Corridor (WMC): A contiguous corridor encompassing high priority wetland resources identified at a landscape scale in Figure F1 and refined at the time of individual project permitting at a site level as provided for in Rule F, section 6.

RULE B: PROCEDURAL REQUIREMENTS

1. **APPLICATION AND NOTICE OF INTENT REQUIRED.** Any person undertaking an activity for which a permit is required by these rules must obtain the required permit prior to commencing the activity that is subject to District regulation. Applications for permit must be submitted to the District in accordance with the procedures described in this rule. Required exhibits are specified for each substantive rule below. Applicants are encouraged to contact District staff before submission of an application to review and discuss application requirements and the applicability of specific rules to a proposed project. When the rules require a criterion to be met, or a technical or other finding to be made, the District makes the determination except where the rule explicitly states otherwise. The landowner or, in the District's judgment, easement holder, must sign the permit application and will be the permittee or a co-permittee.

2. **FORMS.** A District permit application or notice of intent, and District checklist of permit submittal requirements, must be submitted on the forms provided by the District. Applicants may obtain forms from the District office or website at http://www.ricecreek.org/permits/permit-application/s.

3. **ACTION BY DISTRICT.** The District shall act on applications in accordance with Minnesota Statutes 15.99. A complete permit application includes all required information, exhibits, and fees. An application will not be ready for Board consideration unless all substantial technical questions have been addressed and all substantial plan revisions resulting from staff review have been accomplished. Permit decisions will be made by the Board except as delegated to the Administrator by written resolution.

4. **ISSUANCE OF PERMITS.** The permit will be issued only after applicant has satisfied all requirements and conditions for the permit, has paid all required District fees, and the District has received any required surety. Any outstanding Water Management District charges are due prior to permit issuance.

5. **CONDITIONAL APPROVAL PENDING RECEIPT OF CHANGES (CAPROC).** The District may conditionally approve an application, but a permit will not issue, and work may not begin, until all conditions precedent to issuance are fulfilled. All conditions must be satisfied within twelve (12) months of the date of conditional approval, but if the work commenced before permit issuance, conditions must be satisfied within the period stated in the conditional approval. If conditions are not satisfied within the specified period, the conditional approval will lapse and the applicant will be required to reapply for a permit and pay applicable permit fees.

6. **PERMIT TERM.** Permits are valid for an eighteen-month period from the date of issuance unless otherwise stated within the permit, suspended or revoked. To extend a permit, the permittee must apply to the District in writing, stating the reasons for the extension. Any plan changes, and related project documents must also be included in the extension application. The District must receive this application at least thirty (30) days prior to the permit expiration date. The District may impose different or additional conditions on a renewal or deny the renewal in the event of a material change in circumstances. On the first renewal, a permit will not be subject to change because of a change in District rules. An extended stormwater management permit for phased development may be ~~issued pursuant to Rule C.13~~requested.

7. **PERMIT ASSIGNMENT.** A permittee must be assigned when title to the property is transferred or, if the permittee is an easement holder, in conjunction with an assignment of the easement. The District must approve a permit assignment and will do so if the following conditions have been met:

(a) The proposed assignee in writing agrees to assume all the terms, conditions and obligations of the permit as originally issued to the permittee;

(b) The proposed assignee has the ability to satisfy the terms and conditions of the permit as originally issued;

(c) The proposed assignee is not changing the project as originally permitted;

(d) There are no violations of the permit conditions as originally issued; and

(e) The District has received from the proposed assignee a substitute surety to secure performance of the assigned permit.

Until assignment is approved, the permittee of record as well as the current title owner will be responsible for permit compliance.

8. **PERMIT FEES.** The District will charge applicants permit fees in accordance with a schedule that will be maintained and revised from time to time by the Board of Managers to ensure that permit fees cover the District's actual costs of administrating and enforcing permits. The current fee schedule may be obtained from the District office or the District website at http://www.ricecreek.org/permits/permitting-information. An applicant must submit the required permit fee to the District at the time it submits its permit application. No permit fee will be charged to the federal government, the State of Minnesota or a political subdivision of the State of Minnesota.

9. **PERFORMANCE SURETY.**

(a) **POLICY.** It is the policy of the Board of Managers to conserve the District's water resources by assuring compliance with its rules. The District ensures compliance by requiring a bond or other surety to secure performance of permit conditions and compliance with District rules, as well as protection of District water resources in the event of noncompliance with permit conditions and/or rules. A project for which the applicant is the federal government, the State of Minnesota or a political subdivision of the State of Minnesota is exempt from surety requirements.

(b) **PERFORMANCE SURETY REQUIREMENT.** A surety or sureties, when required, must be submitted in a form acceptable to the District. When a cash escrow is used, it will be accompanied by an escrow agreement bearing the original signature of the permittee and the party providing the escrow, if not the permittee. The District will require applicants to submit a surety or sureties in accordance with a schedule of types and amounts that will be maintained and revised from time to time by the Board of Managers. The current schedule of surety amounts and acceptable forms and sources as well as surety agreement may be obtained from the District office or the District website at http://www.ricecreek.org/permits/permitting-information.

An applicant may submit a bond or an irrevocable letter of credit to the District to secure performance of permit conditions for activities for which the required surety amount as determined above is in excess of $5,000; however, the first $5,000 of any performance surety must be submitted to the District as a cash escrow. The bond or letter of credit must be submitted before the permit is issued.

(c) FORM AND CONTENT OF BOND OR LETTER OF CREDIT.

(1) The bond or irrevocable letter of credit must be in a form acceptable to the District and from a surety licensed to do business in Minnesota.

(2) The bond or irrevocable letter of credit must be in favor of the District and conditioned upon the performance of the party obtaining the bond or letter of credit of the activities authorized in the permit, and compliance with all applicable laws, including the District's rules, the terms and conditions of the permit and payment when due of any fees or other charges required by law, including the District's rules. The bond or irrevocable letter of credit must provide that if the bond conditions are not met, the District may make a claim against the bond or letter of credit.

(d) RELEASE OF PERFORMANCE SURETY. Upon written notification from permittee of completion of the permitted project, the District will inspect the project to determine if it is constructed in accordance with the terms of the permit and District rules. If the project is completed in accordance with the terms of the permit and District rules and the party providing the performance surety does not have an outstanding balance of money owed to the District for the project, including but not limited to unpaid permit fees, the District will release the bond or letter of credit, or return the cash surety if applicable. Final inspection compliance includes, but is not limited to, confirmation that all erosion and sediment control BMPs and stormwater management features have been constructed or installed as designed and are functioning properly, and completion of all required monitoring of wetland mitigation areas. The District may return a portion of the surety if it finds that a portion of the surety is no longer warranted to assure compliance with District rules.

RULE C: STORMWATER MANAGEMENT

1. **POLICY.** It is the policy of the Board of Managers to manage stormwater and snowmelt runoff on a local, regional and watershed basis; to promote natural infiltration of runoff throughout the District to preserve flood storage and enhance water quality; and to address the unique nature of flooding issues within the Flood Management Zone, through the following principles:

   (a) Maximize water quality and flood control on individual project sites through Better Site Design practices and stormwater management.

   (b) Minimize land use impacts and improve operational and maintenance efficiency by siting stormwater BMPs, when needed, regionally unless local resources would be adversely affected.

   (c) Treat stormwater runoff before discharge to surface waterbodies and wetlands, while considering the historic use of District water features.

   (d) Ensure that future peak rates of runoff are less than or equal to existing rates.

   (e) Reduce the existing conditions peak rate of discharge along Lower Rice Creek and the rate of discharge and volume of runoff reaching Long Lake, to preserve the remaining floodplain storage volume within Long Lake and mitigate the historic loss of floodplain storage.

   (f) Preserve remaining floodplain storage volume within the Rice Creek Watershed to minimize flood potential throughout the District.

2. **REGULATION.** A permit incorporating an approved stormwater management plan is required under this rule for development, consistent with the following:

   (a) A permit is required for subdivision of an area exceeding one acre. This includes subdivision for single-family residential, multi-unit residential, commercial, industrial, or institutional development.

   (b) A permit is required for development, other than Public Linear Projects, that creates or reconstructs 10,000 square feet or more of impervious surface. This threshold is cumulative of all impervious surface created or reconstructed ~~through multiple phases or connected actions of a single complete project, as defined by the District, on a single parcel or contiguous parcels of land under common ownership, development or use~~ as a part of a Common Plan of Development.

   (c) For Public Linear Projects, a permit is required when ~~one acre or more of impervious surface will be created or reconstructed through multiple phases or connected actions of a single complete project, as defined by the District~~ the sum of new and reconstructed impervious surface equals or exceeds one acre as a part of a Common Plan of Development.

3. **STORMWATER MANAGEMENT PLAN REQUIRED.** A stormwater management plan shall be submitted with the permit application for a project equaling or exceeding the threshold of Section 2. The stormwater management plan shall fully address the design and function of the project proposal and the effects of altering the landscape relative to the direction, rate of discharge, volume of discharge and timing of runoff.

4. **MODELING REQUIREMENTS FOR STORMWATER MANAGEMENT PLANS.**

(a) A hydrograph method or computer program based on NRCS Technical Release #20 (TR-20) and subsequent guidance must be used to analyze stormwater runoff for the design or analysis of discharge and water levels within and off the project site. The runoff from pervious and impervious areas within the model shall be modeled separately.

(b) In determining Curve Numbers for the post-development condition, the Hydrologic Soil Group (HSG) of areas within construction limits shall be shifted down one classification for HSG C (Curve Number 80) and HSG B (Curve Number 74) and ½ classification for HSG A (Curve Number 49) to account for the impacts of grading on soil structure unless the project specifications incorporate soil amendments in accordance with District Soil Amendment Guidelines. This requirement only applies to that part of a site that has not been disturbed or compacted prior to the proposed project.

(c) The analysis of flood levels, storage volumes, and discharge rates for waterbodies and stormwater management basins must include the NOAA Atlas 14 values, as amended, using a nested rainfall distribution (e.g. MSE 3), for the 2 year, 10 year and 100 year return period, 24-hour rainfall events and the 10-day snowmelt event (Curve Number 100), in order to identify the critical duration flood event. The District Engineer may require analysis of additional precipitation durations to determine the critical duration flood event. Analysis of the 10-day snowmelt event is not required for stormwater management detention basins with a defined outlet elevation at or below the 100 year return period, 24-hour rainfall event elevation.

5. STORMWATER MANAGEMENT PLAN FRAMEWORK.

(a) When an existing regional BMP is proposed to manage stormwater runoff, the applicant must demonstrate the BMP is subject to maintenance obligations enforceable by the District. ~~t~~The project's proposed total impervious surface area must be equal to or less than the impervious surface allocated within the original approved stormwater plan for that site. If an impervious surface area was not specified within the original approved stormwater plan for the site, the applicant shall show that the BMP was designed and constructed to manage the stormwater runoff from the project site and~~,~~ the applicant has permission to utilize the required portion of BMP ~~any remaining~~ capacity ~~in the BMP. , the BMP is subject to maintenance obligations enforceable by the District, and it is being maintained to its original design~~.

(b) Stormwater management plans, with the exception of those for single family residential developments, must specify the proposed impervious surface area draining to each BMP for each land parcel

(c) A combination of Stormwater BMPs may be used to meet the requirements of section(s) 6, 7, and 8.

(d) A local surface water management plan or ordinance of the local land use authority may contain standards or requirements more restrictive than these rules. The stormwater management plan must conform to the local surface water management plan or ordinance of the local land use authority.

(e) The proposed project must not adversely affect off-site water levels or resources supported by local recharge, or increase the potential for off-site flooding, during or after construction.

(f) A landlocked basin may be provided an outlet only if ~~it~~:

(1) It ~~C~~conforms with District Rule F, as applicable.

(2) ~~Provides sufficient dead storage volume to retain the runoff resulting from back-to-back 100-year, 24-hour rainfall events.~~The outlet is above the critical duration flood event

(3) It ~~D~~does not create adverse downstream flooding or water quality conditions as a result of the change in the rate, volume or timing of runoff or a change in drainage patterns.

(g) A municipality or public road authority may prepare a comprehensive stormwater management plan setting forth an alternative means of meeting the standards of sections 6 and 7 within a defined subwatershed. Once approved by the District and subject to any stated conditions, the plan will apply in place of those sections.

6. WATER QUALITY TREATMENT.

(a) Development creating or reconstructing impervious surface shall apply Better Site Design (BSD) techniques as outlined in the MPCA Minnesota Stormwater Manual as amended (www.stormwater.pca.mn.us). A BSD guidance document and checklist is available on the District's website.

(b) Sediment shall be managed on-site to the maximum extent practicable before runoff resulting from new or reconstructed impervious surface enters a waterbody or flows off-site.

(c) WATER QUALITY TREATMENT STANDARD.

(1) The required water quality treatment volume standard for all projects, except Public Linear Projects, is determined as follows:

Required Water Quality Treatment Volume (ft^3) = Area of New or Reconstructed Impervious Surface (ft^2) x 1.1 (in) ÷ TP Removal Factor from Table C1 ÷ 12 (in/ft)

(2) The required water quality treatment volume standard for Public Linear Projects is determined as follows:

Required Water Quality Treatment Volume (ft^3) = {Greater of}

Area of New Impervious Surface (ft^2) x 1.0 (in) ÷ 12 (in/ft)

{OR}

Sum Area of New and Reconstructed Impervious Surface (ft^2) x 0.5 (in) ÷ 12 (in/ft)

(3) For alternative Stormwater BMPs not found in Table C1 or to deviate from TP Removal Factors found in Table C1, the applicant may submit a TP Removal Factor, expressed as annual percentage removal efficiency, based on supporting technical data, for District approval.

(4) Stormwater runoff treated by the BMP during a rain event will not be credited towards the treatment requirement.

TABLE C1. TP REMOVAL FACTORS FOR PROPERLY DESIGNED BMPS.

BMP	BMP Design Variation	TP Removal Factor *
Infiltration **	Infiltration Feature	1.00
Water Reuse **	Irrigation	1.00
Biofiltration	Underdrain	0.65
Filtration	Sand or Rock Filter	0.50
~~Stormwater Wetlands~~	~~Shallow Wetland~~ ~~Pond/Wetland~~	~~0.40~~ ~~0.55~~
Stormwater Ponds ***	Wet Pond ~~Multiple Pond~~	~~0.50~~N/A*** ~~0.60~~

Source: Adapted from Table 7.4 from the Minnesota Stormwater Manual, MPCA.
* Refer to MPCA Stormwater Manual for additional information on BMP performance. Removal factors shown are average annual TP percentage removal efficiencies intended solely for use in comparing the performance equivalence of various BMPs.
** These BMPs reduce runoff volume.
*** Stormwater ponds must ~~also~~ provide 2.5" of dead storage as required by Section 9(d)~~(2).~~

(d) BMP TYPE AND LOCATION~~AL SITING~~.

(1) For a public linear project, BMPs ~~shall~~ must be located ~~either~~ on-site and the required water quality volume must be achieved to the extent feasible~~to treat runoff at the point of generation, or regionally within the Resource of Concern Drainage Area~~. The road authority must obtain right-of-way or adjacent land for treatment, if reasonable. For other projects, the water quality volume must be treated on-site to the extent it is cost-effective, and otherwise may be treated off-site in accordance with subsection 6(d)(3), below.

(2) If infiltration is feasible on site (see Table C2), ~~on-site or regional~~ BMPs, whether on- or off-site, must provide ~~volume control~~for infiltration to meet the standard of subsection 6(c). ~~If~~ To the extent infiltration is not feasible on-site, any BMP may be used to meet the standard.

(3) Off-site and/or regional BMPs must be sited in the following priority order:

(i) In a downstream location that intercepts the runoff volume leaving the project site prior to the Resource of Concern.

(ii) Anywhere within the same Resource of Concern Drainage Area (see Figures

C1A-C1E) that results in no greater mass of Total Phosphorus reaching the resource of concern than on-site BMPs.

TABLE C2. SPECIFIC CONDITIONS THAT MAY RESTRICT INFILTRATION.

Type	Specific Project Site Conditions	Required Submittals
Potential Contamination	Potential Stormwater Hotspots (PSH)	PSH Locations and Flow Paths
	Contaminated Soils	Documentation of Contamination Soil Borings
Physical Limitations	Low Permeability Soils (HSG C & D)	Soil Borings
	Bedrock within three vertical feet of bottom of infiltration area	Soil Borings
	Seasonal High Water Table within three vertical feet of bottom of infiltration area	Soil Borings High Water Table
	Karst Areas	Geological Mapping or Report
Land Use Limitations	Utility Locations	Site Map
	Nearby Wells (Private and/or Municipal) *	Well Locations

* Refer to Minnesota Stormwater Manual or the Minnesota Department of Health for setback requirements.

(e) To the extent feasible, all s~~S~~tormwater runoff from ~~all~~ new and reconstructed impervious surface must be captured and directed to a water quality BMP ~~to the extent feasible~~. ~~treated for total phosphorus if feasible~~. ~~Notwithstanding, runoff from undisturbed impervious surface not otherwise being treated prior to the Resource of Concern may be treated in lieu of treating new or reconstructed impervious surface, provided the runoff from that surface drains to the same Resource of Concern as the new/reconstructed surface not being treated. Except for Public Linear projects, the area not treated for phosphorus may not exceed 15 percent of all the new or reconstructed impervious surface.~~ For runoff not capturedall untreated surface, TSS must be removed to the maximum extent practicable. ~~Total water quality treatment volume for the project must be provided in aggregate pursuant to subsections 6(c) and 6(d) , except that f~~

For a ~~P~~public ~~L~~linear p ~~P~~roject:

- Runoff from undisturbed impervious surface within the right-of-way that is not otherwise being treated may be treated in lieu of treating new or reconstructed impervious surface; and
- ~~, w~~Water quality treatment volume for reconstructed impervious surface, if required by subsection 2(c), must be provided only to the extent feasible.

For ~~a non-public linear~~other projects:

- Runoff from undisturbed impervious surface on site may be treated in lieu of treating new or reconstructed impervious surface, provided the runoff from that surface drains to the same Resource of Concern as the new/reconstructed surface not being treated; and
- The area not treated for phosphorus may not exceed 15 percent of all new or reconstructed impervious surface. Total water quality treatment volume for the project must be provided in aggregate pursuant to subsections 6(c) and 6(d).

~~(e)~~(f) For single- family residential development, the runoff from impervious surface other than parking or driving surface that, in the District's judgment, cannot reasonably be routed to a stormwater BMP is considered ~~effectively treated for water quality~~ to meet the standard of subsection 6(c) by infiltration if:

(1) The length of the flow path across the impervious surface is less than the length of the flow path across the pervious surface to which it discharges; and

(2) The pervious surface is vegetated and has an average slope of five percent or less; and

~~(2)~~(3) The District finds, on the basis of land use, that loss of the pervious surface is highly unlikely, or the permit is conditioned on a recorded covenant protecting the pervious surface.

~~(f)~~(g) Banked "volume control" credits and debits established by public entities for Public Linear Projects with the RCWD prior to July 1, 2013 will continue to be recognized and enforced until all credits are used or all debits are fulfilled. Existing credits and debits may be used and fulfilled, respectively, anywhere within the applicant's jurisdiction on any public project.

7. PEAK STORMWATER RUNOFF CONTROL.

(a) Peak stormwater runoff rates for the proposed project at the project site boundary, in aggregate, must not exceed existing peak runoff rates for the 2-year, 10-year and 100-year, 24-hour rainfall events, or a different critical event duration at the discretion of the District Engineer. Notwithstanding, peak runoff may be controlled to this standard in a regional facility consistent with paragraph 7(b). Aggregate compliance for all site boundary discharge will be determined with respect to runoff not managed in a regional facility.

(b) Any increase in a critical duration flood event rate at a specific point of discharge from the project site must be limited and cause no adverse downstream impact. Table C3 shows the maximum curve numbers that may be utilized for existing condition modeling of those project site areas not covered by impervious surface.

(c) Within the Flood Management Zone only (see Figure C2), peak runoff rates for the 2, 10 and 100 year 24-hour rainfall events shall be reduced to ≤80% of the existing condition. This requirement does not apply if the project is a Public Linear Project.

TABLE C3. CURVE NUMBERS FOR EXISTING CONDITION PERVIOUS AREAS.

Hydrologic Soil Group	Runoff Curve Number *
A	39
B	61
C	74

D	80

* Curve numbers from NRCS Technical Release #55 (TR-55).

TABLE C4. HYDROPERIOD STANDARDS.

Wetland Susceptibility Class	Permitted Storm Bounce for 2-Year and 10-Year Event *	Inundation Period for 2-Year Event *	Inundation Period for 10-Year Event *
Highly susceptible	Existing	Existing	Existing
Moderately susceptible	Existing plus 0.5 ft	Existing plus 1 day	Existing plus 7 days
Slightly susceptible	Existing plus 1.0 ft	Existing plus 2 days	Existing plus 14 days
Least susceptible	No limit	Existing plus 7 days	Existing plus 21 days

Source: Adapted from: Stormwater and Wetlands Planning and Evaluation Guidelines for Addressing Potential Impacts of Urban Stormwater and Snowmelt Runoff on Wetlands.
* Duration of 24-hours for the return periods utilizing NOAA Atlas 14.

8. BOUNCE AND INUNDATION PERIOD.

(a) The project must meet the hydroperiod standards found in Table C4 with respect to all down-gradient wetlands.

(b) Wetland Susceptibility Class is determined based on wetland type, as follows:

(1) Highly susceptible wetland types include: sedge meadows, bogs, coniferous bogs, open bogs, calcareous fens, low prairies, coniferous swamps, lowland hardwood forests, and seasonally flooded waterbasins.

(2) Moderately susceptible wetland types include: shrub-carrs, alder thickets, fresh (wet) meadows, and shallow & deep marshes.

(3) Slightly susceptible wetland types include: floodplain forests and fresh wet meadows or shallow marshes dominated by cattail giant reed, reed canary grass or purple loosestrife.

(4) Least susceptible wetland includes severely degraded wetlands. Examples of this condition include cultivated hydric soils, dredge/fill disposal sites and some gravel pits.

9. DESIGN CRITERIA.

(a) Infiltration BMPs must be designed to provide:

(1) Adequate pretreatment measures to remove sediment before runoff enters the primary infiltration area;

(2) Drawdown within 48-hours from the end of a storm event. Soil infiltration rates shall be based on the appropriate HSG classification and associated infiltration rates (see Table C5). The least permeable layer of the soil boring column must be utilized in BMP calculations (see Design Criteria (e). Alternate infiltration rates based on a recommendation and certified measurement testing from a licensed geotechnical engineer or licensed soil scientist will be considered. Infiltration area will be limited to horizontal areas subject to prolonged wetting;

(3) A minimum of three feet of separation from the Seasonal High Water Table~~;~~ and

(4) An outlet control structure to convey the 2-year, 10-year & 100-year frequency events if the BMP is intended to provide rate control; and

~~(3)~~(5) Consideration of the Minnesota Department of Health guidance document Evaluating Proposed Stormwater Infiltration Projects in Vulnerable Wellhead Protection Areas. Documentation shall be submitted to support implementation of this guidance document and will be accepted at the discretion of the District Engineer.

(b) Water Reuse BMPs must conform to the following:

(1) Design for no increase in stormwater runoff from the irrigated area or project site.

(2) Required design submittal packages for water reuse BMPs must include:

(i) An analysis using the RCWD's Stormwater Reuse Spreadsheet~~Metropolitan Council Stormwater Reuse Guide 'Water Balance Tool Irrigation Constant Demand' spreadsheet for irrigation practices or 'Water Balance Tool Non-Irrigation Constant Demand' spreadsheet for non-irrigation practices. The tools are available download at: http://www.metrocouncil.org/wastewater-water/planning/water-supply-planning/studies-projects-workgroups-(1)/completed-studies-projects/stormwater-reuse-guide.aspx~~;

(ii) Documentation demonstrating adequacy of soils, storage system, and delivery system; and

(iii) Operations plan.

(3) Approved capacity of an irrigation practice will be based on:

(i) An irrigation rate of 0.5 inches per week over the irrigated pervious area(s) or the rate identified through the completion of the Metropolitan Council Stormwater Reuse Guide 'Water Balance Tool Irrigation Constant Demand' Spreadsheet (whichever is less); or as approved by the District; and

(ii) No greater than a 26 week (April 15th to October 15th) growing season.

An additional water quality treatment capacity beyond 0.5 inches per week may be recognized under a subsection C.5(f) plan or a C.13 phased development permit based on an average of three consecutive years of monitoring records of volume irrigated and pursuant to a monitoring plan approved by the District.

(4) Approved capacity of a non-irrigation practice shall be based on the rate identified through the completion of the Metropolitan Council Stormwater Reuse Guide 'Water Balance Tool Non-Irrigation Constant Demand' spreadsheet, or as approved by the District.

(c) Biofiltration/filtration BMPs must be designed to provide:

(1) Adequate pretreatment measures to remove sediment before runoff enters the primary biofiltration area;

(2) Drawdown within 48-hours from the end of a storm event;

(3) A minimum of 12-inches of organic material or sand above the rock trench or draintile system; and

(4) Drain tile system must be designed above the Seasonal High Water Table.

(5) An outlet control structure to convey the 2-year, 10-year & 100-year frequency events if the biofiltration/filtration BMP is intended to provide rate control.

TABLE C5. SOIL TYPE AND INFILTRATION RATES.

Hydrologic Soil Group	Soil Textures	Corresponding Unified Soil Classification		Infiltration Rate (in/hr)
A	Gravel Sandy Gravel Silty Gravels	**GW**	Well-graded gravels, sandy gravels	**1.63**
		GP	Gap-graded or uniform gravels, sandy gravels	
		GM	Silty gravels, silty sandy gravels	
		SW	Well-graded gravelly sands	
	Sand Loamy Sand Sandy Loam	**SP**	Gap-graded or uniform sands, gravelly sands	**0.8**
B	Loam Silt Loam	**SM**	Silty sands, silty gravelly sands	**0.45**
		MH	Micaceous silts, diatomaceous silts, volcanic ash	**0.3**
C	Sandy Clay Loam	**ML**	Silts, very fine sands, silty or clayey fine sands	**0.2**
D	Clay Loam Silty Clay Loam Sandy Clay Silty Clay Clay	**GC**	Clayey gravels, clayey sandy gravels	**0.06**
		SC	Clayey sands, clayey gravelly sands	
		CL	Low plasticity clays, sandy or silty clays	
		OL	Organic silts and clays of low plasticity	
		CH	Highly plastic clays and sandy clays	
		OH	Organic silts and clays of high plasticity	

Source: Adapted from the “Design infiltration rates” table from the Minnesota Stormwater Manual, MPCA, (January 2014).

(d) Stormwater ponds must be designed to provide:

(1) Water quality features consistent with NURP criteria and accepted design standards for average and maximum depth;

(2) A permanent wet pool with dead storage at least equal to the runoff volume from a 2.5-inch rainfall over the area tributary to the pond;

(3) An outlet structure capable of preventing migration of floating debris and oils for at least the one-year storm;

(4) An identified emergency overflow spillway sufficiently stabilized to convey flows greater than the 100-year critical storm event; and

(5) An outlet control structure to ~~control~~ convey the 2-year, 10-year & 100-year frequency events.

(e) Underground stormsewer systems must designed to provide:

(1) Inspection and access ports sufficient to inspect and maintain the system;

(f) Soil borings (utilizing ASTM D5921 and D2488, as amended) shall be considered for design purposes, and provided to the District, for each proposed BMP. The soil borings must be taken to a depth of at least 5 feet below the bottom of the proposed feature. For an application proposing an infiltration area, the applicant will identify, describe and delineate group, texture and redoximorphic features of site soils to assess percolation of stormwater runoff from impervious areas. Field evaluation of soil permeability in accordance with ASTM 3385 procedure for double ring infiltrometer testing or other approved method is encouraged.

~~**(e)**~~

~~(f)~~(g) An outfall structure discharging directly to a wetland, public water or public water wetland must incorporate a stilling-basin, surge-basin, energy dissipater, placement of ungrouted natural rock riprap or other feature to minimize disturbance and erosion of natural shoreline and bed resulting from stormwater discharges. Where feasible, outfall structures are to be located outside of the natural feature.

TABLE C6. LOW FLOOR AND LOW ENTRY FREEBOARD REQUIREMENTS.

Freeboard	100-Year Flood Elevations		Detention Basins, Wetlands & Stormwater Ponds		Infiltration and Biofiltration Basins			Rain Gardens*
	100-yr	EOF	100-yr	EOF	Bottom	100-yr	EOF	EOF
Low Floor	2.0 ft	1.0 ft	0.0 ft	NA	0.0 ft	NA	NA	NA
Low Entry	NA	NA	2.0 ft	1.0 ft	NA	2.0 ft	1.0 ft	0.5 ft

~~(g)~~(h) All new residential, commercial, industrial and other habitable or non-habitable structures, and all stormwater BMPs, must be constructed so that the lowest floor and lowest entry elevations comply with Table C6. A structure on residential property not intended for human habitation and not attached to a habitable structure is exempt from this requirement, if the District finds it impractical and the landowner files a notation on the property title that the structure does not meet the requirement.

The low entry freeboard criterion of Table C6 may be deemed met when the structure does

not have the required vertical separation, but is protected from surface flooding to the required elevation by a berm or other natural or constructed topographic feature capable of providing flood protection.

Within a landlocked basin, minimum low floor elevations must be at least one foot above the surveyed basin run out elevation. Where a structure is proposed below the run out elevation of a land-locked basin, the low floor elevation will be a minimum of two feet above the highest water level of either the 10-day snowmelt event or back-to-back 1 00-year, 24-hour rainfalls. Aerial photos, vegetation, soils, and topography may be used to derive a "normal" water elevation for the purpose of computing the basin's 100-year elevation.

~~(h)~~(i) All stormwater management structures and facilities must be designed for maintenance access and be properly operated and maintained in perpetuity to assure that they continue to function as designed. The maintenance responsibility must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed. Alternatively, a public permittee may meet its perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District. Regional ponds owned by public entities that are only used to meet the runoff rate requirements of the District rule do not need a maintenance agreement with the District.

~~(i)~~(j) The permittee must use construction best practices so that the facility as constructed will conform to design specifications and the soil and surrounding conditions are not altered in a way adverse to facility performance.

~~(j)~~(k) Before work under the permit is deemed complete, the permittee must submit as-built plans demonstrating that at the time of final stabilization, stormwater facilities conform to design specifications. If at any time the District finds that the stormwater facility is not performing as designed, on District request the permittee must undertake reasonable investigation to determine the cause of inadequate performance.

10. EASEMENTS.

(a) Before permit issuance, the permittee must, submit a copy of any plat or easement required by the local land use authority establishing drainage or flowage over stormwater management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year flood elevation, or any other hydrologic feature.

(b) Before permit issuance, the permittee must convey to the District an easement to the public drainage system specifying a District right of maintenance access over the right of way of the public drainage system as identified within the public drainage system record. If the right of way of the public drainage system is not described within the record, then the easement shall be conveyed with the following widths:

- For tiled/piped systems, 40 feet wide perpendicular to the direction of flow, centered on the tile line or pipe;
- For open channel systems, a width that includes the channel and the area on each side of the channel within 20 feet of top of bank. For adequate and safe access, where top of bank is irregular or obstruction exists, the District may specify added width.

(c) Public Linear Projects and public property are exempt from the public drainage system easement requirement of Section 10(b).

(d) For projects within the District's Comprehensive Wetland Protection and Management Plan (CWPMP) areas, the Wetland Management Corridor (WMC) boundary delineation, buffer and easement requirements found at Rule F.6 apply. As stated in Rule F.5(e), Public Linear Projects are not subject to the requirements of Rule F.6.

11. REQUIRED EXHIBITS. The following exhibits must accompany the permit application. The vertical datum must clearly be labeled on each plan set.

(a) An erosion & sediment control plan and, for projects that require an NPDES permit, a Storm Water Pollution Prevention Plan.

(b) Property lines and delineation of lands under ownership of the applicant.

(c) Delineation of the subwatershed contributing runoff from off-site, proposed and existing subwatersheds onsite, emergency overflows, and drainageways.

(d) Geotechnical analysis including soil borings at all proposed stormwater management facility locations utilizing ASTM D5921 and D2488, as amended.

(e) Proposed and existing stormwater facilities' location, alignment and elevation.

(f) Delineation of existing on-site wetland, marshes and floodplain areas.

(g) Identification of existing and proposed normal, ordinary high and 100-year water elevations on-site.

(h) Identification of existing and proposed contour elevations within the project site .

(i) Construction plans and specifications of all proposed stormwater management facilities, including design details for outlet control structures.

(j) Stormwater runoff volume and rate analyses for the 2- 10- and 100-year critical events, existing and proposed conditions utilizing NOAA Atlas 14.

(k) All hydrologic, water quality and hydraulic computations completed to design the proposed stormwater management facilities.

(l) Narrative including a project description, discussion of BMP selection, and revegetation plan for the project site.

(m) Other project site-specific submittal requirements as may be required by the District.

12. EXCEPTIONS.

(a) A permit is not required for single -family residential construction on an individual lot of record, if the proposed impervious surface of the lot is less than 10,000 square feet, excluding the driveway. If the lot is within a development previously approved by the District, the construction must conform to the previous approval.

(b) Rule C requirements do not apply to sidewalks and trails 10 feet wide or less that are bordered down-gradient by vegetated open space or vegetated filter strip with a minimum width of 5 feet.

(c) Rule C requirements do not apply to Bridge Spans and Mill, Reclamation & Overlay projects.

(d) Rule C.6 and C.7 requirements do not apply to single family residential subdivisions creating seven or fewer lots that:

(1) Establish no new public roadway; and

(2) Include no private roadway/driveway serving three or more lots.

~~(e)~~ Requirements of subsections 10(b) and 10(d) to not apply to the retained part of a

privately owned tract that is subdivided to convey land to a public agency for a public purpose.

~~(f)~~(e)

~~(g)~~(f) Criteria of Section 7 may be waived if the project site discharges directly to a water body with large storage capacity (such as a public water), the volume discharged from the project site does not contribute to a downstream flood peak, and there are no downstream locations susceptible to flooding.

~~(h)~~(g) Section 6 and Section 7 are waived for a portion of a project that paves a gravel roadway if the right-of-way ditch is maintained and does not discharge a concentrated flow directly to a wetland or another sensitive water body.

~~13. EXTENDED PERMIT TERM AND REGIONAL FACILITIES FOR NON-RESIDENTIAL PHASED DEVELOPMENT.~~

~~(a) The following definitions apply to this section:~~

~~(1) "Area Development Permit" (ADP) means a District stormwater management permit for non-residential development that includes construction of a stormwater management facility explicitly intended to serve compliance requirements for a parcel other than that on which the facility is located.~~

~~(2) "Phased Development Permit" (PDP) means a District stormwater management permit for non-residential development that includes construction of a stormwater management facility explicitly intended to serve compliance requirements not just for development under the permit, but also for subsequent development on that parcel or a contiguous parcel under common ownership.~~

~~(b) If an off-site stormwater management facility approved under a prior ADP cannot be used for compliance due to a rule change occurring since the date of ADP approval, the District nevertheless by permit will approve its use, subject to the following:~~

~~(1) The applicant must demonstrate that the facility was built in compliance with the ADP, that the ADP identified the development site as one that may use the facility, and that the requirements of subsection 5(a), above, are met.~~

~~(2) If the current rule requires a level of peak flow or volume control, or of water quality treatment, beyond that provided by the off-site facility, the applicant must provide for the additional treatment. This does not disallow use of an existing facility on the ground that it does not meet a sequencing requirement with respect to the BMP location or type.~~

~~The protection against rule change provided by this subsection 13(b) does not apply if the District makes written findings, on the basis of new knowledge or information, that use of the facility would have a material adverse impact on a water quality, flood management or other specific public interest, or if the approval date of the development permit is more than 10 years after the date of ADP approval.~~

~~(c) The District may issue a PDP with a permit term of up to 10 years.~~

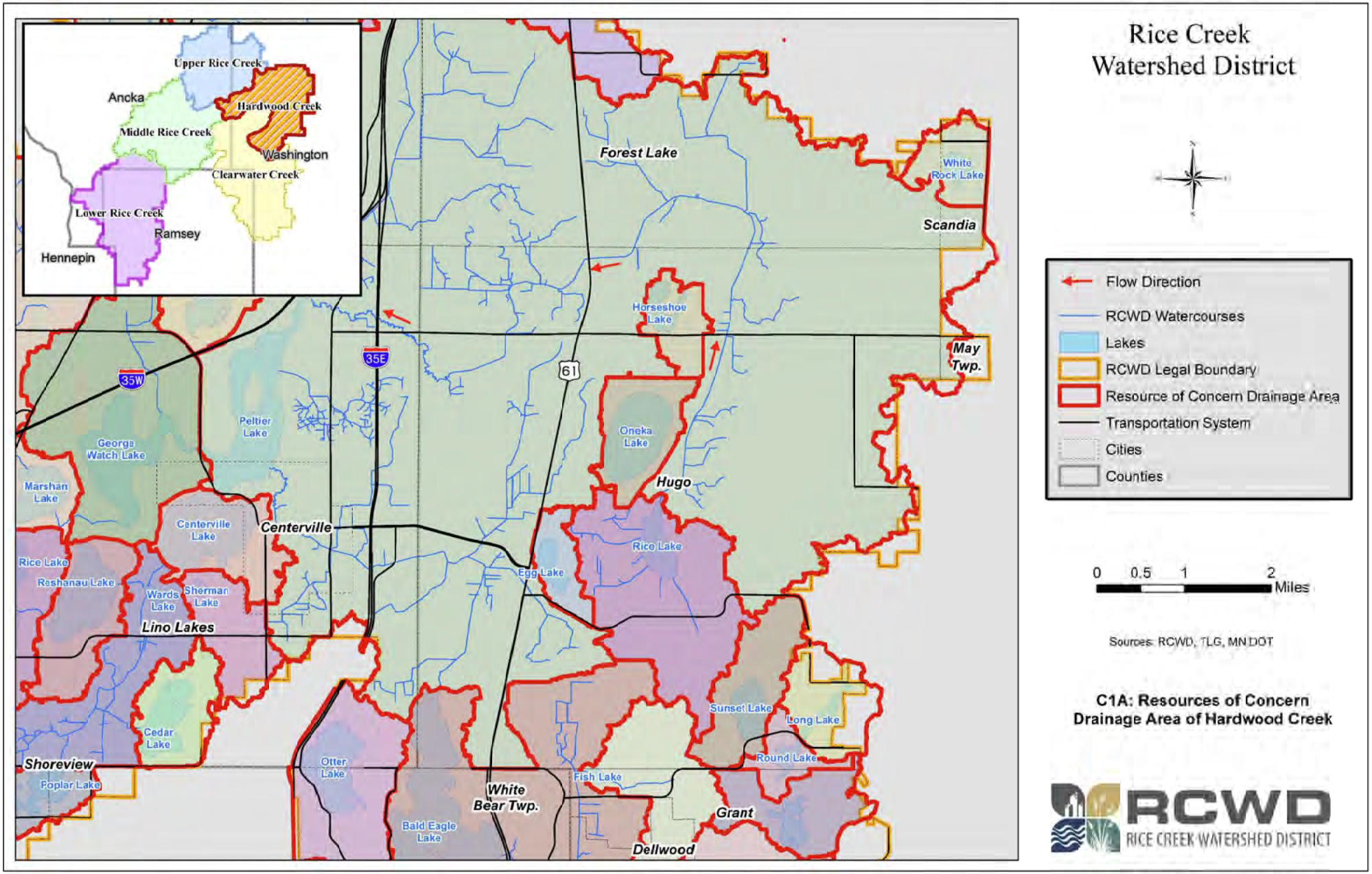
~~(1) During the permit term, development using the stormwater management facilities approved under the PDP will not be subject to a rule change occurring after the~~

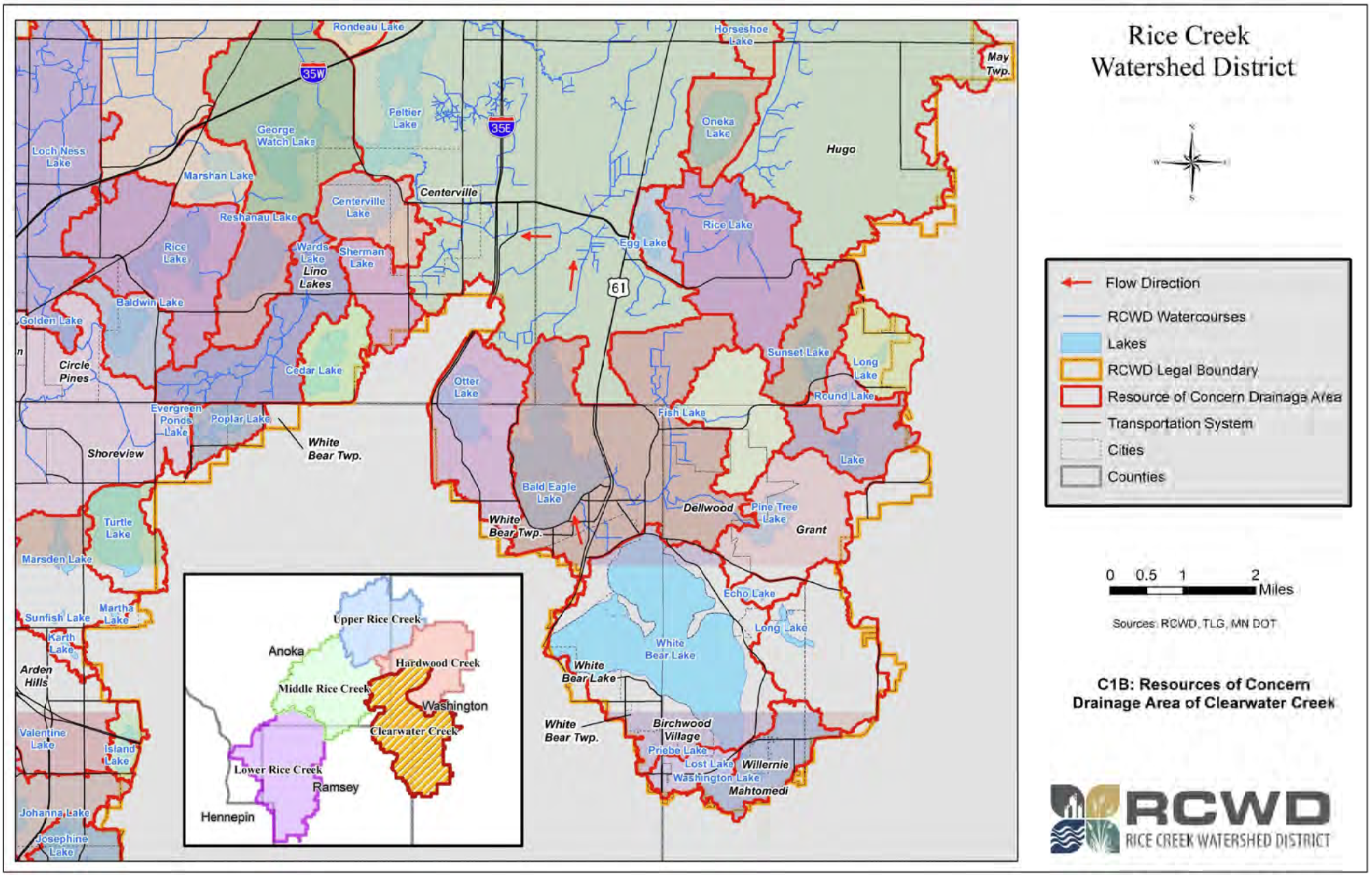
~~date of PDP approval, provided the PDP states the design criteria to which subsequent development will conform and the proposed development meets those criteria.~~

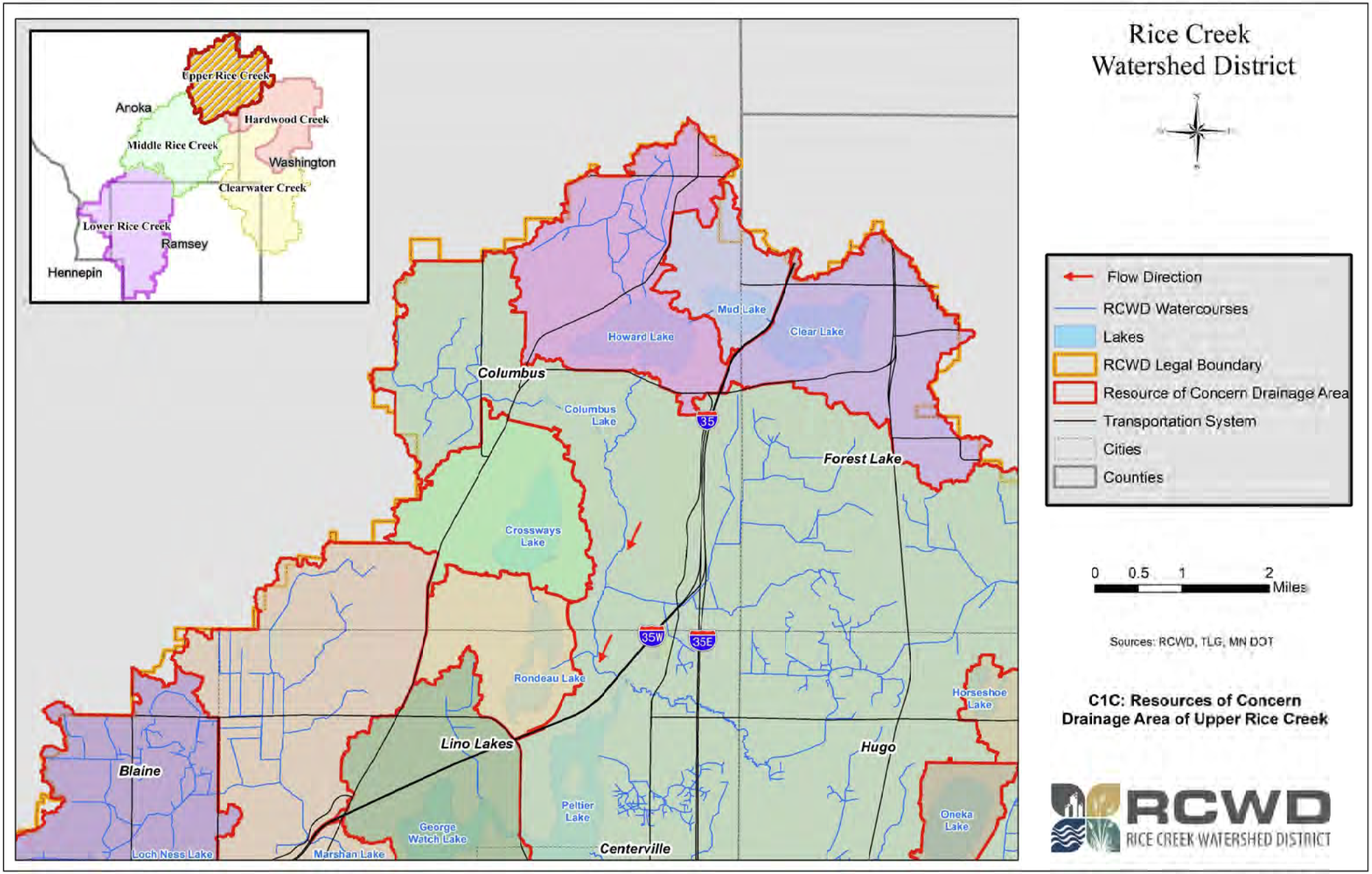
~~**(2)** If a PDP is in effect as of December 1, 2014, on request the District will extend the permit expiration date in accordance with this subsection 13(c). In such a case, the requirement that the permit state design criteria is relaxed. However, the applicant must demonstrate the design and constructed capacity of the facilities and the capacity allocated to the proposed development.~~

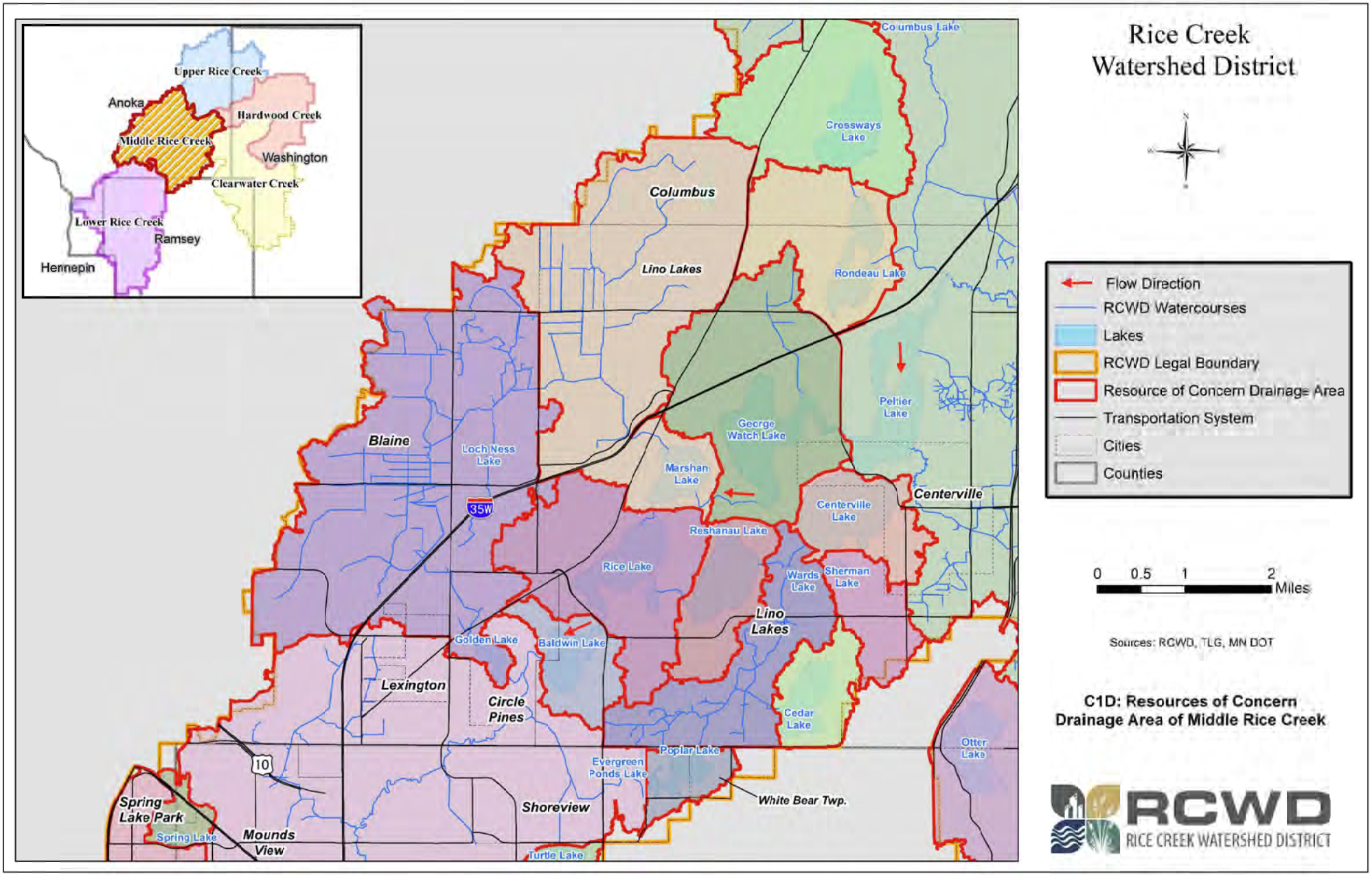
~~**(3)** If a PDP was approved after December 1, 2004 but has expired, an application for a subsequent development phase may be considered under the terms of subsection 13(b), above.~~

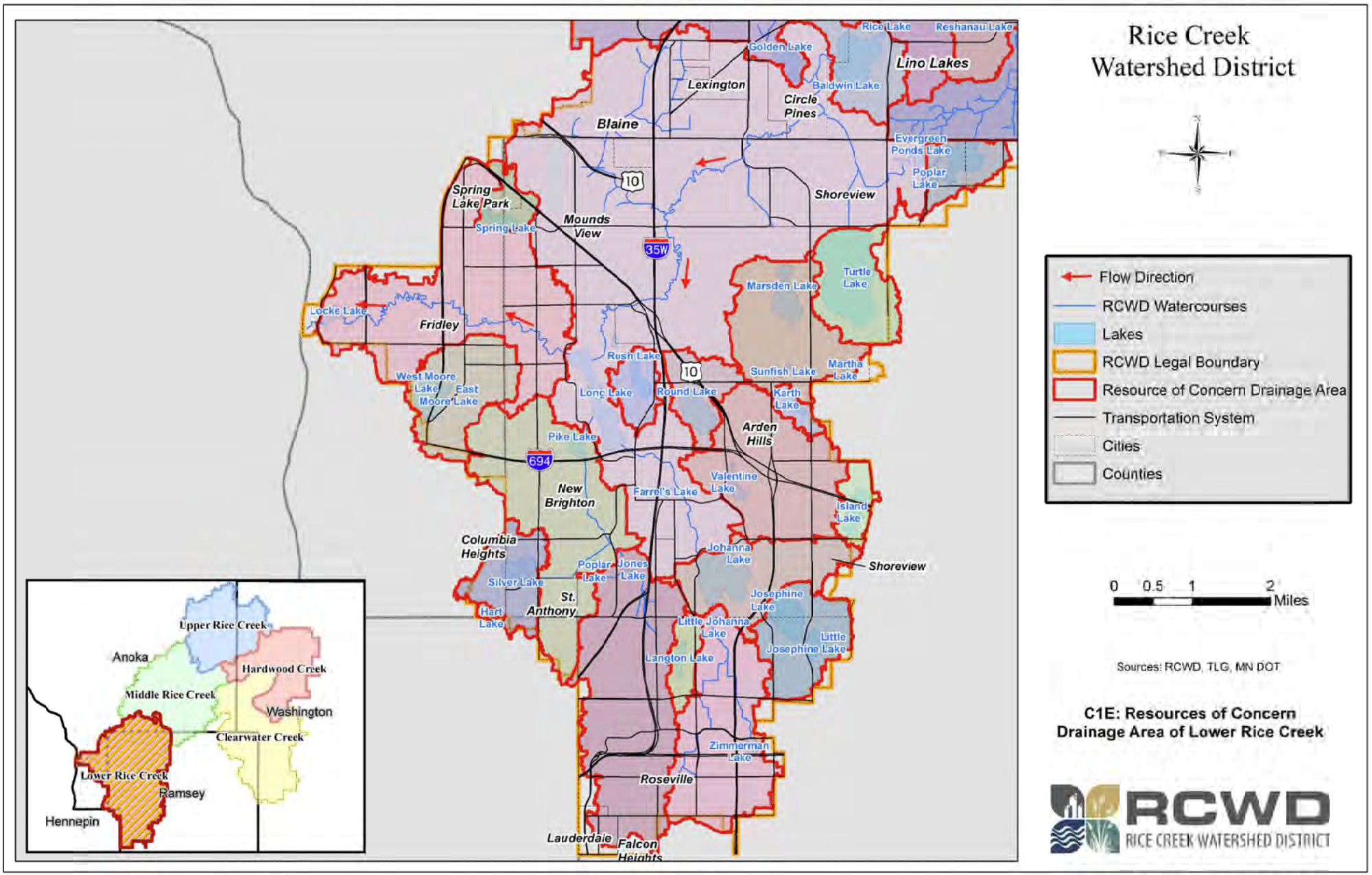
~~**(d)**~~**(h)** ~~This section does not apply to an ADP or a PDP approved before December 1, 2004.~~

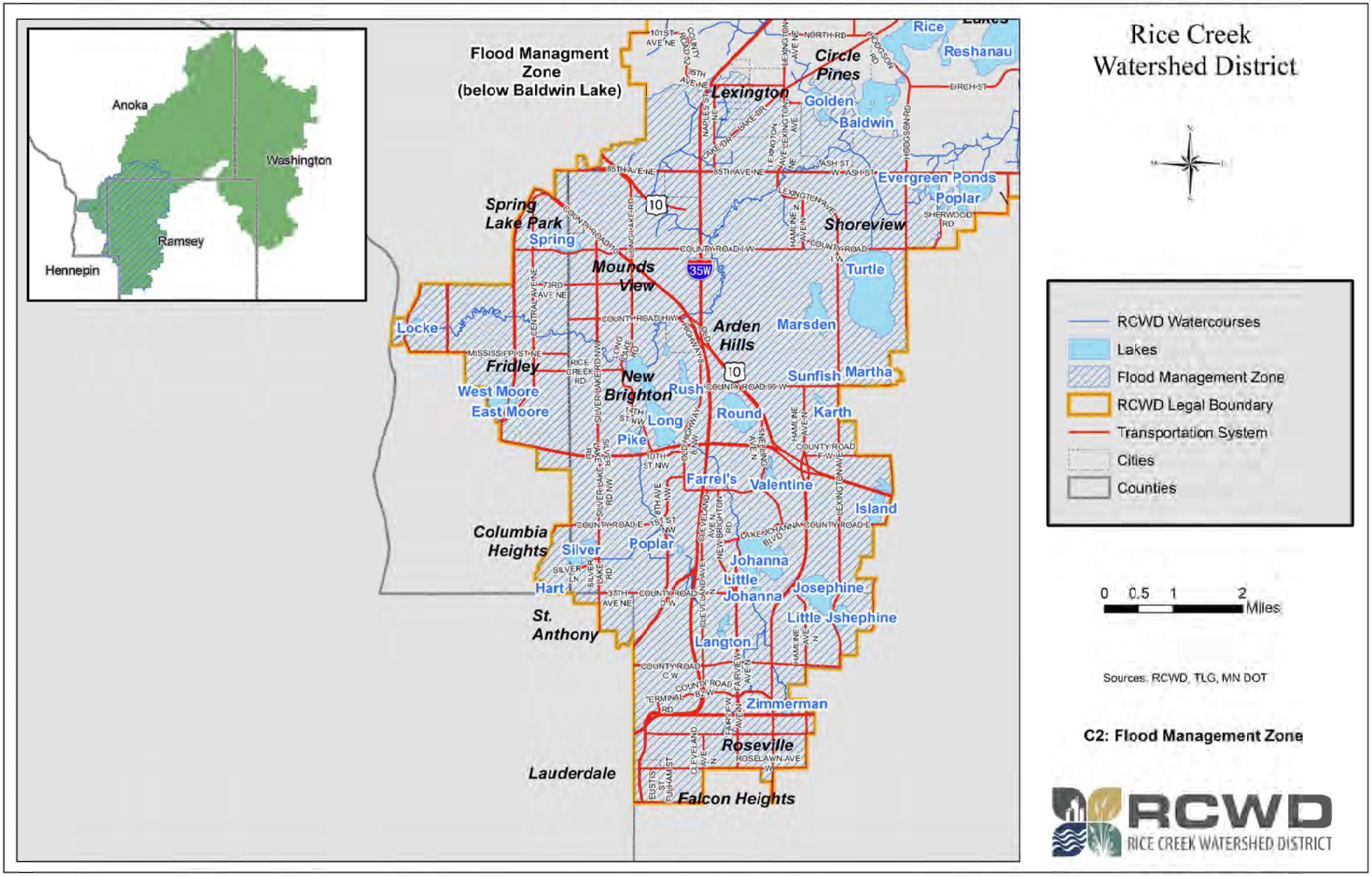

Rice Creek
Watershed District
Upper Rice Creek
Ancka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Forest Lake
White
Rock Lake
Scandia
Horseshoe
Lake
May
Twp.
35W
35E
61
Peltier
Lake
Georga
Watch Lake
Marshan
Lake
Centerville
Lake
Centerville
Oneka
Lake
Hugo
Rice Lake
Reshanau Lake
Wards
Lake
Sherman
Lake
Lino Lakes
Egg Lake
Rice Lake
Cedar
Lake
Shoreview
Poplar Lake
Otter
Lake
Bald Eagle
Lake
White
Bear Twp.
Fish Lake
Sunset Lake
Long Lake
Round Lake
Grant
Dellwood
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1A: Resources of Concern
Drainage Area of Hardwood Creek
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1B: Resources of Concern
Drainage Area of Clearwater Creek
RCWD
RICE CREEK WATERSHED DISTRICT
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Rondeau Lake
Horseshoe Lake
May Twp.
35W
35E
Peltier Lake
George Watch Lake
Oneka Lake
Hugo
Loch Ness Lake
Marshan Lake
Centerville
Centerville Lake
Reshanau Lake
Rice Lake
Wards Lake
Sherman Lake
Lino Lakes
Egg Lake
61
Baldwin Lake
Golden Lake
Circle Pines
Cedar Lake
Otter Lake
Sunset Lake
Long Lake
Round Lake
Evergreen Ponds Lake
Poplar Lake
Fish Lake
Shoreview
White Bear Twp.
Bald Eagle Lake
Dellwood
Pine Tree Lake
Grant
Turtle Lake
Marsden Lake
Echo Lake
Sunfish Lake
Martha Lake
Karth Lake
Long Lake
White Bear Lake
Arden Hills
Valentine Lake
Island Lake
Birchwood Village
Priebe Lake
Lost Lake
Willernie
Washington Lake
Mahtomedi
Johanna Lake
Josephine Lake


Rice Creek
Watershed District
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
Mud Lake
Howard Lake
Clear Lake
Columbus
Columbus Lake
35
Forest Lake
Crossways Lake
35W
35E
Rondeau Lake
Horseshoe Lake
Lino Lakes
Hugo
Blaine
Peltier Lake
Oneka Lake
George Watch Lake
Loch Ness Lake
Marshan Lake
Centerville
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1C: Resources of Concern
Drainage Area of Upper Rice Creek
RCWD
RICE CREEK WATERSHED DISTRICT


Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Columbus Lake
Crossways Lake
Columbus
Lino Lakes
Rondeau Lake
Peltier Lake
George Watch Lake
Blaine
Loch Ness Lake
Marshan Lake
Centerville
Centerville Lake
35W
Reshanau Lake
Rice Lake
Wards Lake
Sherman Lake
Lino Lakes
Golden Lake
Baldwin Lake
Lexington
Circle Pines
Cedar Lake
Otter Lake
Poplar Lake
Evergreen Ponds Lake
10
Spring Lake Park
Spring Lake
Mounds View
Shoreview
White Bear Twp.
Turtle Lake
Rice Creek Watershed District
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2 Miles
Sources: RCWD, TLG, MN DOT
C1D: Resources of Concern Drainage Area of Middle Rice Creek
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1E: Resources of Concern
Drainage Area of Lower Rice Creek
RCWD
RICE CREEK WATERSHED DISTRICT
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Rice Lake
Reshanau Lake
Golden Lake
Lino Lakes
Lexington
Baldwin Lake
Circle Pines
Blaine
Evergreen Ponds Lake
Poplar Lake
Shoreview
Spring Lake Park
Spring Lake
Mounds View
35W
Turtle Lake
Marsden Lake
Locke Lake
Fridley
Rush Lake
Sunfish Lake
Martha Lake
West Moore Lake
East Moore Lake
Long Lake
Round Lake
Karth Lake
Arden Hills
Pike Lake
694
Valentine Lake
New Brighton
Farrel's Lake
Island Lake
Columbia Heights
Johanna Lake
Poplar Lake
Jones Lake
Silver Lake
St. Anthony
Josephine Lake
Hart Lake
Little Johanna Lake
Little Josephine Lake
Langton Lake
Zimmerman Lake
Roseville
Lauderdale
Falcon Heights


Rice Creek Watershed District
Flood Managment Zone (below Baldwin Lake)
Anoka
Washington
Ramsey
Hennepin
Lexington
Circle Pines
Rice
Reshanau
Golden
Baldwin
Evergreen Ponds
Poplar
Shoreview
Turtle
Spring Lake Park
Spring
Mounds View
Arden Hills
Marsden
Locke
Fridley
New Brighton
Rush
Sunfish
Martha
West Moore
East Moore
Long
Round
Karth
Pike
Farrel's
Valentine
Island
Columbia Heights
Silver
Poplar
Johanna
Little Johanna
Josephine
Hart
St. Anthony
Little Jshephine
Langton
Zimmerman
Roseville
Lauderdale
Falcon Heights
RCWD Watercourses
Lakes
Flood Management Zone
RCWD Legal Boundary
Transportation System
Cities
Counties
0 0.5 1 2 Miles
Sources: RCWD, TLG, MN DOT
C2: Flood Management Zone
RCWD
RICE CREEK WATERSHED DISTRICT

RULE D: EROSION AND SEDIMENT CONTROL PLANS

1. POLICY. It is the policy of the Board of Managers to prevent erosion of soil into surface water systems by requiring erosion and sediment control for land-disturbing activities.

2. REGULATION.

(a) A permit under this rule is required for:

(1) Surface soil disturbance or removal of vegetative cover on one acre or more of land;

(2) Surface soil disturbance or removal of vegetative cover on 10,000 square feet or more of land, if any part of the disturbed area is within 300 feet of and drains to a lake, stream, wetland or public drainage system; or

(3) Any land-disturbing activity that requires a District permit under a rule other than Rule D.

(b) A person disturbing surface soils or removing vegetative cover on more than 5,000 square feet of land, or stockpiling on-site more than fifty (50) cubic yards of earth or other erodible material, but not requiring a permit under the criteria of this rule, must submit a notice in advance of disturbance on a form provided by the District and conform the activity to standard best practices established by and available from the District.

(c) Rule D does not apply to normal farming practices that are part of an ongoing farming operation.

(d) Rule D does not apply to milling, reclaiming or overlay of paved surfaces that does not expose underlying soils.

(e) A permit is not required under this rule to ~~maintain~~remove sediment from an existing constructed stormwater management basin. However, a Notice of Intent ~~shall~~must be filed with the District prior to initiating the work.

~~(d)~~**(f)**

3. DESIGN CRITERIA FOR EROSION CONTROL PLANS. The applicant must prepare and receive District approval of an Erosion and Sediment Control that meets the following criteria:

(a) For projects disturbing more than ten acres, compliance with the standards of Rule C, subsections 7(a) and (b) must be demonstrated.

(b) Natural project site topography and soil conditions must be specifically addressed to reduce erosion and sedimentation during construction and after project completion.

(c) Site erosion and sediment control practices must be consistent with the Minnesota Stormwater Manual ~~Pollution Control Agency document "Protecting Water Quality in Urban Areas" (1994), as amended~~, and District-specific written design guidance and be sufficient to retain sediment on-site.

(d) The project must be phased to minimize disturbed areas and removal of existing vegetation, until it is necessary for project progress.

(e) The District may require additional erosion and sediment control measures on areas with a

slope to a sensitive, impaired or special water body, stream, public drainage system or wetland to assure retention of sediment on-site.

(f) The plan must include conditions adequate to protect facilities to be used for post-construction stormwater infiltration.

4. REQUIRED EXHIBITS. The following exhibits must accompany the permit application.

(a) An existing and proposed topographic map which clearly indicates all hydrologic features and areas where grading will expose soils to erosive conditions. The Plan must also indicate the direction of all project site runoff.

(b) Tabulation of the construction implementation schedule.

(c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.

(d) Quantification of the total disturbed area.

(e) Clear identification of all temporary erosion and sediment control measures that will remain in place until permanent vegetation is established. Examples of temporary measures include, but are not limited to, seeding, mulching, sodding, silt fence, erosion control blanket, and stormwater inlet protection devices.

(f) Clear identification of all permanent erosion control measures such as outfall spillways and riprap shoreline protection, and their locations.

(g) Clear Identification of staging areas, as applicable.

(h) Documentation that the project applicant has applied for the NPDES Permit from the Minnesota Pollution Control Agency (MPCA), when applicable.

(i) A stormwater pollution prevention plan for projects that require an NPDES Permit.

(j) Identification and location of any floodplain and/or wetland area. A more precise delineation may be required depending on the proximity of the proposed disturbance to a wetland and/or floodplain.

(k) Other project site-specific submittal requirements as may be required by the District.

5. CONSTRUCTION ACTIVITY REQUIREMENTS. Site disturbance must conform to the District-approved erosion and sediment control plan, to any other conditions of the permit, and to the standards of the NPDES construction general permit, as amended, regarding construction-site erosion and sediment control.

6. INSPECTIONS.

(a) The permittee shall be responsible for inspection, maintenance and effectiveness of all erosion and sediment control measures until final soil stabilization is achieved or the permit is assigned (see Rule B), whichever comes first.

(b) The District may inspect the project site and require the permittee to provide additional erosion control measures as it determines conditions warrant.

7. FINAL STABILIZATION.

(a) Erosion and sediment control measures must be maintained until final vegetation and ground cover is established to a density of 70%.

(b) Temporary erosion and sediment control BMPs will be removed after disturbed areas have been permanently stabilized.

RULE E: FLOODPLAIN ALTERATION

1. **POLICY.** It is the policy of the Board of Managers to:

   (a) Utilize the best information available in determining the 100-year flood elevation.

   (b) Preserve existing water storage capacity within the 100-year floodplain of all waterbodies and wetlands in the watershed to minimize the frequency and severity of high water.

   (c) Enhance floodplain characteristics that promote the natural attenuation of high water, provide for water quality treatment, and promote groundwater recharge.

   (d) Preserve and enhance the natural vegetation existing in floodplain areas for aquatic and wildlife habitat.

2. **REGULATION.** No person may alter or fill land within the floodplain of any lake, stream, wetland, public drainage system, major watercourse, or public waters without first obtaining a permit from the District. Shoreline/streambank restoration or stabilization, approved in writing by the District ~~and/~~or County Conservation District ~~as necessary~~ to control erosion and designed to minimize encroachment and alteration of hydraulic forces, does not require a permit under this Rule.

3. **CRITERIA FOR FLOODPLAIN ALTERATION.**

   ~~**(a)** Fill within a designated floodway is prohibited.~~

   ~~**(b)**~~**(a)** Fill within the floodplain is prohibited unless compensatory floodplain storage volume is provided within the floodplain of the same water body, and within the permit term. The volume within on-site stormwater ponds is not considered compensatory floodplain storage unless that volume is non-coincident with the 100-year flood peak. If offsetting storage volume will be provided off-site, it shall be created before any floodplain filling by the applicant will be allowed.

   ~~**(c)**~~**(b)** Any structure or embankments placed within the floodplain will be capable of passing the 100-year flood without increasing the elevation of the 100-year flood profile.

   ~~**(d)**~~**(c)** Compensatory floodplain storage volume is not required to extend an existing culvert, modify an existing bridge approach associated with a Public Linear Project, or place spoils adjacent to a public or private drainage channel during channel maintenance, if there is no adverse impact to the 100-Year Flood Elevation.

   ~~**(e)**~~**(d)** Compensatory floodplain storage volume is not required for ~~a one-time~~ deposition of up to 100 cubic yards of fill~~,~~ per parcel, if there is no adverse impact to the 100-Year Flood Elevation. For public road authorities, this exemption applies on a per-project, per floodplain basis.

   ~~**(f)**~~**(e)** Floodplain alteration is subject to the District's Wetland Alteration Rule F, as applicable.

   ~~**(e)**~~**(i)** Structures to be built within the 100-year floodplain will have two feet of freeboard between the lowest floor and the 100-year flood profile. A structure on residential property not intended for human habitation is exempt from this requirement if the District finds it impractical and the landowner files a notation on the property title that the structure does not meet the requirement.

   ~~**(g)**~~**(f)**

4. DRAINAGE EASEMENTS.

(a) Before permit issuance, the permittee must submit a copy of any plat or easement required by the local land use authority establishing drainage or flowage over stormwater

management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year event, or any other hydrological feature.

(b) Before permit issuance, the permittee must convey to the District an easement to the public drainage system specifying a District right of maintenance access over the right of way of the public drainage system as identified within the public drainage system record. If the right of way of the public drainage system is not described within the record, then the easement shall be conveyed with the following widths:

- For tiled/piped systems, 40 feet wide perpendicular to the direction of flow, centered on the tile line or pipe;
- For open channel systems, a width that includes the channel and the area on each side of the channel within 20 feet of top of bank. For adequate and safe access, where top of bank is irregular or obstruction exists, the District may specify added width.

(c) Public Linear Projects and public property are exempt from the public drainage system easement requirement of Section 4(b).

5. REQUIRED EXHIBITS. The following exhibits must accompany the permit application.

(a) Site plan showing property lines, delineation of the work area, existing elevation contours of the work area, ordinary high water elevations, and 100-year flood elevations. All elevations must be reduced to NAVD 1988 datum. The datum must clearly be labeled on each plan set.

(b) Grading plan showing any proposed elevation changes.

(c) Determination by a professional engineer or qualified hydrologist of the 100-year flood elevation before and after the project.

(d) Computation of change in flood storage capacity resulting from proposed grading.

(e) Erosion and sediment control plan in accordance with District Rule D.

(f) Other project site-specific submittal requirements as may be required by the District.

RULE F: WETLAND ALTERATION

1. POLICY. It is the policy of the Board of Managers to:

(a) Maintain no net loss in the quantity, quality, and biological diversity of Minnesota's existing wetlands.

(b) Increase the quantity, quality, and biological diversity of Minnesota's wetlands by restoring or enhancing diminished or drained wetlands.

(c) Avoid direct or indirect impacts from activities that destroy or diminish the quantity, quality, and biological diversity of wetlands.

(d) Replace wetland values where avoidance of activity is not feasible or prudent.

(e) Accomplish goals of the adopted Comprehensive Wetland Protection and Management Plans (CWPMPs).

2. REGULATION. No person may fill, drain, excavate or otherwise alter the hydrology of a wetland without first obtaining a permit from the District.

(a) The provisions of the Minnesota Wetland Conservation Act (WCA), Minnesota Statutes §§103G.221 through 103G.2372, and its implementing rules, Minnesota Rules 8420, apply under this Rule and govern District implementation of WCA as well as District regulation of non-WCA wetland impacts, except where the Rule provides otherwise.

(b) This rule does not regulate alteration of incidental wetlands as defined in Minnesota Rules chapter 8420, as amended. An applicant must demonstrate that the subject wetlands are incidental.

(c) An activity for which a No-Loss decision has been issued under Minnesota Rules chapter 8420 is subject to the applicable requirements of chapter 8420 but not otherwise subject to this Rule.

(d) Clearing of vegetation, plowing or pasturing in a wetland as part of an existing and ongoing farming operation is not subject to this rule unless the activity results in draining or filling the wetland.

3. LOCAL GOVERNMENT UNIT. The District intends to serve as the "Local Government Unit" (LGU) for administration of the Minnesota Wetland Conservation Act (WCA), except where a particular municipality in the District has elected to assume that role in its jurisdictional area or a state agency is serving as the local government unit on state land. Pursuant to its regulatory authority under both WCA and watershed law, when the District is serving as the LGU it will require wetland alteration permits for wetland-altering activities both as required by WCA and otherwise as required by this Rule.

4. CRITERIA.

(a) When the District is serving as the LGU, it will regulate wetland alterations that are not subject to WCA rules and do not qualify for an exemption at Minnesota Rules 8420.0420 or do not meet the “no-loss” criteria of Minnesota Rules 8420.0415 according to the rules and procedures of WCA, except as specifically provided in this Rule. Alteration under

this paragraph requires replacement at a minimum ratio of 1:1 to ensure no loss of wetland quantity, quality or biological diversity. Replacement activities will be credited consistent with the actions eligible for credit in Minnesota Rules 8420.0526.

(b) A wetland alteration not subject to WCA that does not change the function of a wetland and results in no net loss of wetland quantity, quality or biological diversity is exempt from the replacement requirement in Section 4(a) of this Rule.

(c) The wetland replacement exemptions in Minnesota Rules 8420.0420 are applicable under this Rule, except as modified within CWPMP areas under Section 6.

(d) Alterations in wetlands for the purposes of wildlife enhancement must be certified by the local Soil and Water Conservation District as compliant with the criteria described in Wildlife Habitat Improvements in Wetlands: Guidance for Soil and Water Conservation Districts and Local Government Units.

5. ADDITIONAL DISTRICT REQUIREMENTS. In addition to the wetland replacement plan components and procedures in WCA, the following more specific requirements will apply to the District's review of WCA and, except as indicated, non-WCA wetland alterations:

(a) Applicants must adequately explain and justify each individual contiguous wetland alteration area in terms of impact avoidance and minimization alternatives considered.

(b) Where the wetland alteration is proposed in the context of land subdivision, on-site replacement wetland and buffer areas, as well as buffers established undersection 6(e), must:

(1) Be located within a platted outlot.

(2) Be protected from future encroachment by a barrier (i.e. stormwater pond, infiltration basin, existing wetland, tree line, fence, trail or other durable physical feature).

(3) Have boundaries posted with signage approved by the District identifying the wetland/buffer protected status. On installation, the applicant must submit a GIS shapefile, or CADD file documenting sign locations.

(c) The upland edge of new wetland creation must have an irregular and uneven slope. The slope must be no steeper than 8:1 over the initial 25 feet upslope from the projected wetland elevation contour along at least 50 percent of the upland/wetland boundary and no steeper than 5:1 along the remaining 50 percent of the boundary.

(d) The District will not allow excess replacement credits to be used for replacement on a different project unless the credits were designated for wetland banking purposes in the original application in accordance with WCA rules and have been deposited into the WCA wetland banking system.

~~(d)~~(e) Replacement by banking must use credits from banks within the District, unless unavailable.

~~(e)~~(f) Within the boundary of a District developed and BWSR approved CWPMP (see Figure F1), Rule F and WCA are further modified to include Section 6. Public Linear Projects located in a CWPMP jurisdictional area and not part of an industrial, commercial, institutional or residential development are not subject to Section 6 of this Rule.

6. COMPREHENSIVE WETLAND PROTECTION AND MANAGEMENT PLANS. All District Comprehensive Wetland Protection and Management Plans (CWPMPs) are incorporated into this Rule. The specific terms of Rule F will govern, but if a term of Rule F is susceptible to more than one interpretation, the District will apply the interpretation that best carries out the intent and purposes of the respective CWPMP.

(a) PRE-APPLICATION REVIEW.

(1) In cases where wetland fill, excavation or draining, wholly or partly, is contemplated, the applicant is encouraged to submit a preliminary concept plan for review with District staff and the Technical Evaluation Panel (TEP) before submitting a formal application. The following will be examined during pre-application review:

(i) Sequencing (in accordance with WCA and Federal Clean Water Act requirements, reducing the size, scope or density of each individual proposed action, and changing the type of project action to avoid and minimize wetland impacts).

(ii) Wetland assessment.

(iii) Applying Better Site Design principles as defined in Rule A.

(iv) Integrating buffers and other barriers to protect wetland resources from future impacts.

(v) Exploring development code flexibility, including conditional use permits, planned unit development, variances and code revisions;

(vi) Reviewing wetland stormwater susceptibility (see Rule C.8) and coordinating Wetland Management Corridor (WMC) establishment with existing adjacent WMCs.

(2) At the pre-application meeting, the applicant shall provide documentation sufficient to assess project alternatives at a concept level and such other information as the District specifically requests.

(3) On receipt of a complete application, the District will review and act on the application in accordance with its procedural rules and WCA procedures.

(4) The TEP shall be consulted on decisions related to replacement plans, exemptions, no-loss, wetland boundaries and determination of the WMC.

(b) WETLAND MANAGEMENT CORRIDORS.

(1) At the time of permitting, the preliminary Wetland Management Corridor (WMC) boundary (see Figure F1) will be adjusted in accordance with subsections F(6)(b)(2) and (3), below. Notwithstanding, within the Columbus CWPMP, commercial/Industrial zoned areas within Zone 1 will remain outside of the WMC (see Figure F2).

(2) The applicant must delineate the site level WMC when wetland impacts are proposed:

(i) Within the Preliminary WMC; or

(ii) Within 150 feet of the Preliminary WMC and greater than the applicable

(iii) *de minimis* exemption amount, per Minnesota Rules 8420.0420;

If the proposed project does not meet criterion (b)(2)(i) or (b)(2)(ii), above, an applicant may accept the Preliminary WMC boundary on the project site, as made more precise on a parcel basis by the use of landscape-scale delineation methods applied or approved by the District and need not comply with Section 6(b)(3) and 6(b)(4).

(3) The applicant shall complete a wetland functional analysis using MnRAM 3.4 (or most recent version) when defining the site level WMC boundary.

(i) The WMC boundary will be expanded to encompass any delineated wetland lying in part within the preliminary WMC and any wetland physically contiguous with (not separated by upland from) the landscape-scale WMC.

(ii) The District, in its judgment, may retract the WMC boundary on the basis of site-level information demonstrating that the retraction is consistent with the associated CWPMP and does not measurably diminish the existing or potential water resource functions of the WMC. In making such a decision, the District may consider relevant criteria including wetland delineation, buffer and floodplain location, WMC connectivity, protection of surface waters and groundwater recharge, and whether loss would be reduced by inclusion of compensating area supporting WMC function.

(iii) If the site level functional analysis shows the presence of Non-degraded or High Quality wetland within 50 feet of the site level WMC, the WMC will be expanded to the lateral extent of the Non-degraded or High Quality wetland boundary plus the applicable buffer as defined in section 6(e).

(iv) If the WMC lies within or contiguous to the parcel boundaries of the project, the lateral extent of the final WMC may be increased by the applicant to include all wetland or other action eligible for credit contiguous with the site level WMC. The extended WMC boundary must connect property to the WMC boundary on adjacent properties and reflect local surface hydrology.

(4) A map of the final WMC boundary must be prepared and submitted to the District for approval. The map will reflect any change to the boundary as a result of the permitted activity. A GIS shapefile or CADD file of the final WMC boundary shall be submitted to the District.

(5) A variance from a requirement of Section 6(b) otherwise meeting the criteria of District Rule L may be granted if the TEP concurs that the wetland protection afforded will not be less than that resulting from application of standard WCA criteria.

(c) WETLAND REPLACEMENT.

(1) The wetland replacement exemptions in Minnesota Rules 8420.0420 are not applicable within CWPMP areas, except as follows:

(i) The agricultural, wetland restoration, utilities, *de minimis* and wildlife habitat exemptions found at Minnesota Rules 8420.0420, subparts 2, 5, 6, 8 and 9, respectively, are applicable, subject to the scope of the exemption standards found at Minnesota Rules 8420.0420, subpart 1.

(ii) The drainage exemption, Minnesota Rules 8420.0420, subpart 3, is applicable if the applicant demonstrates, through adequate hydrologic modeling, that the drainage activity will not change the hydrologic regime of a CWPMP-mapped high quality wetland (see Figure F3) within the boundary of a WMC. Wetland and plant community boundaries will be field-verified.

(iii) Buffer and easement requirements of Section 6(e) and 6(f) do not apply to wetland alterations that qualify for one of the exemptions listed in Section 6(c)(1)(i), unless the project of which the wetland alteration is a part is subject to Rule C.10(d).

(2) Replacement plans will be evaluated and implemented in accordance with Minnesota Rules 8420.0325 through 8420.0335, 8420.0500 through 08420.0544 and 8420.0800 through 8420.0820, except that the provisions of this Rule will apply in place of Minnesota Rules 8420.0522, and 8420.0526. The foundation of the CWPMPs is to limit impact to, and encourage enhancement of, high-priority wetlands and direct unavoidable impact to lower-priority wetlands in establishing the WMC. In accordance with Minnesota Rules 8420.0515, subpart 10, this principle will guide sequencing, replacement siting, WMC boundary adjustment and other elements of replacement plan review. The District will use the methodology of Minnesota Rules 8420.0522, subpart 2 to determine wetland replacement requirements for partially drained wetlands.

(3) A replacement plan must provide at least one replacement credit for each wetland impact acre, as shown in Table F1. The replacement methods must be from the actions listed in Table F2 or an approved wetland bank consistent with Section 6(d)(1).

(4) Acres of impact and replacement credit are determined by applying the following two steps in order:

(i) Multiply actual wetland acres subject to impact by the ratios stated in Table F1.

(ii) Calculate the replacement credits by multiplying the acreage for each replacement action by the percentage in Table F2. All replacement areas that are not within the final WMC will receive credit based on a replacement location outside the final WMC. However, when the replacement area is within the parcel boundaries of the project and there is no Preliminary WMC within those boundaries, and there is no opportunity to extend the WMC boundary from adjacent parcels of land, then the mitigation area will be credited as replacement inside the final WMC. If an applicant intends replacement also to fulfill mitigation requirements under Section 404 of the Clean Water Act, then the applicant may elect replacement credit based on a replacement location outside the final WMC.

(5) The replacement plan must demonstrate that non-exempt impacts will result in no net loss of wetland hydrological regime, water quality, or wildlife habitat function through a wetland assessment methodology approved by BWSR pursuant to the Wetland Conservation Act, Minnesota Statutes §103G.2242.

TABLE F1. WETLAND REPLACEMENT RATIOS FOR CWPMP AREAS.

Wetland Degradation Type	Anoka County		Washington County	
	Outside WMC	Inside WMC	Outside WMC	Inside WMC
Moderately or Severely Degraded Wetland	1:1	2:1	2:1	3:1
Marginally or Non-Degraded Wetland	1.5:1	2.5:1	2.5:1	3.5:1
High Quality Wetland and/or hardwood, coniferous swamp, floodplain forest or bog wetland communities of any quality	2:1	3:1	3.5:1	4:1

TABLE F2. ACTIONS ELIGIBLE FOR CREDIT FOR CWPMP AREAS.

Actions Eligible for Credit	Inside of the Final WMC	Outside of the Final WMC
Wetland Restoration		
Hydrologic and vegetative restoration of moderately and severely degraded wetland	up to 75% Determined by LGU and TEP	up to 50% Determined by LGU and TEP
Hydrologic and vegetative restoration of effectively drained, former wetland	100%	75%
Wetland Creation		
Upland to wetland conversion	50%	50%
Wetland Protection & Preservation		
Protection via conservation easement of wetland previously restored consistent with MN Rule 8420.0526 subpart 6	up to 75% Determined by LGU and TEP	up to 75% Determined by LGU and TEP
Columbus CWPMP Only: Preservation of wetland or wetland/upland mosaic (requires a 3rd party easement holder and other matching action eligible for credit)	25% Determined by LGU and TEP	12.5% Determined by LGU and TEP
Restoration or protection of wetland of exceptional natural resource value consistent with MN Rule 8420.0526, subpart 8	Up to 100% Determined by LGU and TEP	Up to 100% Determined by LGU and TEP
Buffers		
Non-native, non-invasive dominated buffer around other action eligible for credit, consistent with Section 6(e)	10%	10%
Native, non-invasive dominated buffer around other action eligible for credit, consistent with Section 6(e)	25%	25%
Upland habitat area contiguous with final WMC wetland (2 acre minimum), as limited by Rule F.6(e)(5)	100%	NA
Vegetative Restoration		
Positive shift in MnRAM assessment score for "Vegetative Integrity" from "Low" to "Medium" or "High"	Up to 50% Determined by LGU and TEP	NA

(6) The location and type of wetland replacement will conform as closely as possible to the following standards:

(i) No wetland plant community of high or exceptional wildlife habitat function and high or exceptional vegetative integrity, as identified in the required wetland assessment, may be disturbed.

(ii) No replacement credit will be given for excavation in an upland natural community with Natural Heritage Program rank B or higher, or with identified Endangered, Threatened or Special Concern species.

(7) In the Columbus CWPMP only, preservation credit can be used for up to 50% of the wetland replacement required. The remaining 50% must be supplied by a non-preservation replacement action as shown within Table F2. Additionally:

(i) All other eligible actions for credit within this rule must be considered before preservation is approved as an action eligible for credit.

(ii) The Technical Evaluation Panel must find that there is a high probability that, without preservation, the wetland area to be preserved would be degraded or impacted and that the wetland meets the criteria of Minnesota Rules 8420.0526 subpart 9.A through 9.D.

(iii) Non-degraded, High Quality, and Moderately Degraded wetland is eligible for Preservation Credit within Zone 1 (see Figure F2).

(iv) Non-degraded and High Quality wetland is eligible for Preservation Credit within Zone 2 (see Figure F2).

(v) Wetland ranked “Low” for “vegetative integrity” is not eligible for replacement credit through Preservation.

(vi) Banked preservation credit may be used only within the Columbus CWPMP area (see Figure F1).

(8) Replacement credit for Wetland Protection and Preservation (see Table F2) requires that a perpetual Conservation Easement be conveyed to and accepted by the District. The easement must encompass the entire replacement area, and must provide for preservation of the wetland’s functions by the fee owner and applicant. The applicant must provide a title insurance policy acceptable to the District, naming the District as the insured. The fee owner and the applicant also must grant an access easement in favor of the District, the local government unit and any other state, local or federal regulatory authority that has authorized use of credits from the mitigation site for wetland replacement. The fee owner must record or register these easements on the title for the affected property.

(9) Replacement credit for Vegetative Restoration (see Table F2) may be granted only for wetland communities scoring "Low" for Vegetative Integrity. The TEP must find that there is a reasonable probability for restoration success.

(10) Unless a different standard is stated in the approved replacement or banking plan, the performance standard for upland and wetland restored or created to generate credit is establishment, by the end of the WCA monitoring period, of a medium or high quality plant community ranking with 80% vegetative coverage consisting of a native, non-invasive species composition.

(11) Notwithstanding any provision in this rule to the contrary, for wetland impacts resulting from public drainage system repairs undertaken by the Rice Creek Watershed District that are exempt from Clean Water Act Section 404 permit requirements but are not exempt from replacement under Section 6(c)(1) of this Rule, replacement may occur subject to the following priority of replacement site sequencing:

(i) Within bank service areas 6 or 7 or with the concurrence of governing board of the local county or watershed district, within any county or watershed district whose county water plan, watershed management plan, or other water resource implementation plan contains wetland restoration as a means of implementation.

(ii) Throughout the state in areas determined to possess less than 80% of pre-settlement wetland acres.

(12) A variance from a requirement of Section 6(c) otherwise meeting the criteria of District Rule L may be granted if the TEP concurs that the wetland protection afforded will not be less than that resulting from application of standard WCA criteria.

(d) WETLAND BANKING.

(1) Replacement requirements under Section 6(c) of this Rule may be satisfied in whole or part by replacement credits generated off-site within any CWPMP area, but not by credits generated outside of a CWPMP area except as provided in Section 6(d)(5).

(2) The deposit of replacement credits created within a CWPMP area for banking purposes and credit transactions for replacement will occur in accordance with Minnesota Rules 8420.0700 through 8420.0745. Credits generated within a CWPMP area may be used for replacement within or outside of a CWPMP area.

(i) The District will calculate the amount of credit in accordance with the standard terms of WCA. This measure of credit will appear in the BWSR wetland banking account.

(ii) The District also will calculate the amount of credit in accordance with Section 6(c) of this rule. The District will record this measure of credit internally within the CWPMP's wetland bank accounting. The District will adjust this internal account if the BWSR account is later debited for replacement outside of a CWPMP area. Where credits are used for replacement within a CWPMP area, the District will convert credits used into standard WCA credits so that the BWSR account is accurately debited.

(3) To be recognized, bank credit from Preservation in the Columbus CWPMP (see Table F2) must be matched by an equal amount of credit from a non-Preservation replacement action.

(i) Credit derived from Preservation as the replacement action may be used only within the Columbus CWPMP boundary.

(ii) If the matching non-Preservation credit is used outside of the Columbus CWPMP area, the Preservation credit within the Columbus CWPMP wetland bank account will be debited in the amount of the matching non-Preservation credit.

(5) Banked wetland credit created outside of the CWPMP areas, but within the CWPMP Contributing Drainage Area, may be used to replace impact within the CWPMP areas. An applicant proposing to use credits under this paragraph must field verify at the time of application that the banked wetlands are located within the CWPMP Contributing Drainage Area.

(6) Credits generated under an approved wetland banking plan, inside a CWPMP or its contributing drainage area (See Figure F4), utilized to replace impact within a CWPMP area will be recognized in accordance with the approved banking plan.

(e) **VEGETATED BUFFERS.** Vegetated buffers are required to be established adjacent to wetlands within CWPWP areas as described below.

(1) Wetland buffer will consist of non-invasive vegetated land; that is not cultivated, cropped, pastured, mowed, fertilized, used as a location for depositing snow removed from roads, driveways or parking lots, subject to the placement of mulch or yard waste, or otherwise disturbed except for periodic cutting or burning that promotes the health of the buffer, actions to address disease or invasive species, or other actions to maintain or improve buffer or habitat area quality, each as approved in writing by District staff. The application must include a vegetation management plan for District approval. For public road authorities, the terms of this subsection will be modified as necessary to accommodate safety and maintenance feasibility needs.

(2) Buffer adjacent to wetland within the final WMC must average at least 50 feet in width, and measure at least 25 feet in width at all points of inflow. The buffer requirement may be reduced based on compelling need and a TEP recommendation to the District in support that the wetland protection afforded is reasonable given the circumstances.

(3) Buffer adjacent to wetland restored, created or preserved for replacement credit, not within the final WMC, must meet the minimum width standards as described in MN Rule 8420.0522, subpart 6.

(4) Buffer adjacent to High Quality Wetland, or to replacement wetland adjacent to High Quality Wetland, must be at least 50 feet wide at all points. For private projects dedicating public right of way, the minimum width may be reduced based on compelling need and a District finding that the wetland protection afforded is reasonable given the circumstances. In making this finding, the District will give substantial weight to the TEP recommendation.

(5) The area of buffer for which replacement credit is granted must not exceed the area of the replacement wetland except and specific to when the buffer is to meet the 50- foot requirement of Sections 6(e)(2) and 6(e)(4) and is further limited to the buffer area required to encapsulate another action eligible for credit.

(6) Buffer receiving replacement credit as upland habitat area contiguous with the final WMC must be at least two acres in size.

(7) No above- or below-ground structure or impervious surface may be placed within a buffer area permanently or temporarily, except as follows:

(i) A structure may extend or be suspended above the buffer if the impact of any supports within the buffer or habitat area is negligible, the design allows sufficient light to maintain the species shaded by the structure, and the structure does not otherwise interfere with the function afforded by the buffer.

(ii) A public utility, or a structure associated with a public utility, may be located within a buffer on a demonstration that there is no reasonable alternative that avoids or reduces the proposed buffer intrusion. The utility or structure shall minimize the area of permanent vegetative disturbance.

(iii) Buffer may enclose a linear surface for non-motorized travel no more than 10 feet in width. The linear surface must be at least 25 feet from the wetland edge. The area of the linear surface will not be eligible for replacement credit. For projects proposing non-motorized travel no more than 10 feet in width, the linear surface may be reduced to less than 25 feet from the wetland edge based on compelling need and a TEP recommendation to the District in support that the wetland protection afforded is reasonable given the circumstances.

(iv) A stormwater features that is vegetated consistent with Section 6(e)(1), including NURP ponds, may be located within buffer and count toward buffer width on site-specific approval.

(8) Buffer area is to be indicated by permanent, freestanding markers at the buffer edge, with a design and text approved by District staff in writing. A marker shall be placed at each lot line, with additional markers placed at an interval of no more than 200 feet and as necessary to define variation in a meandering boundary. If a District permit is sought for a subdivision, the monumentation requirement will apply to each lot of record to be created. On public land or right-of-way, the monumentation requirement may be satisfied by the use of markers flush to the ground, breakaway markers of durable material, or a vegetation maintenance plan approved by District staff in writing.

(9) As a condition of permit issuance under this Rule, a property owner must file on the deed a declaration in a form approved by the District establishing a vegetated buffer area adjacent to the delineated wetland edge within the final WMC and other wetland buffers approved as part of a permit under this Rule. The declaration must state that on further subdivision of the property, each subdivided lot of record shall meet the monumentation requirement of Section 6(e)(8). On public land or right-of-way, in place of a recorded declaration, the public owner may execute a written maintenance agreement with the District. The agreement will state that if the land containing the buffer area is conveyed to a private party, the seller must file on the deed a declaration for maintenance in a form approved by the District.

(10) Buffer may be disturbed to alter land contours or improve buffer function if the following criteria are met:

(i) An erosion control plan is submitted under which alterations are designed and conducted to expose the smallest amount of disturbed ground for the shortest time possible, fill or excavated material is not placed to create an unstable slope, mulches or similar materials are used for temporary soil coverage, and permanent vegetation is established as soon as possible after disturbance is completed.

(ii) Wooded buffer and native riparian canopy trees are left intact;

(iii) When disturbance is completed, sheet flow characteristics within the buffer are improved; average slope is not steeper than preexisting average slope or 5:1 (horizontal: vertical), whichever is less steep; preexisting slopes steeper than 5:1 containing dense native vegetation will not require regrading; the top 18 inches of the soil profile is not compacted, has a permeability at least equal to the permeability of the preexisting soil in an uncompacted state and has organic matter content of between five and 15 percent; and habitat diversity and riparian shading are maintained or improved. Any stormwater feature within the buffer will not have exterior slopes greater than 5:1.

(iv) A re-vegetation plan is submitted specifying removal of invasive species and establishment of native vegetation suited to the location.

(v) A recorded Declaration or, for a public entity, maintenance agreement is submitted stating that, for three years after the project site is stabilized, the property owner will correct erosion, maintain and replace vegetation, and remove invasive species to establish permanent native vegetation according to the re- vegetation plan.

(vi) Disturbance is not likely to result in erosion, slope failure or a failure to establish vegetation due to existing or proposed slope, soil type, root structure or construction methods.

(11) Material may not be excavated from or placed in a buffer, except for temporary placement of fill or excavated material pursuant to duly-permitted work in the associated wetland, or pursuant to paragraph 6(e)(10) of this Rule.

(f) EASEMENT. The property owner must convey to the District and record or register, in a form acceptable to the District, a perpetual, assignable easement granting the District the authority to monitor, modify and maintain hydrologic and vegetative conditions within the WMC wetland and buffer adjacent to WMC wetland, including the authority to install and maintain structural elements within those areas and reasonable access to those areas to perform authorized activities. The WMC shall be identified and delineated as part of the recorded easement.

(g) PARTIAL ABANDONMENT. As a condition of permit issuance, the District may require a property owner to petition the District for partial abandonment of a public drainage system pursuant to Minnesota Statutes §103E.805. A partial abandonment under this Section may not diminish a benefited property owner's right to drainage without the owner's agreement.

7. REQUIRED EXHIBITS. The following exhibits must accompany a permit application for both WCA and non-WCA wetland alterations.

(a) SITE PLAN. An applicant must submit a site plan showing:

(1) Property lines and delineation of lands under ownership of the applicant.

(2) On-site location of all public and private ditch systems

(3) Existing and proposed elevation contours, including the existing run out elevation and flow capacity of the wetland outlet, and spoil disposal areas.

(4) Area of wetland to be filled, drained, excavated or otherwise altered.

(b) **WETLAND DELINEATION REPORT.** An applicant must submit a copy of a wetland delineation report conforming to a methodology authorized for WCA use and otherwise consistent with Minnesota Board of Water & Soil Resources guidance. The following requirements and clarifications apply to submittals of wetland delineation reports to the District and supplement the approved methodology and guidance:

(1) Wetland delineations should be conducted and reviewed during the ~~period of May 1 - October 15~~growing season. The District may accept delineations performed outside this time frame on a case-by-case basis. The District will determine if there is sufficient information in the report and visible in the field at the time to assess the three wetland parameters (hydrophytic vegetation, hydric soils, hydrology) in relation to the placement of the wetland delineation line. If proper assessment of the delineation is not possible, the District may consider the application incomplete until appropriate field verification is possible.

(2) An applicant conducting short- or long-term wetland hydrology monitoring for the purpose of wetland delineation/determination must coordinate with the District prior to initiating the study.

(3) For a project site with row-cropped agricultural areas, the wetland delineation report must include a review of Farm Service Agency aerial slides (if available) for wetland signatures per Guidance for Offsite Hydrology/Wetland Determinations (July 1, 2016), as amended, and Section 404 Clean Water Act or subsequent State-approved guidance. This review is to be considered along with field data and other pertinent information, and is not necessarily the only or primary basis for a wetland determination in an agricultural row-cropped area.

(4) The wetland delineation report must follow current BWSR/ACOE Guidance for Submittal of Delineation Reports, and include:

(i) Documentation consistent with the 1987 Corps of Engineers Wetlands Delineation Manual and Northcentral and Northeast Regional Supplement.

(ii) National Wetland Inventory (NWI) map, Soil Survey Map, and Department of Natural Resources (DNR) Protected Waters Map of the area being delineated.

(iii) Results of a field investigation of all areas indicated as potential wetland by mapping sources including: NWI wetlands, hydric soil units, poorly drained or depressional areas on the Soil Survey Map, and DNR Protected Waters or Wetlands.

(iv) Classifications of each delineated wetland using the following systems:

- Classification of Wetlands and Deep Water Habitats of the United States (Cowardin et al. 1979)
- Fish and Wildlife Service Circular 39 (Shaw and Fredine 1971)
- Wetland Plants and Plant Communities of Minnesota and Wisconsin (Eggers & Reed, 3rd Edition, 2011)

(v) A survey map (standard land survey methods or DGPS) of delineated wetland boundaries.

(5) As a condition of District approval of any wetland delineation, applicants shall submit X/Y coordinates (NAD 83 state plane south coordinate system) and a GIS shapefile of the delineated wetland boundaries. All data shall be collected with a Trimble Geoexplorer or equivalent instrument with sub-meter accuracy.

(c) **WETLAND REPLACEMENT PLAN APPLICATION.** An applicant submitting a plan involving a wetland alteration requiring replacement must submit five copies of a replacement plan application and supporting materials conforming to WCA replacement plan application submittal requirements and including the following additional documents:

(1) Plan sheet(s) clearly identifying, delineating, and denoting the location and size of each wetland impact area and all replacement actions for credit.

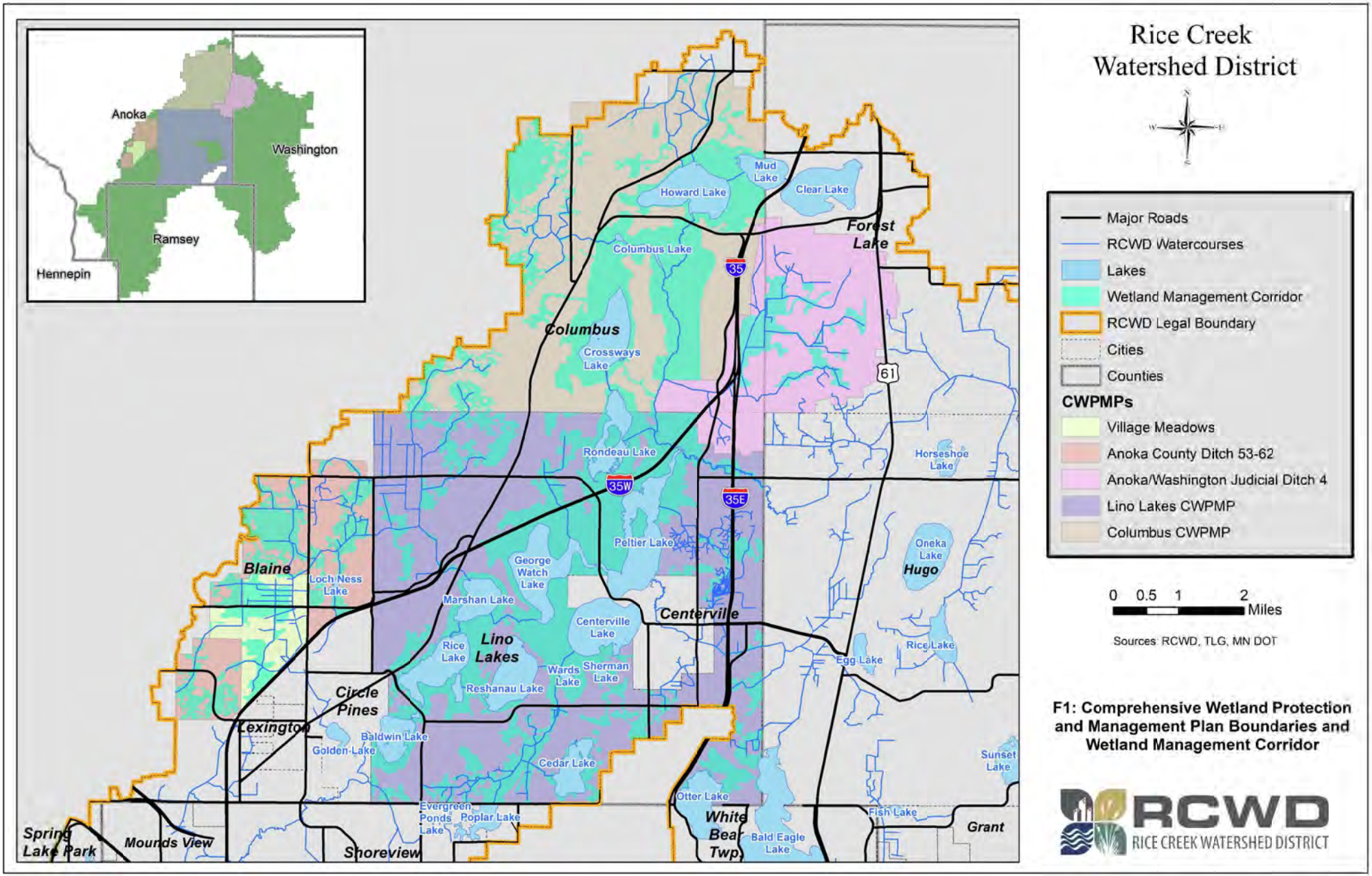
(2) Plan sheet(s) with profile views and construction specifications of each replacement wetland including proposed/estimated normal water level, proposed/estimated boundary of replacement wetland, topsoiling specifications (if any), grading specifications, and wetland/buffer seeding specifications.

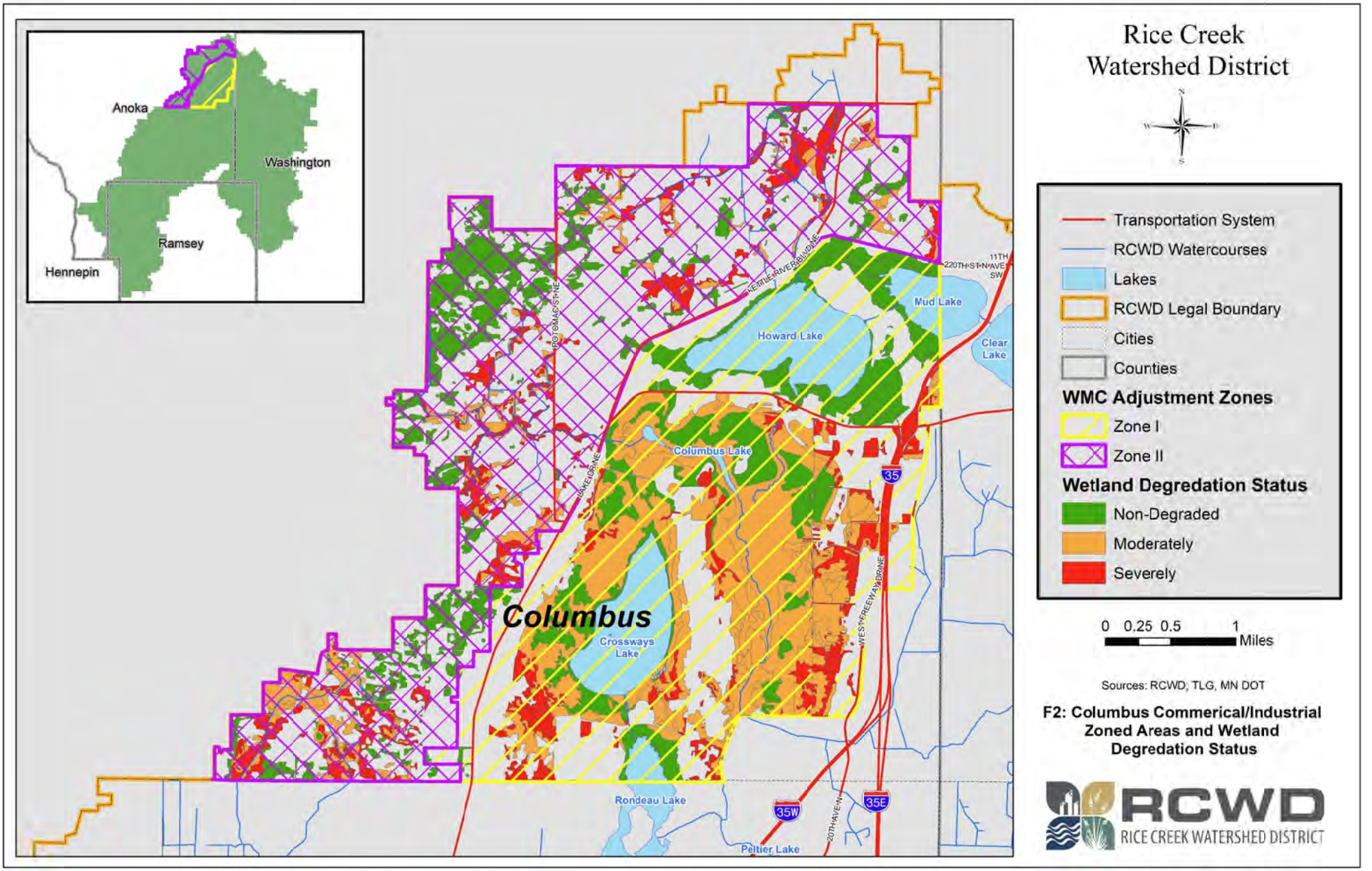
(d) **FUNCTIONS AND VALUES ASSESSMENT.** An applicant must submit a before-and-after wetland functions and values assessment using a WCA-accepted methodology for a project in a CWPMP area or otherwise involving at least one acre of wetland impact requiring replacement.

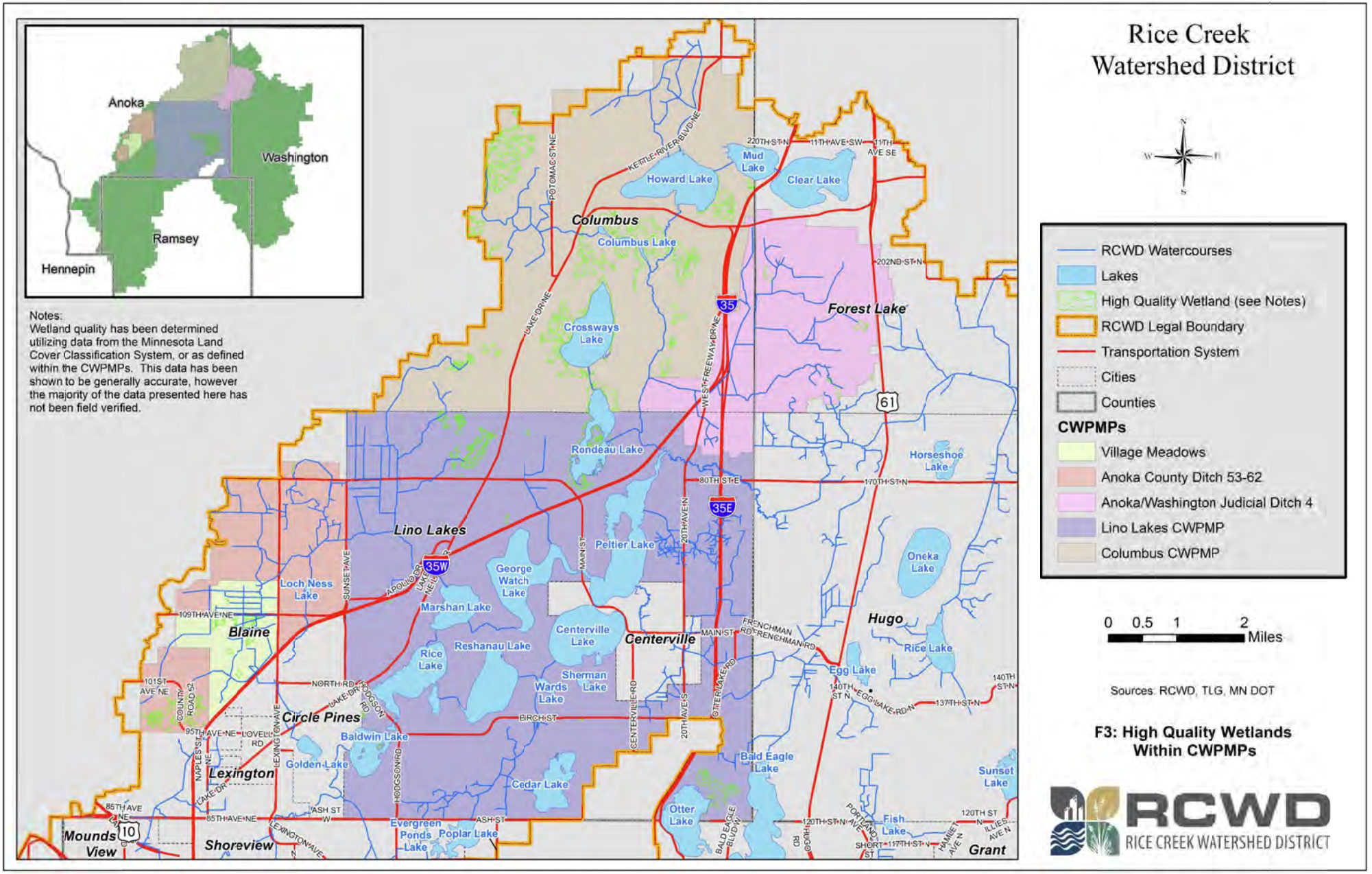
(e) Erosion and sediment control plan in accordance with District Rule D.

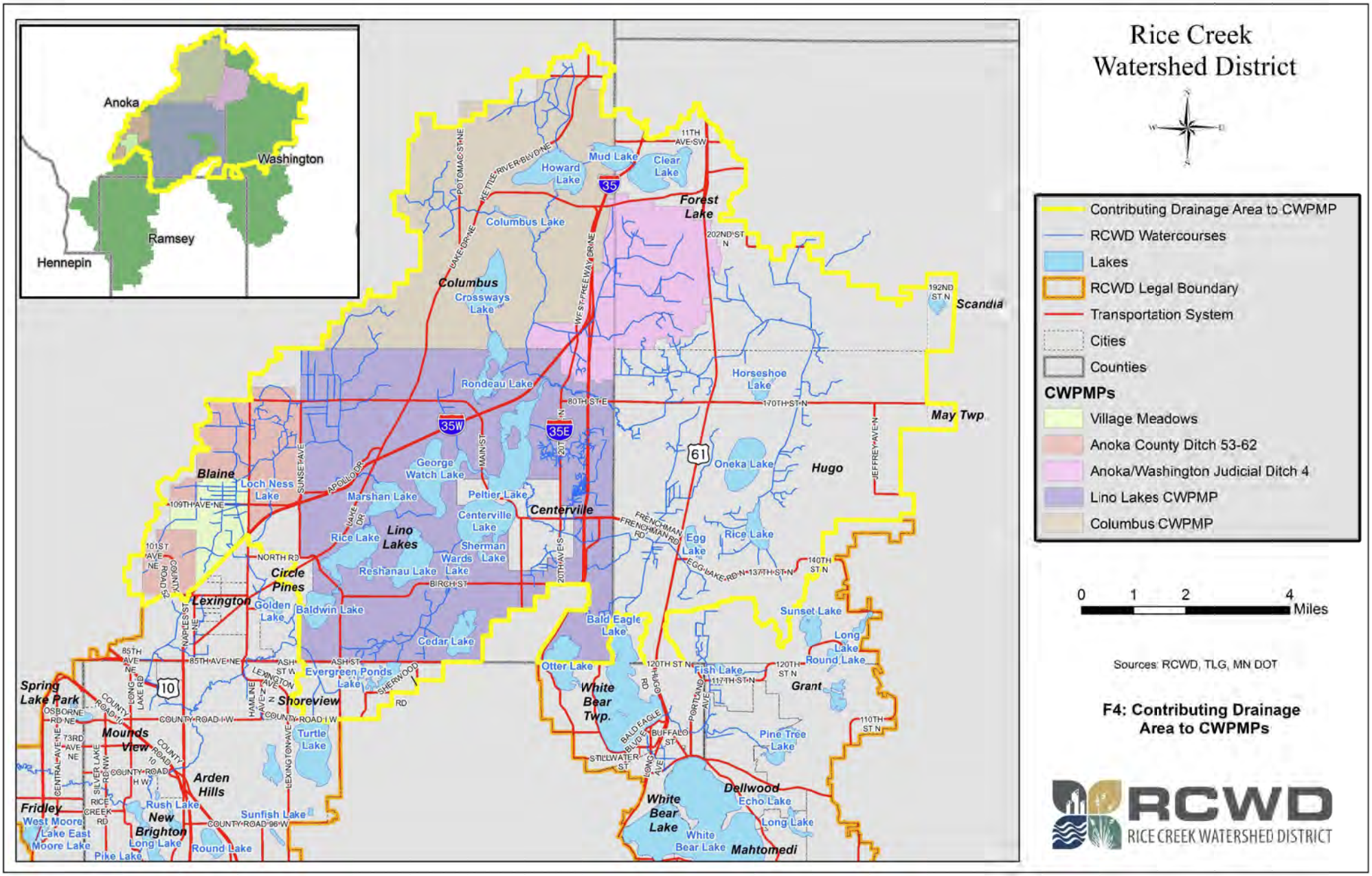
(f) On District request, the applicant will conduct an assessment of protected plant or animal species within the project site, where such assessment is not available from existing sources.

(g) Other project site-specific submittal requirements as may be required by the District.


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Major Roads
RCWD Watercourses
Lakes
Wetland Management Corridor
RCWD Legal Boundary
Cities
Counties
CWPMPs
Village Meadows
Anoka County Ditch 53-62
Anoka/Washington Judicial Ditch 4
Lino Lakes CWPMP
Columbus CWPMP
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
F1: Comprehensive Wetland Protection and Management Plan Boundaries and Wetland Management Corridor
RCWD
RICE CREEK WATERSHED DISTRICT
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Forest Lake
Columbus
Crossways Lake
Rondeau Lake
Horseshoe Lake
Peltier Lake
Oneka Lake
Hugo
Blaine
Loch Ness Lake
George Watch Lake
Marshan Lake
Centerville
Centerville Lake
Lino Lakes
Rice Lake
Wards Lake
Sherman Lake
Reshanau Lake
Egg Lake
Rice Lake
Circle Pines
Lexington
Baldwin Lake
Golden Lake
Cedar Lake
Sunset Lake
Otter Lake
Fish Lake
Evergreen Ponds
Poplar Lake
White Bear Twp.
Bald Eagle Lake
Grant
Spring Lake Park
Mounds View
Shoreview
35
35W
35E
61


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Columbus
Mud Lake
Howard Lake
Clear Lake
Columbus Lake
Crossways Lake
Rondeau Lake
Peltier Lake
35
35W
35E
Transportation System
RCWD Watercourses
Lakes
RCWD Legal Boundary
Cities
Counties
WMC Adjustment Zones
Zone I
Zone II
Wetland Degredation Status
Non-Degraded
Moderately
Severely
0 0.25 0.5 1
Miles
Sources: RCWD, TLG, MN DOT
F2: Columbus Commerical/Industrial Zoned Areas and Wetland Degredation Status
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Notes:
Wetland quality has been determined utilizing data from the Minnesota Land Cover Classification System, or as defined within the CWPMPs. This data has been shown to be generally accurate, however the majority of the data presented here has not been field verified.
RCWD Watercourses
Lakes
High Quality Wetland (see Notes)
RCWD Legal Boundary
Transportation System
Cities
Counties
CWPMPs
Village Meadows
Anoka County Ditch 53-62
Anoka/Washington Judicial Ditch 4
Lino Lakes CWPMP
Columbus CWPMP
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
F3: High Quality Wetlands
Within CWPMPs
RCWD
RICE CREEK WATERSHED DISTRICT
Columbus
Forest Lake
Lino Lakes
Blaine
Centerville
Hugo
Circle Pines
Lexington
Mounds View
Shoreview
Grant
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Crossways Lake
Rondeau Lake
Horseshoe Lake
Peltier Lake
Oneka Lake
Loch Ness Lake
George Watch Lake
Marshan Lake
Reshanau Lake
Centerville Lake
Rice Lake
Sherman Lake
Wards Lake
Egg Lake
Baldwin Lake
Golden Lake
Cedar Lake
Bald Eagle Lake
Sunset Lake
Otter Lake
Fish Lake
Evergreen Ponds
Poplar Lake


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Contributing Drainage Area to CWPMP
RCWD Watercourses
Lakes
RCWD Legal Boundary
Transportation System
Cities
Counties
CWPMPs
Village Meadows
Anoka County Ditch 53-62
Anoka/Washington Judicial Ditch 4
Lino Lakes CWPMP
Columbus CWPMP
0 1 2 4 Miles
Sources: RCWD, TLG, MN DOT
F4: Contributing Drainage Area to CWPMPs
RCWD
RICE CREEK WATERSHED DISTRICT
Blaine
Lino Lakes
Centerville
Circle Pines
Lexington
Spring Lake Park
Mounds View
Shoreview
Arden Hills
Fridley
New Brighton
Columbus
Forest Lake
Scandia
May Twp
Hugo
White Bear Twp.
White Bear Lake
Dellwood
Grant
Mahtomedi
Columbus Crossways Lake
Rondeau Lake
George Watch Lake
Loch Ness Lake
Marshan Lake
Peltier Lake
Centerville Lake
Rice Lake
Sherman Wards Lake
Reshanau Lake
Golden Lake
Baldwin Lake
Evergreen Ponds Lake
Cedar Lake
Turtle Lake
Rush Lake
Sunfish Lake
Long Lake
Round Lake
Pike Lake
West Moore Lake
Lake East Moore Lake
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Horseshoe Lake
Oneka Lake
Egg Lake
Rice Lake
Bald Eagle Lake
Otter Lake
Fish Lake
Sunset Lake
Long Lake
Round Lake
Pine Tree Lake
White Bear Lake
Echo Lake
Long Lake
35
35W
35E
61
10
Lake Drive
Main St
Sunset Ave
Apollo Dr
Naples St
Lexington Ave
Hamline Ave
Sherwood Rd
Frenchman Rd
Egg Lake Rd
Jeffrey Ave N
Portland Ave
Long Ave
Bald Eagle Blvd
Stillwater St
Buffalo St
Birch St
North Rd
Ash St
Osborne Rd NE
Silver Lake Rd NW
Rice Creek Rd
Central Ave NE
Potomac St NE
Kettle River Blvd NE
West Freeway Drive
11th Ave SW
202nd St N
192nd St N
170th St N
140th St N
137th St N
120th St N
117th St N
110th St N
80th St E
109th Ave NE
101st Ave NE
85th Ave NE
73rd Ave NE
County Road 10
County Road 14
County Road I W
County Road H W
County Road 96 W
County Road 52

RULE G: REGIONAL CONVEYANCE SYSTEMS

1. **POLICY.** It is the policy of the Board of Managers to preserve regional conveyance systems within the District, including its natural streams and watercourses, as well as artificial channels and piped systems. Rule G applies to surface water conveyance systems other than public drainage systems The purpose of Rule G is to maintain regional conveyance capacity, prevent flooding, preserve water quality and ecological condition, and provide an outlet for drainage for the beneficial use of the public as a whole now and into the future. Rule G does not apply to public drainage systems, as defined in these rules, which the District manages and maintains through the exercise of its authority under the drainage code (Minnesota Statutes Chapter 103E) and the application of Rule I. It is not the intent of this rule to decide drainage rights or resolve drainage disputes between private landowners.

2. **REGULATION.** No person may construct, improve, repair or alter the hydraulic characteristics of a regional conveyance system that extends across two or more parcels of record not under common ownership, including by placing or altering a utility, bridge or culvert structure within or under such a system, without first obtaining a permit from the District. No permit is required to repair or replace an element of a regional conveyance system owned by a government entity when the hydraulic capacity of the system will not change.

3. **CRITERIA.**

The conveyance system owner is responsible for maintenance. In addition, modification of the conveyance system must:

(a) Preserve existing design hydraulic capacity.

(b) Retain existing navigational capacity.

(c) Not adversely affect water quality or downstream flooding characteristics.

(d) Be designed to allow for future erosion, scour, and sedimentation considerations.

(e) Be designed for maintenance access and be maintained in perpetuity to continue to meet the criteria of Section 3. The maintenance responsibility must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed. Alternatively, a public permittee may meet its perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District.

4. **SUBSURFACE CROSSINGS.** A crossing beneath a regional conveyance system must maintain adequate vertical separation from the bed of the conveyance system. The District will determine adequate separation by reference to applicable guidance and in view of relevant considerations such as soil condition, the potential for upward migration of the utility, and the likelihood that the bed elevation may decrease due to natural processes or human activities. The District also will consider the feasibility of providing separation and the risks if cover diminishes. Nothing in this paragraph diminishes the crossing owner's responsibility under Section 3, above. The applicant must submit a record drawing of the installed utility.

5. **REQUIRED EXHIBITS.** The following exhibits must accompany the permit application.

(a) Construction details showing:

(1) Size and description of conveyance system modification including existing and

proposed flow line (invert) elevations. All elevations must be provided in NAVD 88 datum.

(2) Existing and proposed elevations of utility, bridge, culvert, or other structure.

(3) End details with flared end sections or other appropriate energy dissipaters.

(4) Emergency overflow elevation and route.

(b) Narrative describing construction methods and schedule

(c) Erosion and sediment control plan in accordance with District Rule D.

(d) Computations of watershed area, peak flow rates and elevations, and discussion of potential effects on water levels above and below the project site.

6. **EXCEPTION.** Criterion 3(a) may be waived if the applicant can demonstrate with supporting hydrologic calculations the need for an increase in discharge rate in order to provide for reasonable surface water management in the upstream area and that the downstream impacts of the increased discharge rate can be reasonably accommodated and will not exceed the existing rate at the municipal boundary.

RULE H: ILLICIT DISCHARGE AND CONNECTION

1. POLICY. It is the policy of the Board of Managers to:

(a) Regulate the contribution of pollutants to the District's Municipal Separate Storm Sewer System (MS4) by any user;

(b) Prohibit Illicit Connections and Discharges to the District's MS4;

(c) Carry out inspection and monitoring procedures necessary to ensure compliance with this Rule under statutory and related authority.

2. PROHIBITION. No person shall discharge or cause to be discharged into a public drainage system within the District any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

3. EXCEPTIONS. The commencement, conduct or continuance of any illegal discharge to the waters of the District is prohibited except as described as follows:

(a) The following discharges are exempt from discharge prohibitions established by this rule:

(1) Water line flushing or other potable water sources

(2) Landscape irrigation or lawn watering

(3) Diverted stream flows

(4) Rising ground water

(5) Ground water infiltration to storm drains

(6) Uncontaminated pumped ground water

(7) Foundation and footing drains

(8) Firefighting activities

(b) Discharges specified in writing by the District, or other federal, state or local agency as being necessary to protect the public health and safety.

(c) Dye testing is an allowable discharge, but requires a verbal notification to the District prior to the time of the test.

(d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

4. ILLICIT CONNECTIONS PROHIBITED

(a) The construction, use, maintenance or continued existence of illicit connections to the public drainage system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of this rule if the person connects a line conveying sewage to the public drainage system, or allows such a connection to continue.

RULE I: PUBLIC DRAINAGE SYSTEMS

1. POLICY. Rule I applies to work within public drainage systems, as that term is defined in these rules. The District regulates work in surface water conveyance systems other than public drainage system through the application of Rule G. It is the policy of the Board of Managers to regulate any work within the right-of-way of a public drainage system that has the potential to affect the capacity or function of the public drainage system, or ability to inspect and maintain the system. The purpose of Rule I is to protect the integrity and capacity of public drainage systems consistent with Minnesota Statutes Chapter 103E to prevent regional or localized flooding, preserve water quality, and maintain an outlet for drainage for the beneficial use of the public and benefitted lands now and into the future. .

2. REGULATION.

(a) ~~No t~~Temporary or permanent work in or over~~, or modification to, a may be completed on the~~ public drainage system, including ~~connecting to a public drainage system~~any modification of the system, ~~may occur without first obtaining~~requires a permit under this rule ~~from the District~~. The permit is in addition to any formal procedures or District approvals that may be required under Minnesota Statutes Chapter 103E or other drainage law.

(b) A utility may not be placed under a public drainage system without a permit under this rule. The design must provide at least five feet of separation between the utility and the as-constructed and subsequently improved grade of the public drainage system, unless the District determines that a separation of less than five feet is adequate to protect and manage the system at that location. The applicant must submit a record drawing of the installed utility. The crossing owner will remain responsible should the crossing at any time be found to be an obstruction or subject to future modification or replacement under the drainage law.

(c) A pumped dewatering operation may not outlet within 200 feet of a public drainage system without a permit under this rule. A permit application must include a dewatering plan indicating discharge location, maximum flow rates, and outlet stabilization practices. Rate of discharge into the system may not exceed the system's available capacity.

3. CRITERIA.. A project proposing to work subject to Paragraph 2 (a) must:

(a) Comply with applicable orders or findings of the Drainage Authority.

(b) Comply with all Federal, State and District wetland protection rules and regulations.

(c) Demonstrate that such activity will not adversely impact the capacity or function of the public drainage system, or ability to inspect and maintain the system.

(d) Not create or establish wetlands within the public drainage system right of way without an order to impound the public drainage system under Minnesota Statute 103E.227.

(e) Provide conveyance at the grade of the ACSIC where work is being completed. If the ACSIC has not been determined, the applicant may request that the District duly determine the ACSIC before acting on the application, or may accept conditions that the District determines adequate to limit the risk that the applicant's work will not be an obstruction, within the meaning of Minnesota Statutes chapter 103E, when the ACSIC is determined. An applicant that proceeds without determination of the ACSIC bears the risk that the work later is determined to be an obstruction.

(f) Maintain hydraulic capacity and grade under interim project conditions, except where the District, in its judgement, determines that potential interim impacts are adequately mitigated.

(g) Where the open channel is being realigned, provide an access corridor that the District deems adequate at the top of bank of the drainage system, with the following characteristics:

- A minimum 20-feet in width
- Cross-slope (perpendicular to direction of flow) no more than 5% grade.
- Longitudinal slope (parallel to the direction of flow) no more than 1:5 (Vertical to Horizontal).

(h) Provide Aadequate supporting soils to facilitate equipment access for inspection and maintenance. Provide stable channel and outfall.

~~**(i)** Before permit issuance, the permittee must convey to the District an easement to the public drainage system specifying a District right of maintenance access over the right of way of the public drainage system as identified within the public drainage system record. If the right of way of the public drainage system is not described within the record, then the easement shall be conveyed with the following widths:~~

- ~~For tiled/piped systems, 40 feet wide perpendicular to the direction of flow, centered on the tile line or pipe;~~
- ~~For open channel systems, a width that includes the channel and the area on each side of the channel within 20 feet of top of bank. For adequate and safe access, where top of bank is irregular or obstruction exists, the District may specify added width.~~

(i) Be designed for maintenance access and be maintained in perpetuity to avoid constituting an obstruction and otherwise to continue to meet the criteria of Section 3. The maintenance responsibility must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed. Alternatively, a public permittee may meet its perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District. Public Linear Projects are exempt from the public drainage system easement requirement of Section 3(i).

(j) Identify proposed temporary obstruction or crossings of the public drainage system and specify operational controls to enable unobstructed conveyance of a rainfall or flow condition.

4. REQUIRED EXHIBITS. The following exhibits must accompany the permit application. All elevations must be provided in NAVD 88 datum.

(a) Map showing location of project, tributary area, and location and name of the public drainage system branches within the project area

(b) Existing and proposed cross sections and profile of affected area.

(c) Description of bridges or culverts proposed.

(d) Location and sizes of proposed connections to the public drainage system

(e) Narrative and calculations describing effects on water levels above and below the project site.

(f) Erosion and sediment control plan.

(g) Hydrologic and hydraulic analysis of the proposed project.

(h) Local benchmark in NAVD 88 datum.

RULE J: APPROPRIATION OF PUBLIC WATERS

1. **POLICY.** It is the policy of the Board of Managers to regulate the appropriation of public waters as follows.

2. **REGULATION.** A permit from the District is required for the appropriation of water from:

(a) A public water basin or wetland that is less than 500 acres and is wholly within Hennepin or Ramsey County.

(b) A protected watercourse within Hennepin or Ramsey County that has a drainage area of less than 50 square miles.

3. **CRITERIA.** A permit applicant for appropriation of public waters as described above must complete and submit to the District an appropriation checklist. The appropriation checklist form may be obtained from the District office.

RULE K: ENFORCEMENT

1. **VIOLATION OF RULES IS A MISDEMEANOR.** Violation of these rules~~, a stipulation agreement made,~~ or a permit issued ~~by the Board of Managers~~ under these rules, is a misdemeanor subject to a penalty as provided by law.

2. **DISTRICT COURT ACTION.** The District may exercise all powers conferred upon it by Minnesota Statutes Chapter 103D to enforce ~~in enforcing~~ these rules, including criminal prosecution, injunction, or action to compel performance, restoration or abatement.

3. **ADMINISTRATIVE ORDER.** The District may issue a cease and desist or compliance order when it finds that a proposed or initiated project presents a serious threat of soil erosion, sedimentation, or an adverse effect ~~up~~on water quality or quantity, or violates any rule or permit of the District.

4. **OTHER ADMINISTRATIVE AUTHORITIES**. The District may use all other authorities that it possesses under statute to address a violation of these rules, or a permit issued under these rules. This includes, but is not limited to, permit suspension or termination; the right to enter to inspect for and correct violations; and the right to be reimbursed for costs incurred to do so by use of financial assurance funds, civil action or joint-powers municipal assessment.

RULE L: VARIANCES

1. **VARIANCES AUTHORIZED.** The Board of Managers may hear a request for variance from a literal provision of these rules where strict enforcement would cause ~~undue hardship or~~ practical difficulty because of circumstances unique to the property under consideration. The Board of Managers may grant a variance if an applicant demonstrates that such action will be in keeping with the spirit and intent of these rules and in doing so may impose conditions on the variance as necessary to find that it meets the standards of section 2, below. A variance request must be addressed to the Board of Managers as part of a permit application and must address each of the four criteria listed in the standard.

2. **STANDARD.** In order to grant a variance, the Board of Managers must determine that:

   (a) Special conditions apply to the structures or lands under consideration that do not apply generally to other land or structures in the District.

   (b) Because of the unique conditions of the property involved, ~~undue hardship or~~ practical difficulty to the applicant would result, as distinguished from mere inconvenience, if the strict letter of the rule~~s~~ were applied. ~~Economic considerations alone do not constitute undue hardship or practical difficulty if any reasonable use of the property exists under the terms of the District's rules.~~

   (c) The proposed activity for which the variance is sought will not adversely affect the public health, safety or welfare; will not create extraordinary public expense; and will not adversely affect water quality, water control or drainage in the District.

   (d) The intent of the District's rules is met.

3. **PRACTICAL DIFFICULTY DEFINED.** In evaluating practical difficulty, the Board of Managers will consider the following factors:

   (a) How substantial the variation is from the rule provision;

   (b) ~~The effect of the variance on government~~ Whether the variance would shift cost to adjacent property owners or the public;

   (c) Whether the variance will substantially change the character of watershed resources or be a substantial detriment to neighboring properties;

   (d) Whether the practical difficulty can be alleviated by a technically and economically feasible method other than a variance;

   (e) How the practical difficulty occurred, including whether the landowner created the need for the variance; and

   (f) In light of all of the above factors, whether allowing the variance will serve the interests of justice.

4. **TERM.** A variance expires on expiration of the CAPROC approval or permit associated with the variance request.

5. **VIOLATION.** A violation of any condition set forth in a variance is a violation of the District permit that it accompanies and automatically terminates the variance.

RICE CREEK WATERSHED DISTRICT RULES

BOARD APPROVED: XXXX, 2024
EFFECTIVE DATE: JANUARY 1, 2025

CERTIFICATION OF
REVISED WATERSHED DISTRICT RULES

I, Jessica Robertson, Secretary of the Rice Creek Watershed District Board of Managers, certify that the attached is a true and correct copy of the Rules of the Rice Creek Watershed District as revised and adopted by the Board of Managers on XXXX, 2024, and effective January 1, 2025.

Dated: _____ _____
Jessica Robertson, Secretary

ACKNOWLEDGEMENT

State of Minnesota
County of Anoka

This instrument was acknowledged before me on XXXXX, 2024, by Jessica Robertson, as secretary of the Rice Creek Watershed District Board of Managers.

_____
Notary Public

GENERAL POLICY STATEMENT

The Rice Creek Watershed District (District) is a political subdivision of the State of Minnesota, established under the Minnesota Watershed Law. The District is also a watershed management organization as defined under the Minnesota Metropolitan Surface Water Management Act, and is subject to the directives and authorizations in that Act. Under the Watershed Law and the Metropolitan Surface Water Management Act, the District exercises a series of powers to accomplish its statutory purposes. The District's general statutory purpose is to conserve natural resources through development planning, flood control, and other conservation projects, based upon sound scientific principles.

As required under the Metropolitan Surface Water Management Act, the District has adopted a Watershed Management Plan, which contains the framework and guiding principles for the District in carrying out its statutory purposes. It is the District's intent to implement the Plan's principles and objectives in these rules.

Land alteration affects the rate, volume, and quality of surface water runoff which ultimately must be accommodated by the existing surface water systems within the District. The watershed is large, 186 square miles, and its outlet, Rice Creek, has limited capacity to carry flows. Flooding problems already occur in urbanized areas along Lower Rice Creek and other localized areas.

Land alteration and utilization also can degrade the quality of runoff entering the streams and waterbodies of the District due to non-point source pollution. Lake and stream sedimentation from ongoing erosion processes and construction activities reduces the hydraulic capacity of waterbodies and degrades water quality. Water quality problems already exist in many of the lakes and streams throughout the District.

Projects which increase the rate or volume of stormwater runoff can aggravate existing flooding problems and contribute to new ones. Projects which degrade runoff quality can aggravate existing water quality problems and contribute to new ones. Projects which fill floodplain or wetland areas can aggravate existing flooding by reducing flood storage and hydraulic capacity of waterbodies, and can degrade water quality by eliminating the filtering capacity of those areas.

In these rules the District seeks to protect the public health and welfare and the natural resources of the District by providing reasonable regulation of the modification or alteration of the District's lands and waters to reduce the severity and frequency of flooding and high water, to preserve floodplain and wetland storage capacity, to improve the chemical, physical and biological quality of surface water, to reduce sedimentation, to preserve waterbodies' hydraulic and navigational capacity, to preserve natural wetland and shoreland features, and to minimize public expenditures to avoid or correct these problems in the future.

The District rules include certain rules adopted to implement area-specific Comprehensive Wetland Protection and Management Plans (CWPMP) as provided under the Wetland Conservation Act (WCA). CWPMPs are designed to achieve identified wetland resource management needs within specific drainage areas of the watershed. These rules (within Rule F) apply to a delineated geographic area. Accordingly, a property owner intending an activity subject to District permitting requirements first should determine whether the activity will be governed by the CWPMP rule.

RELATIONSHIP OF RICE CREEK WATERSHED DISTRICT TO MUNICIPALITIES

The District recognizes that the primary control and determination of appropriate land uses is the responsibility of the municipalities. Accordingly, the District will coordinate permit application reviews involving land development with the municipality where the land is located.

The District intends to be active in the regulatory process to ensure that its water resources are managed in accordance with District goals and policies. Municipalities have the option of assuming a more active role in the permitting process after adoption of a local water management plan approved by the District and adoption and implementation of local ordinances consistent with the approved plan.

The District will also review projects sponsored or undertaken by municipalities and other governmental units, and generally will require permits for governmental projects impacting water resources of the District. These projects include but are not limited to, land development, road, trail, and utility construction and reconstruction.

The District desires to serve as technical advisor to the municipalities in their preparation of local surface water management plans and the review of individual development proposals prior to investment of significant public or private funds. To promote a coordinated review process between the District and the municipalities, the District encourages the municipalities or townships to contact the District early in the planning process.

RULE A: DEFINITIONS

For the purposes of these rules, the following words have the meanings set forth below.

References in these rules to specific sections of the Minnesota Statutes include any amendments, revisions or recodification of those sections.

As Constructed and Subsequently Improved Condition (ACSIC): the legally established geometry of the public drainage system as constructed and subsequently modified through drainage code procedures.

Beds of Protected Waters: all portions of public waters and public waters wetlands located below the ordinary high water level.

Best Management Practices (BMPs): measures taken to minimize the negative effects on water resources and systems as referenced in the Minnesota Construction Site Erosion and Sediment Control Planning Handbook (BWSR, 1988), Protecting Water Quality in Urban Areas (MPCA, 1989) and the Minnesota Stormwater Manual (MPCA, 2006) or similar guidance documents.

Better Site Design (BSD): an approach to managing runoff that seeks to attain post development hydrology which mimics the undeveloped condition in terms of volume, rate and timing of runoff. The goals of Better Site Design include reducing the amount of impervious cover, increasing the amount of natural lands set aside for conservation, using pervious areas for more effective stormwater treatment, innovative grading and drainage techniques and through the review of every aspect of the project site planning process. Better Site Design involves techniques applied early in the design process to reduce impervious cover, conserve natural areas and use pervious areas to more effectively treat stormwater runoff and promote a treatment train approach to runoff management.

Bridge: a road, path, railroad or utility crossing over a waterbody, wetland, ditch, ravine, road, railroad, or other obstacle.

Bridge Span: the clear span between the inside surfaces of a bridge's terminal supports.

Channel: a perceptible natural or artificial depression, with a defined bed and banks that confines and conducts water flowing either continuously or periodically.

Common Plan of Development: A contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

Comprehensive Wetland Protection and Management Plan (CWPMP): a locally developed comprehensive wetland protection and management plan approved by the Minnesota Board of Soil and Water Resources, pursuant to Minnesota Rules 8420.0830.

Conditional Approval Pending Receipt of Changes (CAPROC): approval of a District permit application that requires the applicant to provide further information or plan changes, or meet other stated conditions, prior to District issuance of the permit, See Rule B.5.

Conveyance System: Open channel, pipe or tile that is not a Public Drainage System. A portion of a conveyance system is defined as "regional" if it carries flows from a drainage area of greater than 200 acres.

Criteria: specific details, methods and specifications that apply to all permits and reviews and that guide implementation of the District's goals and policies.

Critical Duration Flood Event: the 100-year precipitation or snow melt event with a duration resulting in the maximum 100-year return period water surface elevation. The critical duration flood event is generally either the 100-year, 24-hour rainfall event as found in NOAA Atlas 14 or the ten-day snow melt event assumed to be 7.2 inches of runoff occurring on frozen ground (CN=100); however, other durations (e.g., 6-hour) may result in the maximum 100 year return period water surface elevation.

CWPMP Contributing Drainage Area: the areas tributary to CWPMP jurisdictional areas from which banked or off-site wetland replacement credits may be used to replace wetland impacts under Rule F.6(c). Figure 4 illustrates the Contributing Drainage Area; however, the precise boundary will be determined on a hydrologic basis at the time of permitting.

Detention Basin: any natural or man-made depression that stores stormwater runoff temporarily.

Development: any land-disturbing activity resulting in creation or reconstruction of impervious surface including, but not limited to, municipal road construction. Normal farming practices part of an ongoing farming operation shall not be considered development.

District: the Rice Creek Watershed District established under the Minnesota Watershed Law, Minnesota Statutes Chapter 103D.

Effectively Drained Wetland: an area whose natural hydrology has been altered to the point that it is no longer considered wetland.

Emergency Overflow (EOF): a primary overflow to pass flows above the design capacity around the principal outlet safely downstream without causing flooding.

Excavation: the displacement or removal of soil, sediment or other material.

Floodplain: the areas adjoining a waterbody that are inundated by the 100-year flood elevation.

Floodway: the channel of a watercourse, the bed of waterbasins and those portions of adjoining floodplains that must be kept free of encroachment to accommodate the 100-year flood.

Floodway Fringe: the area between the floodway and the boundary of the 100-year flood.

Flood Management Zone: land within the Rice Creek Watershed District draining to and entering Rice Creek downstream from the outlets of Baldwin Lake and Golden Lake.

Freeboard: vertical distance between the 100-year flood elevation or emergency overflow elevation of a waterbasin or watercourse and the elevation of the regulatory elevation of a structure.

Governmental Project: projects sponsored or paid for by a governmental agency.

High Quality Wetland: an existing wetland reflecting a score of “high/high” for the functional indicators “outlet condition” and “vegetative quality”, respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Impervious Surface: a compacted surface or a surface covered with material (i.e., gravel, asphalt, concrete, Class 5, etc.) that increases the depth of runoff compared to natural soils and land cover. Including but not limited to roads, driveways, parking areas, sidewalks and trails, patios, tennis courts, basketball courts, swimming pools, building roofs, covered decks, and other structures.

Infiltration: water entering the ground through the soil.

Land-Disturbing Activity: any disturbance to the ground surface that, through the action of wind or water, may result in soil erosion or the movement of sediment into waters, wetlands or storm sewers or onto adjacent property. Land-disturbing activity includes but is not limited to the demolition of a structure or surface, soil stripping, clearing, grubbing, grading, excavating, filling and the storage of soil or earth materials. The term does not include normal farming practices as part of an ongoing farming operation.

Landlocked Basin: a waterbasin lacking an outlet at an elevation at or below the water level produced by the critical duration flood event, generally the 10-day snowmelt event.

Local Government Unit (LGU): the public body responsible for implementing the Minnesota Wetland Conservation Act, as defined at Minnesota Statutes §103G.005, subdivision 10e.

Low Entry Elevation: the elevation of the lowest opening in a structure.

Low Floor Elevation: the elevation of the lowest floor of a habitable or uninhabitable structure, which is often the elevation of the basement floor or walk-out level.

Major Watercourse: any watercourse having a tributary area of 200 acres or more.

Marginally Degraded Wetland: an existing wetland reflecting a score of “high/low” or “low/high” for the functional indicators “outlet condition” and “vegetative quality”, respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Mill, Reclamation and Overlay: removal of the top layer(s) of an impervious surface (e.g. roadway, parking lot, sport court) by mechanical means, followed by the placement of a new layer of impervious surface, without exposure of the underlying native soil.

Moderately Degraded Wetland: an existing wetland reflecting a score of “medium/medium” or “low/medium” for the functional indicators “outlet condition” and “vegetative quality”, respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Municipal Separate Storm Sewer System (MS4): the system of conveyances owned or operated by the District and designed or used to collect or convey storm water, and that is not used to collect or convey sewage.

Municipality: any city or township wholly or partly within the Rice Creek Watershed District.

Native Vegetation: plant species that are indigenous to Minnesota or that expand their range into Minnesota without being intentionally or unintentionally introduced by human activity and that are classified as native in the Minnesota Plant Database.

NPDES Permit: general permit authorization to discharge storm water associated with construction activity under the National Pollutant Discharge Elimination System (NPDES), issued by the Minnesota Pollution Control Agency.

Non-Degraded Wetland: an existing wetland reflecting a score of “high/medium” or “medium/high” for the functional indicators “outlet condition” and “vegetative quality”, respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Non-Invasive Vegetation: plant species that do not typically invade or rapidly colonize existing, stable plant communities.

NURP: Nationwide Urban Runoff Program.

100-Year Flood Elevation: the elevation of water resulting from the critical duration flood event, as mapped under the RCWD District Wide Model and as the RCWD may refine on the basis of site-specific data.

Ordinary High Water Level (OHW): the highest water level elevation that has been maintained for a sufficiently long period of time to leave evidence upon the landscape. The OHW is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. If an OHW has been established for a waterbody by the Minnesota Department of Natural Resources, it will constitute the OHW under this definition.

Outlet Control Structure: a permanent structure with rigid overflow designed to control peak flow rates for the two-, 10-, and 100-year events. A riprap-covered berm is not considered a rigid overflow.

Parcel: a lot of record in the office of the county recorder or registrar or that otherwise has a defined legal existence.

Person: any natural person, partnership, unincorporated association, corporation, limited liability company, municipal corporation, state agency, or political subdivision of the State of Minnesota.

Political Subdivision: a municipality, county, town, school district, metropolitan or regional agency, or other special purpose district of Minnesota.

Pollutant: Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind. (This definition is for the purpose of Rule H only and is incorporated from the U.S. EPA model ordinance.)

Public Drainage System: Open channel, pipe tile, and appurtenant structures, within a public system as established or delineated under Minnesota Statutes Chapter 103E.

Public Linear Project: a project involving a roadway, sidewalk, trail, or utility not part of an industrial, commercial, institutional or residential development.

Public Waters: waters identified as public waters under Minnesota Statutes section 103G.005, Subdivision 15.

Public Waters Wetlands: all wetlands identified as public waters wetlands under Minnesota Statutes section 103G.005, subdivision 15a.

Reconstruction: removal of an impervious surface such that the underlying structural aggregate base is effectively removed and the underlying native soil exposed.

Resource of Concern (ROC): lakes identified in Figures C1A through C1E. If an area within the jurisdictional boundary of the District drains to a location outside the District without reaching an ROC, the District will identify the receiving water outside of the District that is the ROC for the purpose of the permit.

Resource of Concern Drainage Area: Land draining to a Resource of Concern. The Resource of

Concern drainage area excludes lands draining first to an upstream Resource of Concern.

Seasonal High Water Table: The highest known seasonal elevation of groundwater as indicated by redoximorphic features such as mottling within the soil.

Severely Degraded Wetland: an existing wetland reflecting a score of "medium/low" or "low/low" for the functional indicators "outlet condition" and "vegetative quality", respectively, using MnRAM 3.4 (or most recent version) or other state approved wetland functional model.

Site: All contiguous lots of record on which activity subject to any District rule is proposed to occur or occurs, as well as all other lots of record contiguous to any such lot under common ownership at the time of the permitted activity. Linear right of way does not disturb contiguity. For public linear projects not occurring in conjunction with land development, the term means the portion of right-of-way defined by the project work limits.

Single Family Residential Construction: Construction of one or more single-family homes on individual lots of record.

Storm Sewer: a pipe system for stormwater conveyance.

Stormwater Pond: Constructed basins placed in the landscape to capture stormwater runoff.

Structure: a building with walls and a roof, excluding structures such as pavilions, playgrounds, gazebos, and garbage enclosures.

Subdivision, Subdivide: the legal separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots.

Technical Evaluation Panel (TEP): The body described in Minnesota Rules 8420.0240.

Total Phosphorus (TP): A measure of all forms of phosphorus, dissolved or particulate, in a given sample or flow.

Upland Habitat Area: A non-wetland area that is contiguous with an existing, restored, or created wetland and scores "C" or better using the Natural Heritage Ranking methodology.

Volume Control Practice: A stormwater infiltration practice or stormwater reuse system.

Waterbasin: an enclosed natural depression with definable banks capable of containing water.

Waterbody: a waterbasin, watercourse or wetland as defined in these Rules.

Watercourse: a channel that has definable beds and banks capable of conducting confined runoff from adjacent land.

Wetland: area identified as wetland under Minnesota Statutes section 103G.005, subdivision 19.

Wetland Management Corridor (WMC): A contiguous corridor encompassing high priority wetland resources identified at a landscape scale in Figure F1 and refined at the time of individual project permitting at a site level as provided for in Rule F, section 6.

RULE B: PROCEDURAL REQUIREMENTS

1. **APPLICATION AND NOTICE OF INTENT REQUIRED.** Any person undertaking an activity for which a permit is required by these rules must obtain the required permit prior to commencing the activity that is subject to District regulation. Applications for permit must be submitted to the District in accordance with the procedures described in this rule. Required exhibits are specified for each substantive rule below. Applicants are encouraged to contact District staff before submission of an application to review and discuss application requirements and the applicability of specific rules to a proposed project. When the rules require a criterion to be met, or a technical or other finding to be made, the District makes the determination except where the rule explicitly states otherwise. The landowner or, in the District's judgment, easement holder, must sign the permit application and will be the permittee or a co-permittee.

2. **FORMS.** A District permit application or notice of intent, and District checklist of permit submittal requirements, must be submitted on the forms provided by the District. Applicants may obtain forms from the District office or website at http://www.ricecreek.org/permits/permit-application/.

3. **ACTION BY DISTRICT.** The District shall act on applications in accordance with Minnesota Statutes 15.99. A complete permit application includes all required information, exhibits, and fees. An application will not be ready for Board consideration unless all substantial technical questions have been addressed and all substantial plan revisions resulting from staff review have been accomplished. Permit decisions will be made by the Board except as delegated to the Administrator by written resolution.

4. **ISSUANCE OF PERMITS.** The permit will be issued only after applicant has satisfied all requirements and conditions for the permit, has paid all required District fees, and the District has received any required surety. Any outstanding Water Management District charges are due prior to permit issuance.

5. **CONDITIONAL APPROVAL PENDING RECEIPT OF CHANGES (CAPROC).** The District may conditionally approve an application, but a permit will not issue, and work may not begin, until all conditions precedent to issuance are fulfilled. All conditions must be satisfied within twelve (12) months of the date of conditional approval, but if the work commenced before permit issuance, conditions must be satisfied within the period stated in the conditional approval. If conditions are not satisfied within the specified period, the conditional approval will lapse and the applicant will be required to reapply for a permit and pay applicable permit fees.

6. **PERMIT TERM.** Permits are valid for an eighteen-month period from the date of issuance unless otherwise stated within the permit, suspended or revoked. To extend a permit, the permittee must apply to the District in writing, stating the reasons for the extension. Any plan changes, and related project documents must also be included in the extension application. The District must receive this application at least thirty (30) days prior to the permit expiration date. The District may impose different or additional conditions on a renewal or deny the renewal in the event of a material change in circumstances. On the first renewal, a permit will not be subject to change because of a change in District rules. An extended stormwater management permit for phased development may be requested.

7. PERMIT ASSIGNMENT. A permittee must be assigned when title to the property is transferred or, if the permittee is an easement holder, in conjunction with an assignment of the easement. The District must approve a permit assignment and will do so if the following conditions have been met:

(a) The proposed assignee in writing agrees to assume all the terms, conditions and obligations of the permit as originally issued to the permittee;

(b) The proposed assignee has the ability to satisfy the terms and conditions of the permit as originally issued;

(c) The proposed assignee is not changing the project as originally permitted;

(d) There are no violations of the permit conditions as originally issued; and

(e) The District has received from the proposed assignee a substitute surety to secure performance of the assigned permit.

Until assignment is approved, the permittee of record as well as the current title owner will be responsible for permit compliance.

8. PERMIT FEES. The District will charge applicants permit fees in accordance with a schedule that will be maintained and revised from time to time by the Board of Managers to ensure that permit fees cover the District's actual costs of administrating and enforcing permits. The current fee schedule may be obtained from the District office or the District website at http://www.ricecreek.org/permits/permitting-information. An applicant must submit the required permit fee to the District at the time it submits its permit application. No permit fee will be charged to the federal government, the State of Minnesota or a political subdivision of the State of Minnesota.

9. PERFORMANCE SURETY.

(a) **POLICY.** It is the policy of the Board of Managers to conserve the District's water resources by assuring compliance with its rules. The District ensures compliance by requiring a bond or other surety to secure performance of permit conditions and compliance with District rules, as well as protection of District water resources in the event of noncompliance with permit conditions and/or rules. A project for which the applicant is the federal government, the State of Minnesota or a political subdivision of the State of Minnesota is exempt from surety requirements.

(b) **PERFORMANCE SURETY REQUIREMENT.** A surety or sureties, when required, must be submitted in a form acceptable to the District. When a cash escrow is used, it will be accompanied by an escrow agreement bearing the original signature of the permittee and the party providing the escrow, if not the permittee. The District will require applicants to submit a surety or sureties in accordance with a schedule of types and amounts that will be maintained and revised from time to time by the Board of Managers. The current schedule of surety amounts and acceptable forms and sources as well as surety agreement may be obtained from the District office or the District website at http://www.ricecreek.org/permits/permitting-information.

An applicant may submit a bond or an irrevocable letter of credit to the District to secure performance of permit conditions for activities for which the required surety amount as determined above is in excess of $5,000; however, the first $5,000 of any performance surety must be submitted to the District as a cash escrow. The bond or letter of credit must be submitted before the permit is issued.

(c) FORM AND CONTENT OF BOND OR LETTER OF CREDIT.

(1) The bond or irrevocable letter of credit must be in a form acceptable to the District and from a surety licensed to do business in Minnesota.

(2) The bond or irrevocable letter of credit must be in favor of the District and conditioned upon the performance of the party obtaining the bond or letter of credit of the activities authorized in the permit, and compliance with all applicable laws, including the District's rules, the terms and conditions of the permit and payment when due of any fees or other charges required by law, including the District's rules. The bond or irrevocable letter of credit must provide that if the bond conditions are not met, the District may make a claim against the bond or letter of credit.

(d) RELEASE OF PERFORMANCE SURETY. Upon written notification from permittee of completion of the permitted project, the District will inspect the project to determine if it is constructed in accordance with the terms of the permit and District rules. If the project is completed in accordance with the terms of the permit and District rules and the party providing the performance surety does not have an outstanding balance of money owed to the District for the project, including but not limited to unpaid permit fees, the District will release the bond or letter of credit, or return the cash surety if applicable. Final inspection compliance includes, but is not limited to, confirmation that all erosion and sediment control BMPs and stormwater management features have been constructed or installed as designed and are functioning properly, and completion of all required monitoring of wetland mitigation areas. The District may return a portion of the surety if it finds that a portion of the surety is no longer warranted to assure compliance with District rules.

RULE C: STORMWATER MANAGEMENT

1. **POLICY.** It is the policy of the Board of Managers to manage stormwater and snowmelt runoff on a local, regional and watershed basis; to promote natural infiltration of runoff throughout the District to preserve flood storage and enhance water quality; and to address the unique nature of flooding issues within the Flood Management Zone, through the following principles:

(a) Maximize water quality and flood control on individual project sites through Better Site Design practices and stormwater management.

(b) Minimize land use impacts and improve operational and maintenance efficiency by siting stormwater BMPs, when needed, regionally unless local resources would be adversely affected.

(c) Treat stormwater runoff before discharge to surface waterbodies and wetlands, while considering the historic use of District water features.

(d) Ensure that future peak rates of runoff are less than or equal to existing rates.

(e) Reduce the existing conditions peak rate of discharge along Lower Rice Creek and the rate of discharge and volume of runoff reaching Long Lake, to preserve the remaining floodplain storage volume within Long Lake and mitigate the historic loss of floodplain storage.

(f) Preserve remaining floodplain storage volume within the Rice Creek Watershed to minimize flood potential throughout the District.

2. **REGULATION.** A permit incorporating an approved stormwater management plan is required under this rule for development, consistent with the following:

(a) A permit is required for subdivision of an area exceeding one acre. This includes subdivision for single-family residential, multi-unit residential, commercial, industrial, or institutional development.

(b) A permit is required for development, other than Public Linear Projects, that creates or reconstructs 10,000 square feet or more of impervious surface. This threshold is cumulative of all impervious surface created or reconstructed as a part of a Common Plan of Development.

(c) For Public Linear Projects, a permit is required when the sum of new and reconstructed impervious surface equals or exceeds one acre as a part of a Common Plan of Development.

3. **STORMWATER MANAGEMENT PLAN REQUIRED.** A stormwater management plan shall be submitted with the permit application for a project equaling or exceeding the threshold of Section 2. The stormwater management plan shall fully address the design and function of the project proposal and the effects of altering the landscape relative to the direction, rate of discharge, volume of discharge and timing of runoff.

4. **MODELING REQUIREMENTS FOR STORMWATER MANAGEMENT PLANS.**

(a) A hydrograph method or computer program based on NRCS Technical Release #20 (TR-20) and subsequent guidance must be used to analyze stormwater runoff for the design or analysis of discharge and water levels within and off the project site. The runoff from pervious and impervious areas within the model shall be modeled separately.

(b) In determining Curve Numbers for the post-development condition, the Hydrologic Soil Group (HSG) of areas within construction limits shall be shifted down one classification for HSG C (Curve Number 80) and HSG B (Curve Number 74) and ½ classification for HSG A (Curve Number 49) to account for the impacts of grading on soil structure unless the project specifications incorporate soil amendments in accordance with District Soil Amendment Guidelines. This requirement only applies to that part of a site that has not been disturbed or compacted prior to the proposed project.

(c) The analysis of flood levels, storage volumes, and discharge rates for waterbodies and stormwater management basins must include the NOAA Atlas 14 values, as amended, using a nested rainfall distribution (e.g. MSE 3), for the 2 year, 10 year and 100 year return period, 24-hour rainfall events and the 10-day snowmelt event (Curve Number 100), in order to identify the critical duration flood event. The District Engineer may require analysis of additional precipitation durations to determine the critical duration flood event. Analysis of the 10-day snowmelt event is not required for stormwater management detention basins with a defined outlet elevation at or below the 100 year return period, 24-hour rainfall event elevation.

5. STORMWATER MANAGEMENT PLAN FRAMEWORK.

(a) When an existing regional BMP is proposed to manage stormwater runoff, the applicant must demonstrate the BMP is subject to maintenance obligations enforceable by the District. The project's proposed total impervious surface area must be equal to or less than the impervious surface allocated within the original approved stormwater plan for that site. If an impervious surface area was not specified within the original approved stormwater plan for the site, the applicant shall show that the BMP was designed and constructed to manage the stormwater runoff from the project site and the applicant has permission to utilize the required portion of BMP capacity.

(b) Stormwater management plans, with the exception of those for single family residential developments, must specify the proposed impervious surface area draining to each BMP for each land parcel

(c) A combination of Stormwater BMPs may be used to meet the requirements of section(s) 6, 7, and 8.

(d) A local surface water management plan or ordinance of the local land use authority may contain standards or requirements more restrictive than these rules. The stormwater management plan must conform to the local surface water management plan or ordinance of the local land use authority.

(e) The proposed project must not adversely affect off-site water levels or resources supported by local recharge, or increase the potential for off-site flooding, during or after construction.

(f) A landlocked basin may be provided an outlet only if:

(1) It conforms with District Rule F, as applicable.

(2) The outlet is above the critical duration flood event

(3) It does not create adverse downstream flooding or water quality conditions as a result of the change in the rate, volume or timing of runoff or a change in drainage

patterns.

(g) A municipality or public road authority may prepare a comprehensive stormwater management plan setting forth an alternative means of meeting the standards of sections 6 and 7 within a defined subwatershed. Once approved by the District and subject to any stated conditions, the plan will apply in place of those sections.

6. WATER QUALITY TREATMENT.

(a) Development creating or reconstructing impervious surface shall apply Better Site Design (BSD) techniques as outlined in the MPCA Minnesota Stormwater Manual as amended (www.stormwater.pca.mn.us). A BSD guidance document and checklist is available on the District's website.

(b) Sediment shall be managed on-site to the maximum extent practicable before runoff resulting from new or reconstructed impervious surface enters a waterbody or flows off-site.

(c) WATER QUALITY TREATMENT STANDARD.

(1) The required water quality treatment volume standard for all projects, except Public Linear Projects, is determined as follows:

$$\text{Required Water Quality Treatment Volume (ft}^3\text{)} = \text{Area of New or Reconstructed Impervious Surface (ft}^2\text{)} \times 1.1 \text{ (in)} \div \text{TP Removal Factor from Table C1} \div 12 \text{ (in/ft)}$$

(2) The required water quality treatment volume standard for Public Linear Projects is determined as follows:

$$\text{Required Water Quality Treatment Volume (ft}^3\text{)} = \text{\{Greater of\}}$$

$$\text{Area of New Impervious Surface (ft}^2\text{)} \times 1.0 \text{ (in)} \div 12 \text{ (in/ft)}$$

$$\text{\{OR\}}$$

$$\text{Sum Area of New and Reconstructed Impervious Surface (ft}^2\text{)} \times 0.5 \text{ (in)} \div 12 \text{ (in/ft)}$$

(3) For alternative Stormwater BMPs not found in Table C1 or to deviate from TP Removal Factors found in Table C1, the applicant may submit a TP Removal Factor, expressed as annual percentage removal efficiency, based on supporting technical data, for District approval.

(4) Stormwater runoff treated by the BMP during a rain event will not be credited towards the treatment requirement.

TABLE C1. TP REMOVAL FACTORS FOR PROPERLY DESIGNED BMPS.

BMP	BMP Design Variation	TP Removal Factor *
Infiltration **	Infiltration Feature	1.00
Water Reuse **	Irrigation	1.00
Biofiltration	Underdrain	0.65
Filtration	Sand or Rock Filter	0.50
Stormwater Ponds ***	Wet Pond	N/A***

Source: Adapted from Table 7.4 from the Minnesota Stormwater Manual, MPCA.
* Refer to MPCA Stormwater Manual for additional information on BMP performance. Removal factors shown are average annual TP percentage removal efficiencies intended solely for use in comparing the performance equivalence of various BMPs.
** These BMPs reduce runoff volume.
*** Stormwater ponds must provide 2.5" of dead storage as required by Section 9(d)

(d) BMP TYPE AND LOCATION.

(1) For a public linear project, BMPs must be located on-site and the required water quality volume must be achieved to the extent feasible. The road authority must obtain right-of-way or adjacent land for treatment, if reasonable. For other projects, the water quality volume must be treated on-site to the extent it is cost-effective, and otherwise may be treated off-site in accordance with subsection 6(d)(3), below.

(2) If infiltration is feasible on site (see Table C2), BMPs, whether on- or off-site, must provide for infiltration to meet the standard of subsection 6(c). To the extent infiltration is not feasible on-site, any BMP may be used to meet the standard.

(3) Off-site and/or regional BMPs must be sited in the following priority order:

(i) In a downstream location that intercepts the runoff volume leaving the project site prior to the Resource of Concern.

(ii) Anywhere within the same Resource of Concern Drainage Area (see Figures C1A-C1E) that results in no greater mass of Total Phosphorus reaching the resource of concern than on-site BMPs.

TABLE C2. SPECIFIC CONDITIONS THAT MAY RESTRICT INFILTRATION.

Type	Specific Project Site Conditions	Required Submittals
Potential Contamination	Potential Stormwater Hotspots (PSH)	PSH Locations and Flow Paths
	Contaminated Soils	Documentation of Contamination Soil Borings
Physical Limitations	Low Permeability Soils (HSG C & D)	Soil Borings
	Bedrock within three vertical feet of bottom of infiltration area	Soil Borings
	Seasonal High Water Table within three vertical feet of bottom of infiltration area	Soil Borings High Water Table
	Karst Areas	Geological Mapping or Report
Land Use Limitations	Utility Locations	Site Map
	Nearby Wells (Private and/or Municipal) *	Well Locations

* Refer to Minnesota Stormwater Manual or the Minnesota Department of Health for setback requirements.

(e) To the extent feasible, all stormwater runoff from new and reconstructed impervious surface must be captured and directed to a water quality BMP. For runoff not captured, TSS must be removed to the maximum extent practicable.

For a public linear project:

- Runoff from undisturbed impervious surface within the right-of-way that is not otherwise being treated may be treated in lieu of treating new or reconstructed impervious surface; and
- Water quality treatment volume for reconstructed impervious surface, if required by subsection 2(c), must be provided only to the extent feasible.

For other projects:

- Runoff from undisturbed impervious surface on site may be treated in lieu of treating new or reconstructed impervious surface, provided the runoff from that surface drains to the same Resource of Concern as the new/reconstructed surface not being treated; and
- The area not treated for phosphorus may not exceed 15 percent of all new or reconstructed impervious surface. Total water quality treatment volume for the project must be provided in aggregate pursuant to subsections 6(c) and 6(d).

(f) For single family residential development, the runoff from impervious surface other than parking or driving surface that, in the District's judgment, cannot reasonably be routed to a stormwater BMP is considered to meet the standard of subsection 6(c) by infiltration if:

(1) The length of the flow path across the impervious surface is less than the length of the flow path across the pervious surface to which it discharges; and

(2) The pervious surface is vegetated and has an average slope of five percent or less; and

(3) The District finds, on the basis of land use, that loss of the pervious surface is highly unlikely, or the permit is conditioned on a recorded covenant protecting the pervious surface.

(g) Banked "volume control" credits and debits established by public entities for Public Linear Projects with the RCWD prior to July 1, 2013 will continue to be recognized and enforced until all credits are used or all debits are fulfilled. Existing credits and debits may be used and fulfilled, respectively, anywhere within the applicant's jurisdiction on any public project.

7. PEAK STORMWATER RUNOFF CONTROL.

(a) Peak stormwater runoff rates for the proposed project at the project site boundary, in aggregate, must not exceed existing peak runoff rates for the 2-year, 10-year and 100-year, 24-hour rainfall events, or a different critical event duration at the discretion of the District Engineer. Notwithstanding, peak runoff may be controlled to this standard in a regional facility consistent with paragraph 7(b). Aggregate compliance for all site boundary discharge will be determined with respect to runoff not managed in a regional facility.

(b) Any increase in a critical duration flood event rate at a specific point of discharge from the project site must be limited and cause no adverse downstream impact. Table C3 shows the maximum curve numbers that may be utilized for existing condition modeling of those project site areas not covered by impervious surface.

(c) Within the Flood Management Zone only (see Figure C2), peak runoff rates for the 2, 10 and 100 year 24-hour rainfall events shall be reduced to ≤80% of the existing condition. This requirement does not apply if the project is a Public Linear Project.

TABLE C3. CURVE NUMBERS FOR EXISTING CONDITION PERVIOUS AREAS.

Hydrologic Soil Group	Runoff Curve Number *
A	39
B	61
C	74
D	80

* Curve numbers from NRCS Technical Release #55 (TR-55).

TABLE C4. HYDROPERIOD STANDARDS.

Wetland Susceptibility Class	Permitted Storm Bounce for 2-Year and 10-Year Event *	Inundation Period for 2-Year Event *	Inundation Period for 10-Year Event *
Highly susceptible	Existing	Existing	Existing
Moderately susceptible	Existing plus 0.5 ft	Existing plus 1 day	Existing plus 7 days
Slightly susceptible	Existing plus 1.0 ft	Existing plus 2 days	Existing plus 14 days

Least susceptible	No limit	Existing plus 7 days	Existing plus 21 days

Source: Adapted from: Stormwater and Wetlands Planning and Evaluation Guidelines for Addressing Potential Impacts of Urban Stormwater and Snowmelt Runoff on Wetlands.
* Duration of 24-hours for the return periods utilizing NOAA Atlas 14.

8. BOUNCE AND INUNDATION PERIOD.

(a) The project must meet the hydroperiod standards found in Table C4 with respect to all down-gradient wetlands.

(b) Wetland Susceptibility Class is determined based on wetland type, as follows:

(1) Highly susceptible wetland types include: sedge meadows, bogs, coniferous bogs, open bogs, calcareous fens, low prairies, coniferous swamps, lowland hardwood forests, and seasonally flooded waterbasins.

(2) Moderately susceptible wetland types include: shrub-carrs, alder thickets, fresh (wet) meadows, and shallow & deep marshes.

(3) Slightly susceptible wetland types include: floodplain forests and fresh wet meadows or shallow marshes dominated by cattail giant reed, reed canary grass or purple loosestrife.

(4) Least susceptible wetland includes severely degraded wetlands. Examples of this condition include cultivated hydric soils, dredge/fill disposal sites and some gravel pits.

9. DESIGN CRITERIA.

(a) Infiltration BMPs must be designed to provide:

(1) Adequate pretreatment measures to remove sediment before runoff enters the primary infiltration area;

(2) Drawdown within 48-hours from the end of a storm event. Soil infiltration rates shall be based on the appropriate HSG classification and associated infiltration rates (see Table C5). The least permeable layer of the soil boring column must be utilized in BMP calculations (see Design Criteria (e). Alternate infiltration rates based on a recommendation and certified measurement testing from a licensed geotechnical engineer or licensed soil scientist will be considered. Infiltration area will be limited to horizontal areas subject to prolonged wetting;

(3) A minimum of three feet of separation from the Seasonal High Water Table;

(4) An outlet control structure to convey the 2-year, 10-year & 100-year frequency events if the BMP is intended to provide rate control; and

(5) Consideration of the Minnesota Department of Health guidance document Evaluating Proposed Stormwater Infiltration Projects in Vulnerable Wellhead Protection Areas. Documentation shall be submitted to support implementation of this guidance document and will be accepted at the discretion of the District Engineer.

(b) Water Reuse BMPs must conform to the following:

(1) Design for no increase in stormwater runoff from the irrigated area or project site.

(2) Required design submittal packages for water reuse BMPs must include:

(i) An analysis using the RCWD's Stormwater Reuse Spreadsheet;

(ii) Documentation demonstrating adequacy of soils, storage system, and delivery system; and

(iii) Operations plan.

(3) Approved capacity of an irrigation practice will be based on:

(i) An irrigation rate of 0.5 inches per week over the irrigated pervious area(s) or the rate identified through the completion of the Metropolitan Council Stormwater Reuse Guide 'Water Balance Tool Irrigation Constant Demand' Spreadsheet (whichever is less); or as approved by the District; and

(ii) No greater than a 26 week (April 15th to October 15th) growing season.

An additional water quality treatment capacity beyond 0.5 inches per week may be recognized under a subsection C.5(f) plan or a C.13 phased development permit based on an average of three consecutive years of monitoring records of volume irrigated and pursuant to a monitoring plan approved by the District.

(4) Approved capacity of a non-irrigation practice shall be based on the rate identified through the completion of the Metropolitan Council Stormwater Reuse Guide 'Water Balance Tool Non-Irrigation Constant Demand' spreadsheet, or as approved by the District.

(c) Biofiltration/filtration BMPs must be designed to provide:

(1) Adequate pretreatment measures to remove sediment before runoff enters the primary biofiltration area;

(2) Drawdown within 48-hours from the end of a storm event;

(3) A minimum of 12-inches of organic material or sand above the rock trench or draintile system; and

(4) Drain tile system must be designed above the Seasonal High Water Table.

(5) An outlet control structure to convey the 2-year, 10-year & 100-year frequency events if the biofiltration/filtration BMP is intended to provide rate control.

TABLE C5. SOIL TYPE AND INFILTRATION RATES.

Hydrologic Soil Group	Soil Textures	Corresponding Unified Soil Classification		Infiltration Rate (in/hr)
A	Gravel Sandy Gravel Silty Gravels	**GW**	Well-graded gravels, sandy gravels	**1.63**
		GP	Gap-graded or uniform gravels, sandy gravels	
		GM	Silty gravels, silty sandy gravels	
		SW	Well-graded gravelly sands	
	Sand Loamy Sand Sandy Loam	**SP**	Gap-graded or uniform sands, gravelly sands	**0.8**
B	Loam Silt Loam	**SM**	Silty sands, silty gravelly sands	**0.45**
		MH	Micaceous silts, diatomaceous silts, volcanic ash	**0.3**
C	Sandy Clay Loam	**ML**	Silts, very fine sands, silty or clayey fine sands	**0.2**
D	Clay Loam Silty Clay Loam Sandy Clay Silty Clay Clay	**GC**	Clayey gravels, clayey sandy gravels	**0.06**
		SC	Clayey sands, clayey gravelly sands	
		CL	Low plasticity clays, sandy or silty clays	
		OL	Organic silts and clays of low plasticity	
		CH	Highly plastic clays and sandy clays	
		OH	Organic silts and clays of high plasticity	

Source: Adapted from the “Design infiltration rates” table from the Minnesota Stormwater Manual, MPCA, (January 2014).

(d) Stormwater ponds must be designed to provide:

(1) Water quality features consistent with NURP criteria and accepted design standards for average and maximum depth;

(2) A permanent wet pool with dead storage at least equal to the runoff volume from a 2.5-inch rainfall over the area tributary to the pond;

(3) An outlet structure capable of preventing migration of floating debris and oils for at least the one-year storm;

(4) An identified emergency overflow spillway sufficiently stabilized to convey flows greater than the 100-year critical storm event; and

(5) An outlet control structure to convey the 2-year, 10-year & 100-year frequency events.

(e) Underground stormsewer systems must designed to provide:

(1) Inspection and access ports sufficient to inspect and maintain the system;

(f) Soil borings (utilizing ASTM D5921 and D2488, as amended) shall be considered for design purposes, and provided to the District, for each proposed BMP. The soil borings must be taken to a depth of at least 5 feet below the bottom of the proposed feature. For an application proposing an infiltration area, the applicant will identify, describe and delineate group, texture and redoximorphic features of site soils to assess percolation of stormwater runoff from impervious areas. Field evaluation of soil permeability in accordance with ASTM 3385 procedure for double ring infiltrometer testing or other approved method is encouraged.

(g) An outfall structure discharging directly to a wetland, public water or public water wetland must incorporate a stilling-basin, surge-basin, energy dissipater, placement of ungrouted natural rock riprap or other feature to minimize disturbance and erosion of natural shoreline and bed resulting from stormwater discharges. Where feasible, outfall structures are to be located outside of the natural feature.

TABLE C6. LOW FLOOR AND LOW ENTRY FREEBOARD REQUIREMENTS.

Freeboard	100-Year Flood Elevations		Detention Basins, Wetlands & Stormwater Ponds		Infiltration and Biofiltration Basins			Rain Gardens*
	100-yr	EOF	100-yr	EOF	Bottom	100-yr	EOF	EOF
Low Floor	2.0 ft	1.0 ft	0.0 ft	NA	0.0 ft	NA	NA	NA
Low Entry	NA	NA	2.0 ft	1.0 ft	NA	2.0 ft	1.0 ft	0.5 ft

(h) All new residential, commercial, industrial and other habitable or non-habitable structures, and all stormwater BMPs, must be constructed so that the lowest floor and lowest entry elevations comply with Table C6. A structure on residential property not intended for human habitation and not attached to a habitable structure is exempt from this requirement, if the District finds it impractical and the landowner files a notation on the property title that the structure does not meet the requirement.

The low entry freeboard criterion of Table C6 may be deemed met when the structure does not have the required vertical separation, but is protected from surface flooding to the required elevation by a berm or other natural or constructed topographic feature capable of providing flood protection.

Within a landlocked basin, minimum low floor elevations must be at least one foot above the surveyed basin run out elevation. Where a structure is proposed below the run out elevation of a landlocked basin, the low floor elevation will be a minimum of two feet above the highest water level of either the 10-day snowmelt event or back-to-back 1 00-year, 24-hour rainfalls. Aerial photos, vegetation, soils, and topography may be used to derive a "normal" water elevation for the purpose of computing the basin's 100-year elevation.

(i) All stormwater management structures and facilities must be designed for maintenance access and be properly operated and maintained in perpetuity to assure that they continue to function as designed. The maintenance responsibility must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed. Alternatively, a public permittee may meet its perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District. Regional ponds owned by public entities that are only used to meet the runoff rate requirements of the District rule do not need a maintenance agreement with the District.

(j) The permittee must use construction best practices so that the facility as constructed will conform to design specifications and the soil and surrounding conditions are not altered in a way adverse to facility performance.

(k) Before work under the permit is deemed complete, the permittee must submit as-built plans demonstrating that at the time of final stabilization, stormwater facilities conform to design specifications. If at any time the District finds that the stormwater facility is not performing as designed, on District request the permittee must undertake reasonable investigation to determine the cause of inadequate performance.

10. EASEMENTS.

(a) Before permit issuance, the permittee must, submit a copy of any plat or easement required by the local land use authority establishing drainage or flowage over stormwater management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year flood elevation, or any other hydrologic feature.

(b) Before permit issuance, the permittee must convey to the District an easement to the public drainage system specifying a District right of maintenance access over the right of way of the public drainage system as identified within the public drainage system record. If the right of way of the public drainage system is not described within the record, then the easement shall be conveyed with the following widths:

- For tiled/piped systems, 40 feet wide perpendicular to the direction of flow, centered on the tile line or pipe;

- For open channel systems, a width that includes the channel and the area on each side of the channel within 20 feet of top of bank. For adequate and safe access, where top of bank is irregular or obstruction exists, the District may specify added width.

(c) Public Linear Projects and public property are exempt from the public drainage system easement requirement of Section 10(b).

(d) For projects within the District's Comprehensive Wetland Protection and Management Plan (CWPMP) areas, the Wetland Management Corridor (WMC) boundary delineation, buffer and easement requirements found at Rule F.6 apply. As stated in Rule F.5(e), Public Linear Projects are not subject to the requirements of Rule F.6.

11. REQUIRED EXHIBITS. The following exhibits must accompany the permit application. The vertical datum must clearly be labeled on each plan set.

(a) An erosion & sediment control plan and, for projects that require an NPDES permit, a Storm Water Pollution Prevention Plan.

(b) Property lines and delineation of lands under ownership of the applicant.

(c) Delineation of the subwatershed contributing runoff from off-site, proposed and existing subwatersheds onsite, emergency overflows, and drainageways.

(d) Geotechnical analysis including soil borings at all proposed stormwater management facility locations utilizing ASTM D5921 and D2488, as amended.

(e) Proposed and existing stormwater facilities' location, alignment and elevation.

(f) Delineation of existing on-site wetland, marshes and floodplain areas.

(g) Identification of existing and proposed normal, ordinary high and 100-year water elevations on-site.

(h) Identification of existing and proposed contour elevations within the project site .

(i) Construction plans and specifications of all proposed stormwater management facilities, including design details for outlet control structures.

(j) Stormwater runoff volume and rate analyses for the 2- 10- and 100-year critical events, existing and proposed conditions utilizing NOAA Atlas 14.

(k) All hydrologic, water quality and hydraulic computations completed to design the proposed stormwater management facilities.

(l) Narrative including a project description, discussion of BMP selection, and revegetation plan for the project site.

(m) Other project site-specific submittal requirements as may be required by the District.

12. EXCEPTIONS.

(a) A permit is not required for single family residential construction on an individual lot of record, if the proposed impervious surface of the lot is less than 10,000 square feet, excluding

the driveway. If the lot is within a development previously approved by the District, the construction must conform to the previous approval.

(b) Rule C requirements do not apply to sidewalks and trails 10 feet wide or less that are bordered down-gradient by vegetated open space or vegetated filter strip with a minimum width of 5 feet.

(c) Rule C requirements do not apply to Bridge Spans and Mill, Reclamation & Overlay projects.

(d) Rule C.6 and C.7 requirements do not apply to single family residential subdivisions creating seven or fewer lots that:

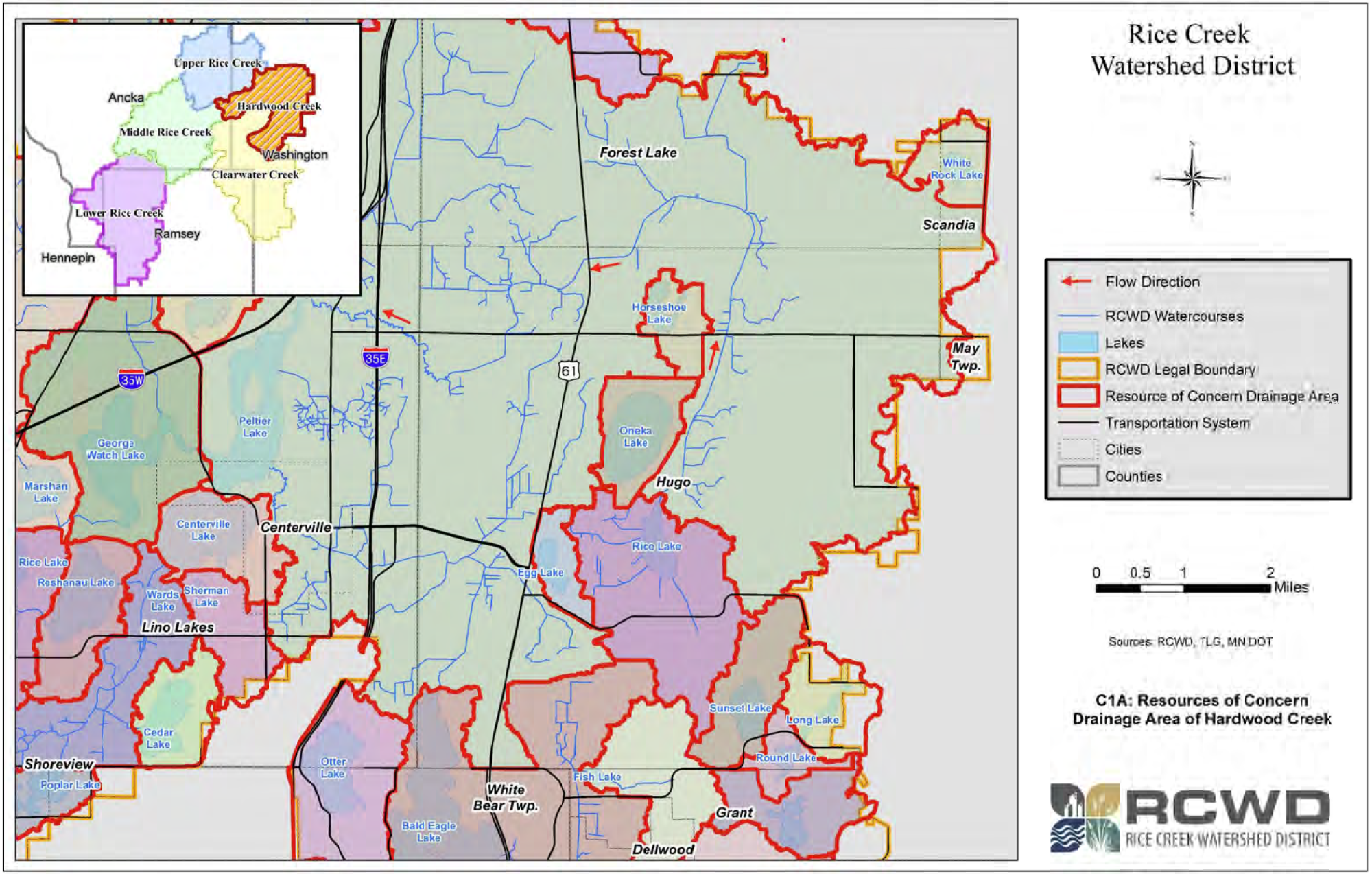
(1) Establish no new public roadway; and

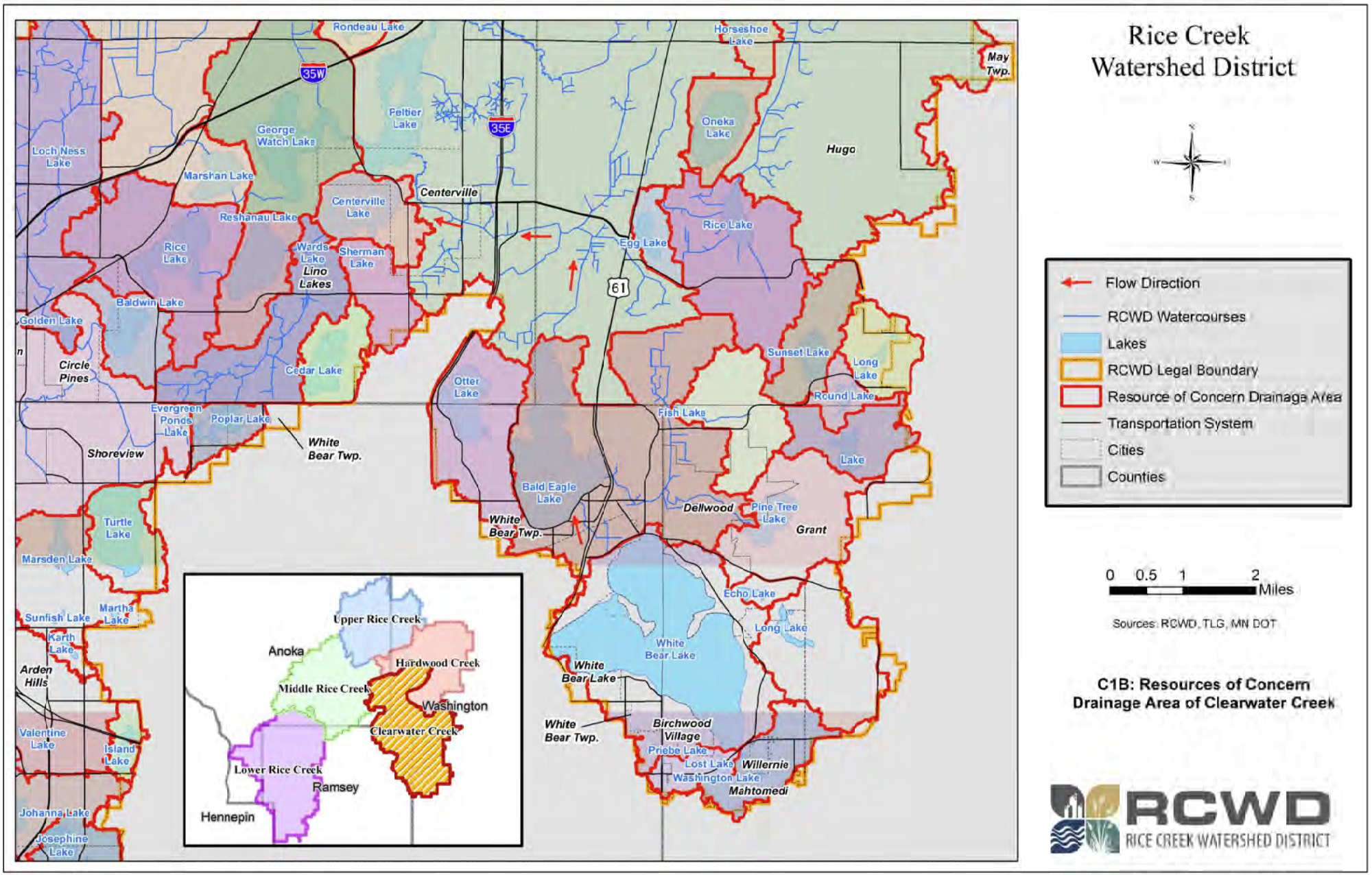
(2) Include no private roadway/driveway serving three or more lots.

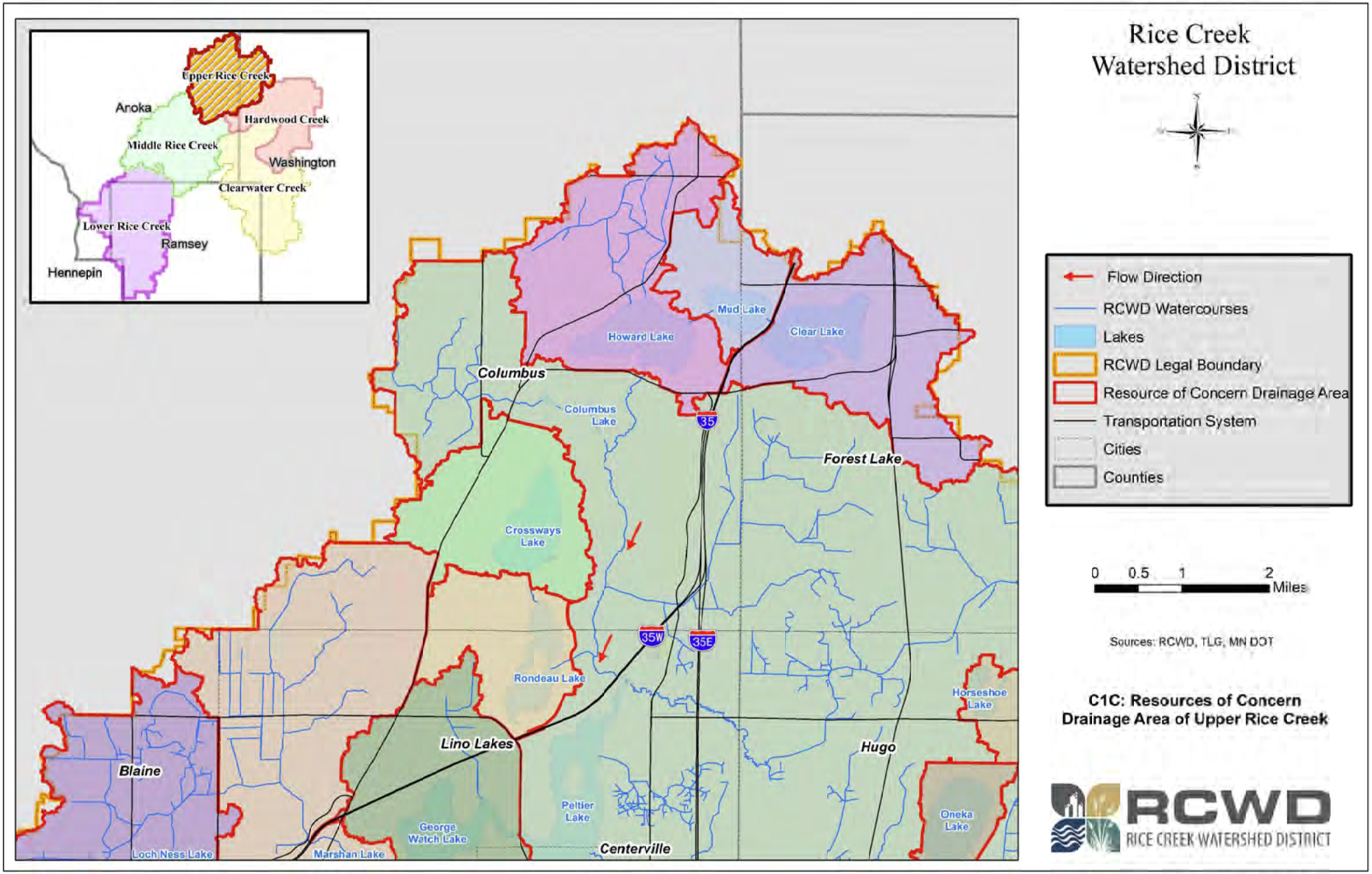
(e) Requirements of subsections 10(b) and 10(d) to not apply to the retained part of a privately owned tract that is subdivided to convey land to a public agency for a public purpose.

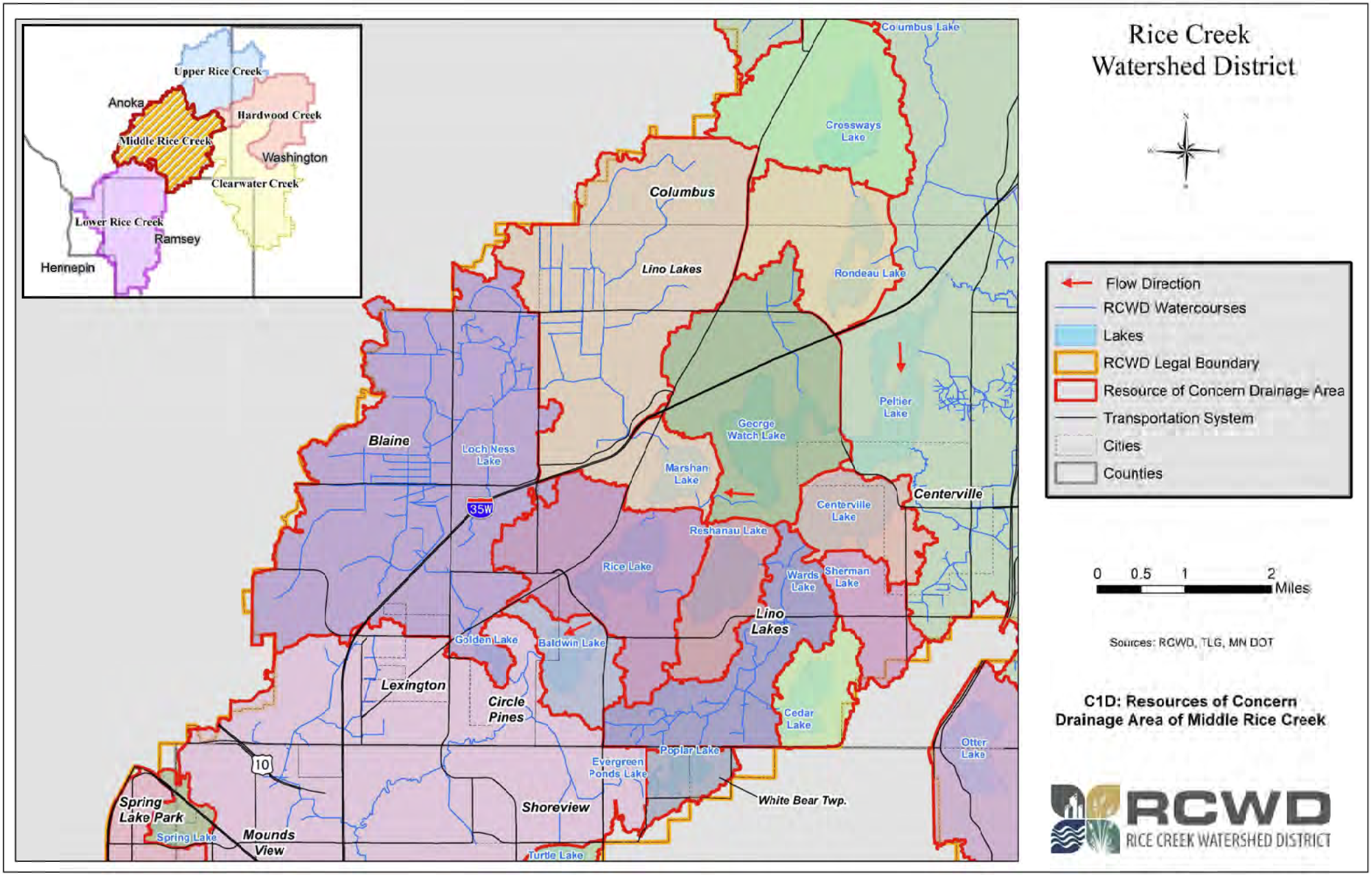
(f) Criteria of Section 7 may be waived if the project site discharges directly to a water body with large storage capacity (such as a public water), the volume discharged from the project site does not contribute to a downstream flood peak, and there are no downstream locations susceptible to flooding.

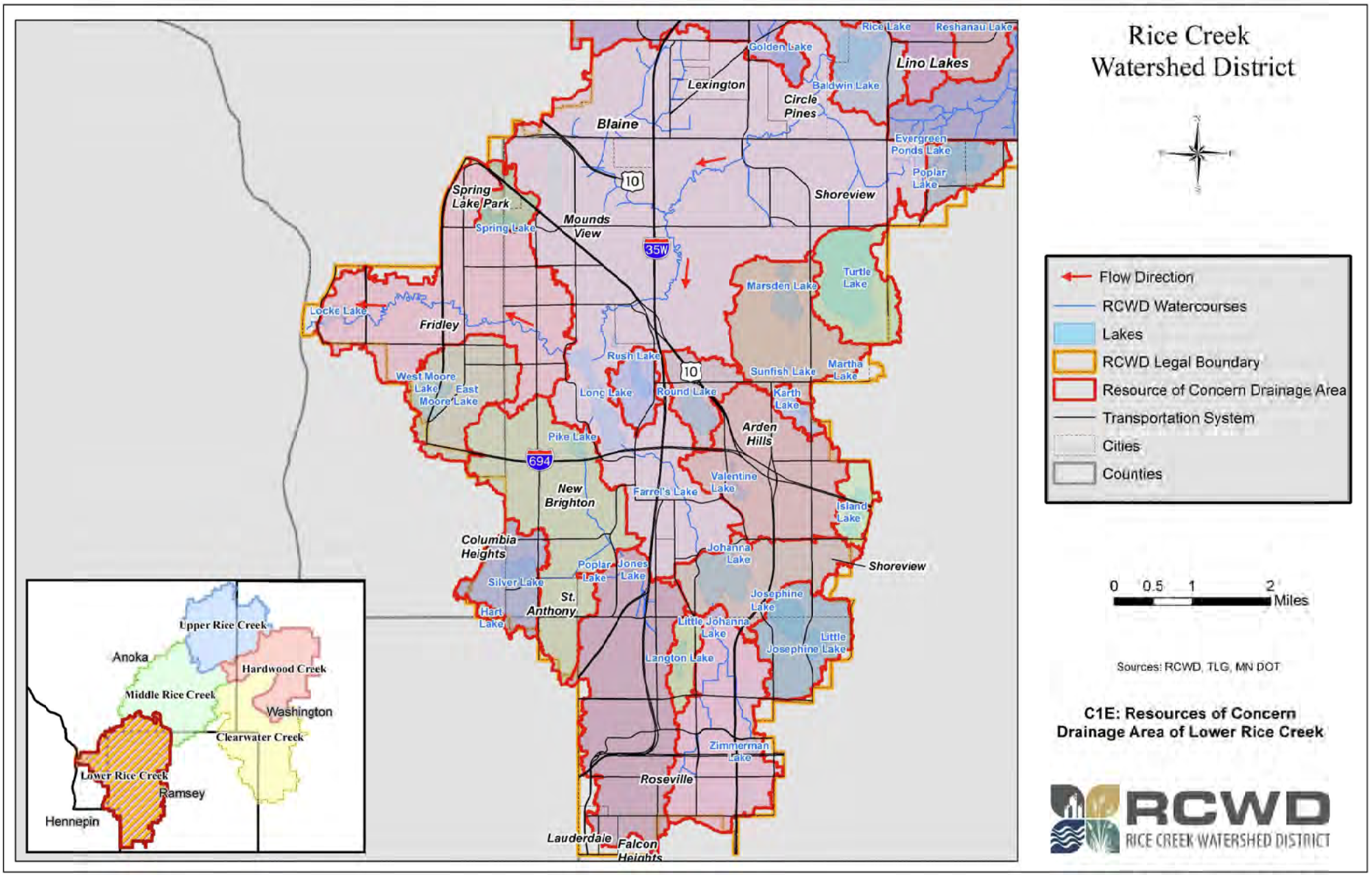
(g) Section 6 and Section 7 are waived for a portion of a project that paves a gravel roadway if the right-of-way ditch is maintained and does not discharge a concentrated flow directly to a wetland or another sensitive water body.

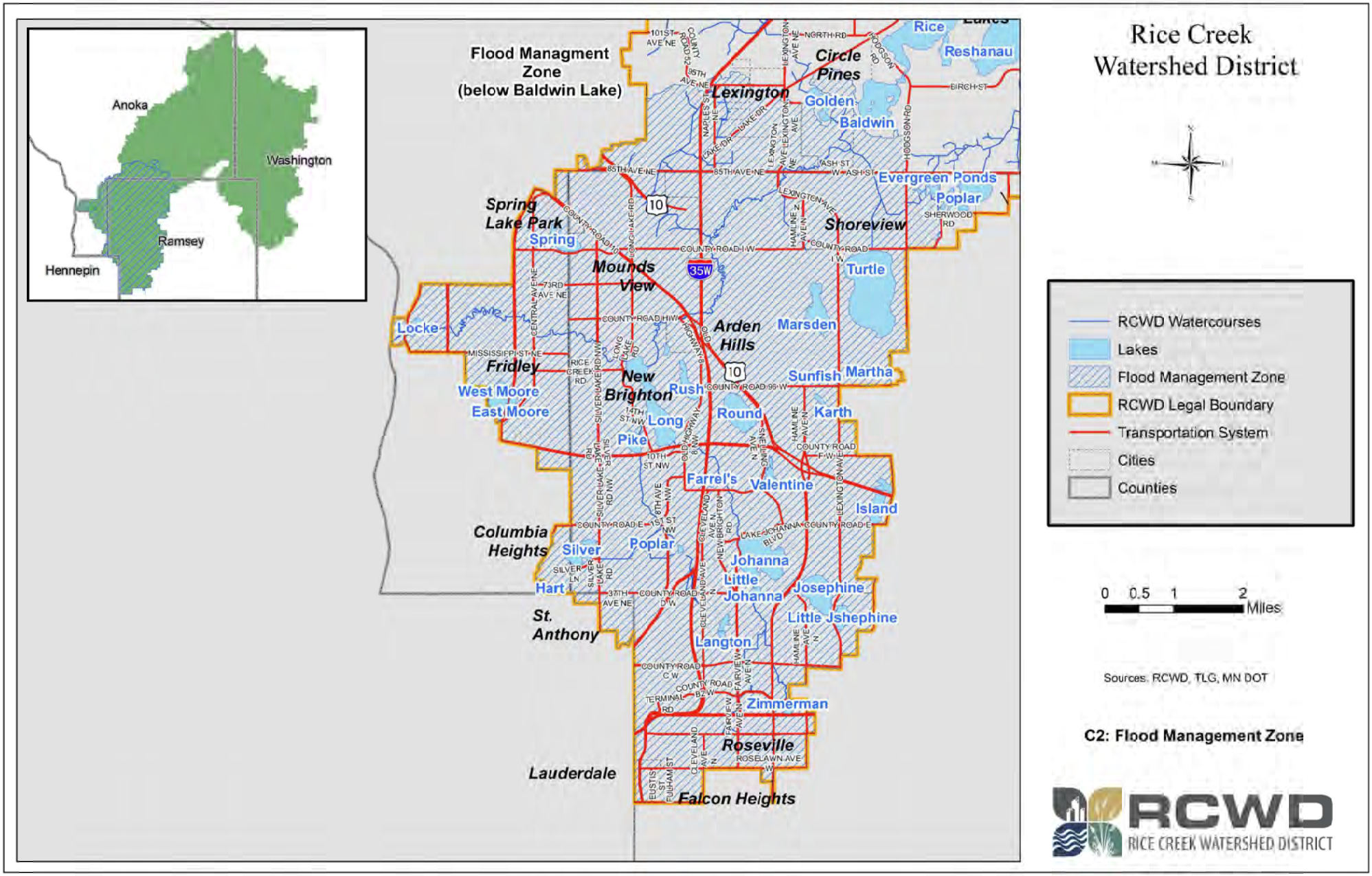

Rice Creek
Watershed District
Upper Rice Creek
Ancka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Forest Lake
White Rock Lake
Scandia
Horseshoe Lake
May Twp.
35W
35E
61
Peltier Lake
Georga Watch Lake
Marshan Lake
Centerville Lake
Centerville
Oneka Lake
Hugo
Rice Lake
Reshanau Lake
Wards Lake
Sherman Lake
Lino Lakes
Egg Lake
Rice Lake
Cedar Lake
Shoreview
Poplar Lake
Otter Lake
Bald Eagle Lake
White Bear Twp.
Fish Lake
Sunset Lake
Long Lake
Round Lake
Grant
Dellwood
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1A: Resources of Concern
Drainage Area of Hardwood Creek
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1B: Resources of Concern
Drainage Area of Clearwater Creek
RCWD
RICE CREEK WATERSHED DISTRICT
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Rondeau Lake
Horseshoe Lake
May Twp.
35W
35E
Peltier Lake
George Watch Lake
Oneka Lake
Hugo
Loch Ness Lake
Marshan Lake
Centerville
Centerville Lake
Reshanau Lake
Rice Lake
Wards Lake
Sherman Lake
Lino Lakes
Egg Lake
61
Baldwin Lake
Golden Lake
Circle Pines
Cedar Lake
Otter Lake
Sunset Lake
Long Lake
Round Lake
Fish Lake
Evergreen Ponds Lake
Poplar Lake
Shoreview
White Bear Twp.
Bald Eagle Lake
Dellwood
Pine Tree Lake
Grant
Turtle Lake
Marsden Lake
Echo Lake
Sunfish Lake
Martha Lake
Karth Lake
Long Lake
White Bear Lake
Arden Hills
Valentine Lake
Island Lake
Birchwood Village
Priebe Lake
Lost Lake
Willernie
Washington Lake
Mahtomedi
Johanna Lake
Josephine Lake


Rice Creek
Watershed District
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
Mud Lake
Howard Lake
Clear Lake
Columbus
Columbus Lake
35
Forest Lake
Crossways Lake
35W
35E
Rondeau Lake
Horseshoe Lake
Lino Lakes
Hugo
Blaine
Peltier Lake
Oneka Lake
George Watch Lake
Loch Ness Lake
Marshan Lake
Centerville
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1C: Resources of Concern
Drainage Area of Upper Rice Creek
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Columbus Lake
Crossways Lake
Columbus
Lino Lakes
Rondeau Lake
Peltier Lake
George Watch Lake
Blaine
Loch Ness Lake
Marshan Lake
Centerville
Centerville Lake
35W
Reshanau Lake
Rice Lake
Wards Lake
Sherman Lake
Lino Lakes
Golden Lake
Baldwin Lake
Lexington
Circle Pines
Cedar Lake
Otter Lake
Poplar Lake
Evergreen Ponds Lake
10
Spring Lake Park
Spring Lake
Mounds View
Shoreview
White Bear Twp.
Turtle Lake
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1D: Resources of Concern
Drainage Area of Middle Rice Creek
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Flow Direction
RCWD Watercourses
Lakes
RCWD Legal Boundary
Resource of Concern Drainage Area
Transportation System
Cities
Counties
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
C1E: Resources of Concern
Drainage Area of Lower Rice Creek
RCWD
RICE CREEK WATERSHED DISTRICT
Upper Rice Creek
Anoka
Hardwood Creek
Middle Rice Creek
Washington
Clearwater Creek
Lower Rice Creek
Ramsey
Hennepin
Blaine
Lexington
Lino Lakes
Circle Pines
Spring Lake Park
Mounds View
Shoreview
Fridley
New Brighton
Columbia Heights
St. Anthony
Arden Hills
Roseville
Lauderdale
Falcon Heights
Golden Lake
Rice Lake
Reshanau Lake
Baldwin Lake
Evergreen Ponds Lake
Poplar Lake
Spring Lake
Locke Lake
Marsden Lake
Turtle Lake
Rush Lake
West Moore Lake
East Moore Lake
Long Lake
Round Lake
Sunfish Lake
Martha Lake
Karth Lake
Pike Lake
Valentine Lake
Farrel's Lake
Island Lake
Johanna Lake
Poplar Lake
Jones Lake
Silver Lake
Hart Lake
Josephine Lake
Little Johanna Lake
Little Josephine Lake
Langton Lake
Zimmerman Lake
10
35W
694


Rice Creek Watershed District
Flood Managment Zone (below Baldwin Lake)
Anoka
Washington
Ramsey
Hennepin
Rice
Reshanau
Circle Pines
Lexington
Golden
Baldwin
Evergreen Ponds
Poplar
Shoreview
Turtle
Spring Lake Park
Spring
Mounds View
Marsden
Arden Hills
Locke
Fridley
West Moore
East Moore
New Brighton
Rush
Sunfish
Martha
Round
Karth
Long
Pike
Farrel's
Valentine
Island
Columbia Heights
Silver
Poplar
Johanna
Little Johanna
Josephine
Hart
St. Anthony
Little Jshephine
Langton
Zimmerman
Roseville
Lauderdale
Falcon Heights
RCWD Watercourses
Lakes
Flood Management Zone
RCWD Legal Boundary
Transportation System
Cities
Counties
0 0.5 1 2 Miles
Sources: RCWD, TLG, MN DOT
C2: Flood Management Zone
RCWD
RICE CREEK WATERSHED DISTRICT

RULE D: EROSION AND SEDIMENT CONTROL PLANS

1. POLICY. It is the policy of the Board of Managers to prevent erosion of soil into surface water systems by requiring erosion and sediment control for land-disturbing activities.

2. REGULATION.

(a) A permit under this rule is required for:

(1) Surface soil disturbance or removal of vegetative cover on one acre or more of land;

(2) Surface soil disturbance or removal of vegetative cover on 10,000 square feet or more of land, if any part of the disturbed area is within 300 feet of and drains to a lake, stream, wetland or public drainage system; or

(3) Any land-disturbing activity that requires a District permit under a rule other than Rule D.

(b) A person disturbing surface soils or removing vegetative cover on more than 5,000 square feet of land, or stockpiling on-site more than fifty (50) cubic yards of earth or other erodible material, but not requiring a permit under the criteria of this rule, must submit a notice in advance of disturbance on a form provided by the District and conform the activity to standard best practices established by and available from the District.

(c) Rule D does not apply to normal farming practices that are part of an ongoing farming operation.

(d) Rule D does not apply to milling, reclaiming or overlay of paved surfaces that does not expose underlying soils.

(e) A permit is not required under this rule to remove sediment from an existing constructed stormwater management basin. However, a Notice of Intent must be filed with the District prior to initiating the work.

3. DESIGN CRITERIA FOR EROSION CONTROL PLANS. The applicant must prepare and receive District approval of an Erosion and Sediment Control that meets the following criteria:

(a) For projects disturbing more than ten acres, compliance with the standards of Rule C, subsections 7(a) and (b) must be demonstrated.

(b) Natural project site topography and soil conditions must be specifically addressed to reduce erosion and sedimentation during construction and after project completion.

(c) Site erosion and sediment control practices must be consistent with the Minnesota Stormwater Manual, and District-specific written design guidance and be sufficient to retain sediment on-site.

(d) The project must be phased to minimize disturbed areas and removal of existing vegetation, until it is necessary for project progress.

(e) The District may require additional erosion and sediment control measures on areas with a slope to a sensitive, impaired or special water body, stream, public drainage system or wetland to assure retention of sediment on-site.

(f) The plan must include conditions adequate to protect facilities to be used for post-construction stormwater infiltration.

4. REQUIRED EXHIBITS. The following exhibits must accompany the permit application.

(a) An existing and proposed topographic map which clearly indicates all hydrologic features and areas where grading will expose soils to erosive conditions. The Plan must also indicate the direction of all project site runoff.

(b) Tabulation of the construction implementation schedule.

(c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.

(d) Quantification of the total disturbed area.

(e) Clear identification of all temporary erosion and sediment control measures that will remain in place until permanent vegetation is established. Examples of temporary measures include, but are not limited to, seeding, mulching, sodding, silt fence, erosion control blanket, and stormwater inlet protection devices.

(f) Clear identification of all permanent erosion control measures such as outfall spillways and riprap shoreline protection, and their locations.

(g) Clear Identification of staging areas, as applicable.

(h) Documentation that the project applicant has applied for the NPDES Permit from the Minnesota Pollution Control Agency (MPCA), when applicable.

(i) A stormwater pollution prevention plan for projects that require an NPDES Permit.

(j) Identification and location of any floodplain and/or wetland area. A more precise delineation may be required depending on the proximity of the proposed disturbance to a wetland and/or floodplain.

(k) Other project site-specific submittal requirements as may be required by the District.

5. CONSTRUCTION ACTIVITY REQUIREMENTS. Site disturbance must conform to the District-approved erosion and sediment control plan, to any other conditions of the permit, and to the standards of the NPDES construction general permit, as amended, regarding construction-site erosion and sediment control.

6. INSPECTIONS.

(a) The permittee shall be responsible for inspection, maintenance and effectiveness of all erosion and sediment control measures until final soil stabilization is achieved or the permit is assigned (see Rule B), whichever comes first.

(b) The District may inspect the project site and require the permittee to provide additional erosion control measures as it determines conditions warrant.

7. FINAL STABILIZATION.

(a) Erosion and sediment control measures must be maintained until final vegetation and ground cover is established to a density of 70%.

(b) Temporary erosion and sediment control BMPs will be removed after disturbed areas have been permanently stabilized.

RULE E: FLOODPLAIN ALTERATION

1. POLICY. It is the policy of the Board of Managers to:

(a) Utilize the best information available in determining the 100-year flood elevation.

(b) Preserve existing water storage capacity within the 100-year floodplain of all waterbodies and wetlands in the watershed to minimize the frequency and severity of high water.

(c) Enhance floodplain characteristics that promote the natural attenuation of high water, provide for water quality treatment, and promote groundwater recharge.

(d) Preserve and enhance the natural vegetation existing in floodplain areas for aquatic and wildlife habitat.

2. REGULATION. No person may alter or fill land within the floodplain of any lake, stream, wetland, public drainage system, major watercourse, or public waters without first obtaining a permit from the District. Shoreline/streambank restoration or stabilization, approved in writing by the District or County Conservation District to control erosion and designed to minimize encroachment and alteration of hydraulic forces, does not require a permit under this Rule.

3. CRITERIA FOR FLOODPLAIN ALTERATION.

(a) Fill within the floodplain is prohibited unless compensatory floodplain storage volume is provided within the floodplain of the same water body, and within the permit term. The volume within on-site stormwater ponds is not considered compensatory floodplain storage unless that volume is non-coincident with the 100-year flood peak. If offsetting storage volume will be provided off-site, it shall be created before any floodplain filling by the applicant will be allowed.

(b) Any structure or embankments placed within the floodplain will be capable of passing the 100-year flood without increasing the elevation of the 100-year flood profile.

(c) Compensatory floodplain storage volume is not required to extend an existing culvert, modify an existing bridge approach associated with a Public Linear Project, or place spoils adjacent to a public or private drainage channel during channel maintenance, if there is no adverse impact to the 100-Year Flood Elevation.

(d) Compensatory floodplain storage volume is not required for deposition of up to 100 cubic yards of fill per parcel, if there is no adverse impact to the 100-Year Flood Elevation. For public road authorities, this exemption applies on a per-project, per floodplain basis.

(e) Floodplain alteration is subject to the District's Wetland Alteration Rule F, as applicable.

(h) Structures to be built within the 100-year floodplain will have two feet of freeboard between the lowest floor and the 100-year flood profile. A structure on residential property not intended for human habitation is exempt from this requirement if the District finds it impractical and the landowner files a notation on the property title that the structure does not meet the requirement.

4. DRAINAGE EASEMENTS.

(a) Before permit issuance, the permittee must submit a copy of any plat or easement required

by the local land use authority establishing drainage or flowage over stormwater management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year event, or any other hydrological feature.

(b) Before permit issuance, the permittee must convey to the District an easement to the public drainage system specifying a District right of maintenance access over the right of way of the public drainage system as identified within the public drainage system record. If the right of way of the public drainage system is not described within the record, then the easement shall be conveyed with the following widths:

- For tiled/piped systems, 40 feet wide perpendicular to the direction of flow, centered on the tile line or pipe;
- For open channel systems, a width that includes the channel and the area on each side of the channel within 20 feet of top of bank. For adequate and safe access, where top of bank is irregular or obstruction exists, the District may specify added width.

(c) Public Linear Projects and public property are exempt from the public drainage system easement requirement of Section 4(b).

5. REQUIRED EXHIBITS. The following exhibits must accompany the permit application.

(a) Site plan showing property lines, delineation of the work area, existing elevation contours of the work area, ordinary high water elevations, and 100-year flood elevations. All elevations must be reduced to NAVD 1988 datum. The datum must clearly be labeled on each plan set.

(b) Grading plan showing any proposed elevation changes.

(c) Determination by a professional engineer or qualified hydrologist of the 100-year flood elevation before and after the project.

(d) Computation of change in flood storage capacity resulting from proposed grading.

(e) Erosion and sediment control plan in accordance with District Rule D.

(f) Other project site-specific submittal requirements as may be required by the District.

RULE F: WETLAND ALTERATION

1. POLICY. It is the policy of the Board of Managers to:

(a) Maintain no net loss in the quantity, quality, and biological diversity of Minnesota's existing wetlands.

(b) Increase the quantity, quality, and biological diversity of Minnesota's wetlands by restoring or enhancing diminished or drained wetlands.

(c) Avoid direct or indirect impacts from activities that destroy or diminish the quantity, quality, and biological diversity of wetlands.

(d) Replace wetland values where avoidance of activity is not feasible or prudent.

(e) Accomplish goals of the adopted Comprehensive Wetland Protection and Management Plans (CWPMPs).

2. REGULATION. No person may fill, drain, excavate or otherwise alter the hydrology of a wetland without first obtaining a permit from the District.

(a) The provisions of the Minnesota Wetland Conservation Act (WCA), Minnesota Statutes §§103G.221 through 103G.2372, and its implementing rules, Minnesota Rules 8420, apply under this Rule and govern District implementation of WCA as well as District regulation of non-WCA wetland impacts, except where the Rule provides otherwise.

(b) This rule does not regulate alteration of incidental wetlands as defined in Minnesota Rules chapter 8420, as amended. An applicant must demonstrate that the subject wetlands are incidental.

(c) An activity for which a No-Loss decision has been issued under Minnesota Rules chapter 8420 is subject to the applicable requirements of chapter 8420 but not otherwise subject to this Rule.

(d) Clearing of vegetation, plowing or pasturing in a wetland as part of an existing and ongoing farming operation is not subject to this rule unless the activity results in draining or filling the wetland.

3. LOCAL GOVERNMENT UNIT. The District intends to serve as the "Local Government Unit" (LGU) for administration of the Minnesota Wetland Conservation Act (WCA), except where a particular municipality in the District has elected to assume that role in its jurisdictional area or a state agency is serving as the local government unit on state land. Pursuant to its regulatory authority under both WCA and watershed law, when the District is serving as the LGU it will require wetland alteration permits for wetland-altering activities both as required by WCA and otherwise as required by this Rule.

4. CRITERIA.

(a) When the District is serving as the LGU, it will regulate wetland alterations that are not subject to WCA rules and do not qualify for an exemption at Minnesota Rules 8420.0420 or do not meet the “no-loss” criteria of Minnesota Rules 8420.0415 according to the rules and procedures of WCA, except as specifically provided in this Rule. Alteration under

this paragraph requires replacement at a minimum ratio of 1:1 to ensure no loss of wetland quantity, quality or biological diversity. Replacement activities will be credited consistent with the actions eligible for credit in Minnesota Rules 8420.0526.

(b) A wetland alteration not subject to WCA that does not change the function of a wetland and results in no net loss of wetland quantity, quality or biological diversity is exempt from the replacement requirement in Section 4(a) of this Rule.

(c) The wetland replacement exemptions in Minnesota Rules 8420.0420 are applicable under this Rule, except as modified within CWPMP areas under Section 6.

(d) Alterations in wetlands for the purposes of wildlife enhancement must be certified by the local Soil and Water Conservation District as compliant with the criteria described in Wildlife Habitat Improvements in Wetlands: Guidance for Soil and Water Conservation Districts and Local Government Units.

5. ADDITIONAL DISTRICT REQUIREMENTS. In addition to the wetland replacement plan components and procedures in WCA, the following more specific requirements will apply to the District's review of WCA and, except as indicated, non-WCA wetland alterations:

(a) Applicants must adequately explain and justify each individual contiguous wetland alteration area in terms of impact avoidance and minimization alternatives considered.

(b) Where the wetland alteration is proposed in the context of land subdivision, on-site replacement wetland and buffer areas, as well as buffers established undersection 6(e), must:

(1) Be located within a platted outlot.

(2) Be protected from future encroachment by a barrier (i.e. stormwater pond, infiltration basin, existing wetland, tree line, fence, trail or other durable physical feature).

(3) Have boundaries posted with signage approved by the District identifying the wetland/buffer protected status. On installation, the applicant must submit a GIS shapefile, or CADD file documenting sign locations.

(c) The upland edge of new wetland creation must have an irregular and uneven slope. The slope must be no steeper than 8:1 over the initial 25 feet upslope from the projected wetland elevation contour along at least 50 percent of the upland/wetland boundary and no steeper than 5:1 along the remaining 50 percent of the boundary.

(d) The District will not allow excess replacement credits to be used for replacement on a different project unless the credits were designated for wetland banking purposes in the original application in accordance with WCA rules and have been deposited into the WCA wetland banking system.

(e) Replacement by banking must use credits from banks within the District, unless unavailable.

(f) Within the boundary of a District developed and BWSR approved CWPMP (see Figure F1), Rule F and WCA are further modified to include Section 6. Public Linear Projects located in a CWPMP jurisdictional area and not part of an industrial, commercial, institutional or residential development are not subject to Section 6 of this Rule.

6. COMPREHENSIVE WETLAND PROTECTION AND MANAGEMENT PLANS. All District Comprehensive Wetland Protection and Management Plans (CWPMPs) are incorporated into this Rule. The specific terms of Rule F will govern, but if a term of Rule F is susceptible to more than one interpretation, the District will apply the interpretation that best carries out the intent and purposes of the respective CWPMP.

(a) PRE-APPLICATION REVIEW.

(1) In cases where wetland fill, excavation or draining, wholly or partly, is contemplated, the applicant is encouraged to submit a preliminary concept plan for review with District staff and the Technical Evaluation Panel (TEP) before submitting a formal application. The following will be examined during pre-application review:

(i) Sequencing (in accordance with WCA and Federal Clean Water Act requirements, reducing the size, scope or density of each individual proposed action, and changing the type of project action to avoid and minimize wetland impacts).

(ii) Wetland assessment.

(iii) Applying Better Site Design principles as defined in Rule A.

(iv) Integrating buffers and other barriers to protect wetland resources from future impacts.

(v) Exploring development code flexibility, including conditional use permits, planned unit development, variances and code revisions;

(vi) Reviewing wetland stormwater susceptibility (see Rule C.8) and coordinating Wetland Management Corridor (WMC) establishment with existing adjacent WMCs.

(2) At the pre-application meeting, the applicant shall provide documentation sufficient to assess project alternatives at a concept level and such other information as the District specifically requests.

(3) On receipt of a complete application, the District will review and act on the application in accordance with its procedural rules and WCA procedures.

(4) The TEP shall be consulted on decisions related to replacement plans, exemptions, no-loss, wetland boundaries and determination of the WMC.

(b) WETLAND MANAGEMENT CORRIDORS.

(1) At the time of permitting, the preliminary Wetland Management Corridor (WMC) boundary (see Figure F1) will be adjusted in accordance with subsections F(6)(b)(2) and (3), below. Notwithstanding, within the Columbus CWPMP, commercial/Industrial zoned areas within Zone 1 will remain outside of the WMC (see Figure F2).

(2) The applicant must delineate the site level WMC when wetland impacts are proposed:

(i) Within the Preliminary WMC; or

(ii) Within 150 feet of the Preliminary WMC and greater than the applicable *de minimis* exemption amount, per Minnesota Rules 8420.0420;

If the proposed project does not meet criterion (b)(2)(i) or (b)(2)(ii), above, an applicant may accept the Preliminary WMC boundary on the project site, as made more precise on a parcel basis by the use of landscape-scale delineation methods applied or approved by the District and need not comply with Section 6(b)(3) and 6(b)(4).

(3) The applicant shall complete a wetland functional analysis using MnRAM 3.4 (or most recent version) when defining the site level WMC boundary.

(i) The WMC boundary will be expanded to encompass any delineated wetland lying in part within the preliminary WMC and any wetland physically contiguous with (not separated by upland from) the landscape-scale WMC.

(ii) The District, in its judgment, may retract the WMC boundary on the basis of site-level information demonstrating that the retraction is consistent with the associated CWPMP and does not measurably diminish the existing or potential water resource functions of the WMC. In making such a decision, the District may consider relevant criteria including wetland delineation, buffer and floodplain location, WMC connectivity, protection of surface waters and groundwater recharge, and whether loss would be reduced by inclusion of compensating area supporting WMC function.

(iii) If the site level functional analysis shows the presence of Non-degraded or High Quality wetland within 50 feet of the site level WMC, the WMC will be expanded to the lateral extent of the Non-degraded or High Quality wetland boundary plus the applicable buffer as defined in section 6(e).

(iv) If the WMC lies within or contiguous to the parcel boundaries of the project, the lateral extent of the final WMC may be increased by the applicant to include all wetland or other action eligible for credit contiguous with the site level WMC. The extended WMC boundary must connect property to the WMC boundary on adjacent properties and reflect local surface hydrology.

(4) A map of the final WMC boundary must be prepared and submitted to the District for approval. The map will reflect any change to the boundary as a result of the permitted activity. A GIS shapefile or CADD file of the final WMC boundary shall be submitted to the District.

(5) A variance from a requirement of Section 6(b) otherwise meeting the criteria of District Rule L may be granted if the TEP concurs that the wetland protection afforded will not be less than that resulting from application of standard WCA criteria.

(c) WETLAND REPLACEMENT.

(1) The wetland replacement exemptions in Minnesota Rules 8420.0420 are not applicable within CWPMP areas, except as follows:

(i) The agricultural, wetland restoration, utilities, *de minimis* and wildlife habitat exemptions found at Minnesota Rules 8420.0420, subparts 2, 5, 6, 8 and 9, respectively, are applicable, subject to the scope of the exemption standards found at Minnesota Rules 8420.0420, subpart 1.

(ii) The drainage exemption, Minnesota Rules 8420.0420, subpart 3, is applicable if the applicant demonstrates, through adequate hydrologic modeling, that the drainage activity will not change the hydrologic regime of a CWPMP-mapped high quality wetland (see Figure F3) within the boundary of a WMC. Wetland and plant community boundaries will be field-verified.

(iii) Buffer and easement requirements of Section 6(e) and 6(f) do not apply to wetland alterations that qualify for one of the exemptions listed in Section 6(c)(1)(i), unless the project of which the wetland alteration is a part is subject to Rule C.10(d).

(2) Replacement plans will be evaluated and implemented in accordance with Minnesota Rules 8420.0325 through 8420.0335, 8420.0500 through 08420.0544 and 8420.0800 through 8420.0820, except that the provisions of this Rule will apply in place of Minnesota Rules 8420.0522, and 8420.0526. The foundation of the CWPMPs is to limit impact to, and encourage enhancement of, high-priority wetlands and direct unavoidable impact to lower-priority wetlands in establishing the WMC. In accordance with Minnesota Rules 8420.0515, subpart 10, this principle will guide sequencing, replacement siting, WMC boundary adjustment and other elements of replacement plan review. The District will use the methodology of Minnesota Rules 8420.0522, subpart 2 to determine wetland replacement requirements for partially drained wetlands.

(3) A replacement plan must provide at least one replacement credit for each wetland impact acre, as shown in Table F1. The replacement methods must be from the actions listed in Table F2 or an approved wetland bank consistent with Section 6(d)(1).

(4) Acres of impact and replacement credit are determined by applying the following two steps in order:

(i) Multiply actual wetland acres subject to impact by the ratios stated in Table F1.

(ii) Calculate the replacement credits by multiplying the acreage for each replacement action by the percentage in Table F2. All replacement areas that are not within the final WMC will receive credit based on a replacement location outside the final WMC. However, when the replacement area is within the parcel boundaries of the project and there is no Preliminary WMC within those boundaries, and there is no opportunity to extend the WMC boundary from adjacent parcels of land, then the mitigation area will be credited as replacement inside the final WMC. If an applicant intends replacement also to fulfill mitigation requirements under Section 404 of the Clean Water Act, then the applicant may elect replacement credit based on a replacement location outside the final WMC.

(5) The replacement plan must demonstrate that non-exempt impacts will result in no net loss of wetland hydrological regime, water quality, or wildlife habitat function through a wetland assessment methodology approved by BWSR pursuant to the Wetland Conservation Act, Minnesota Statutes §103G.2242.

TABLE F1. WETLAND REPLACEMENT RATIOS FOR CWPMP AREAS.

Wetland Degradation Type	Anoka County		Washington County	
	Outside WMC	Inside WMC	Outside WMC	Inside WMC
Moderately or Severely Degraded Wetland	1:1	2:1	2:1	3:1
Marginally or Non-Degraded Wetland	1.5:1	2.5:1	2.5:1	3.5:1
High Quality Wetland and/or hardwood, coniferous swamp, floodplain forest or bog wetland communities of any quality	2:1	3:1	3.5:1	4:1

TABLE F2. ACTIONS ELIGIBLE FOR CREDIT FOR CWPMP AREAS.

Actions Eligible for Credit	Inside of the Final WMC	Outside of the Final WMC
Wetland Restoration		
Hydrologic and vegetative restoration of moderately and severely degraded wetland	up to 75% Determined by LGU and TEP	up to 50% Determined by LGU and TEP
Hydrologic and vegetative restoration of effectively drained, former wetland	100%	75%
Wetland Creation		
Upland to wetland conversion	50%	50%
Wetland Protection & Preservation		
Protection via conservation easement of wetland previously restored consistent with MN Rule 8420.0526 subpart 6	up to 75% Determined by LGU and TEP	up to 75% Determined by LGU and TEP
Columbus CWPMP Only: Preservation of wetland or wetland/upland mosaic (requires a 3rd party easement holder and other matching action eligible for credit)	25% Determined by LGU and TEP	12.5% Determined by LGU and TEP
Restoration or protection of wetland of exceptional natural resource value consistent with MN Rule 8420.0526, subpart 8	Up to 100% Determined by LGU and TEP	Up to 100% Determined by LGU and TEP
Buffers		
Non-native, non-invasive dominated buffer around other action eligible for credit, consistent with Section 6(e)	10%	10%
Native, non-invasive dominated buffer around other action eligible for credit, consistent with Section 6(e)	25%	25%
Upland habitat area contiguous with final WMC wetland (2 acre minimum), as limited by Rule F.6(e)(5)	100%	NA
Vegetative Restoration		
Positive shift in MnRAM assessment score for “Vegetative Integrity” from “Low” to “Medium” or “High”	Up to 50% Determined by LGU and TEP	NA

(6) The location and type of wetland replacement will conform as closely as possible to the following standards:

(i) No wetland plant community of high or exceptional wildlife habitat function and high or exceptional vegetative integrity, as identified in the required wetland assessment, may be disturbed.

(ii) No replacement credit will be given for excavation in an upland natural community with Natural Heritage Program rank B or higher, or with identified Endangered, Threatened or Special Concern species.

(7) In the Columbus CWPMP only, preservation credit can be used for up to 50% of the wetland replacement required. The remaining 50% must be supplied by a non-preservation replacement action as shown within Table F2. Additionally:

(i) All other eligible actions for credit within this rule must be considered before preservation is approved as an action eligible for credit.

(ii) The Technical Evaluation Panel must find that there is a high probability that, without preservation, the wetland area to be preserved would be degraded or impacted and that the wetland meets the criteria of Minnesota Rules 8420.0526 subpart 9.A through 9.D.

(iii) Non-degraded, High Quality, and Moderately Degraded wetland is eligible for Preservation Credit within Zone 1 (see Figure F2).

(iv) Non-degraded and High Quality wetland is eligible for Preservation Credit within Zone 2 (see Figure F2).

(v) Wetland ranked “Low” for “vegetative integrity” is not eligible for replacement credit through Preservation.

(vi) Banked preservation credit may be used only within the Columbus CWPMP area (see Figure F1).

(8) Replacement credit for Wetland Protection and Preservation (see Table F2) requires that a perpetual Conservation Easement be conveyed to and accepted by the District. The easement must encompass the entire replacement area, and must provide for preservation of the wetland’s functions by the fee owner and applicant. The applicant must provide a title insurance policy acceptable to the District, naming the District as the insured. The fee owner and the applicant also must grant an access easement in favor of the District, the local government unit and any other state, local or federal regulatory authority that has authorized use of credits from the mitigation site for wetland replacement. The fee owner must record or register these easements on the title for the affected property.

(9) Replacement credit for Vegetative Restoration (see Table F2) may be granted only for wetland communities scoring "Low" for Vegetative Integrity. The TEP must find that there is a reasonable probability for restoration success.

(10) Unless a different standard is stated in the approved replacement or banking plan, the performance standard for upland and wetland restored or created to generate credit is establishment, by the end of the WCA monitoring period, of a medium or high quality plant community ranking with 80% vegetative coverage consisting of a native, non-invasive species composition.

(11) Notwithstanding any provision in this rule to the contrary, for wetland impacts resulting from public drainage system repairs undertaken by the Rice Creek Watershed District that are exempt from Clean Water Act Section 404 permit requirements but are not exempt from replacement under Section 6(c)(1) of this Rule, replacement may occur subject to the following priority of replacement site sequencing:

(i) Within bank service areas 6 or 7 or with the concurrence of governing board of the local county or watershed district, within any county or watershed district whose county water plan, watershed management plan, or other water resource implementation plan contains wetland restoration as a means of implementation.

(ii) Throughout the state in areas determined to possess less than 80% of pre-settlement wetland acres.

(12) A variance from a requirement of Section 6(c) otherwise meeting the criteria of District Rule L may be granted if the TEP concurs that the wetland protection afforded will not be less than that resulting from application of standard WCA criteria.

(d) WETLAND BANKING.

(1) Replacement requirements under Section 6(c) of this Rule may be satisfied in whole or part by replacement credits generated off-site within any CWPMP area, but not by credits generated outside of a CWPMP area except as provided in Section 6(d)(5).

(2) The deposit of replacement credits created within a CWPMP area for banking purposes and credit transactions for replacement will occur in accordance with Minnesota Rules 8420.0700 through 8420.0745. Credits generated within a CWPMP area may be used for replacement within or outside of a CWPMP area.

(i) The District will calculate the amount of credit in accordance with the standard terms of WCA. This measure of credit will appear in the BWSR wetland banking account.

(ii) The District also will calculate the amount of credit in accordance with Section 6(c) of this rule. The District will record this measure of credit internally within the CWPMP's wetland bank accounting. The District will adjust this internal account if the BWSR account is later debited for replacement outside of a CWPMP area. Where credits are used for replacement within a CWPMP area, the District will convert credits used into standard WCA credits so that the BWSR account is accurately debited.

(3) To be recognized, bank credit from Preservation in the Columbus CWPMP (see Table F2) must be matched by an equal amount of credit from a non-Preservation replacement action.

(i) Credit derived from Preservation as the replacement action may be used only within the Columbus CWPMP boundary.

(ii) If the matching non-Preservation credit is used outside of the Columbus CWPMP area, the Preservation credit within the Columbus CWPMP wetland bank account will be debited in the amount of the matching non-Preservation credit.

(5) Banked wetland credit created outside of the CWPMP areas, but within the CWPMP Contributing Drainage Area, may be used to replace impact within the CWPMP areas. An applicant proposing to use credits under this paragraph must field verify at the time of application that the banked wetlands are located within the CWPMP Contributing Drainage Area.

(6) Credits generated under an approved wetland banking plan, inside a CWPMP or its contributing drainage area (See Figure F4), utilized to replace impact within a CWPMP area will be recognized in accordance with the approved banking plan.

(e) **VEGETATED BUFFERS.** Vegetated buffers are required to be established adjacent to wetlands within CWPWP areas as described below.

(1) Wetland buffer will consist of non-invasive vegetated land; that is not cultivated, cropped, pastured, mowed, fertilized, used as a location for depositing snow removed from roads, driveways or parking lots, subject to the placement of mulch or yard waste, or otherwise disturbed except for periodic cutting or burning that promotes the health of the buffer, actions to address disease or invasive species, or other actions to maintain or improve buffer or habitat area quality, each as approved in writing by District staff. The application must include a vegetation management plan for District approval. For public road authorities, the terms of this subsection will be modified as necessary to accommodate safety and maintenance feasibility needs.

(2) Buffer adjacent to wetland within the final WMC must average at least 50 feet in width, and measure at least 25 feet in width at all points of inflow. The buffer requirement may be reduced based on compelling need and a TEP recommendation to the District in support that the wetland protection afforded is reasonable given the circumstances.

(3) Buffer adjacent to wetland restored, created or preserved for replacement credit, not within the final WMC, must meet the minimum width standards as described in MN Rule 8420.0522, subpart 6.

(4) Buffer adjacent to High Quality Wetland, or to replacement wetland adjacent to High Quality Wetland, must be at least 50 feet wide at all points. For private projects dedicating public right of way, the minimum width may be reduced based on compelling need and a District finding that the wetland protection afforded is reasonable given the circumstances. In making this finding, the District will give substantial weight to the TEP recommendation.

(5) The area of buffer for which replacement credit is granted must not exceed the area of the replacement wetland except and specific to when the buffer is to meet the 50- foot requirement of Sections 6(e)(2) and 6(e)(4) and is further limited to the buffer area required to encapsulate another action eligible for credit.

(6) Buffer receiving replacement credit as upland habitat area contiguous with the final WMC must be at least two acres in size.

(7) No above- or below-ground structure or impervious surface may be placed within a buffer area permanently or temporarily, except as follows:

(i) A structure may extend or be suspended above the buffer if the impact of any supports within the buffer or habitat area is negligible, the design allows sufficient light to maintain the species shaded by the structure, and the structure does not otherwise interfere with the function afforded by the buffer.

(ii) A public utility, or a structure associated with a public utility, may be located within a buffer on a demonstration that there is no reasonable alternative that avoids or reduces the proposed buffer intrusion. The utility or structure shall minimize the area of permanent vegetative disturbance.

(iii) Buffer may enclose a linear surface for non-motorized travel no more than 10 feet in width. The linear surface must be at least 25 feet from the wetland edge. The area of the linear surface will not be eligible for replacement credit. For projects proposing non-motorized travel no more than 10 feet in width, the linear surface may be reduced to less than 25 feet from the wetland edge based on compelling need and a TEP recommendation to the District in support that the wetland protection afforded is reasonable given the circumstances.

(iv) A stormwater features that is vegetated consistent with Section 6(e)(1), including NURP ponds, may be located within buffer and count toward buffer width on site-specific approval.

(8) Buffer area is to be indicated by permanent, freestanding markers at the buffer edge, with a design and text approved by District staff in writing. A marker shall be placed at each lot line, with additional markers placed at an interval of no more than 200 feet and as necessary to define variation in a meandering boundary. If a District permit is sought for a subdivision, the monumentation requirement will apply to each lot of record to be created. On public land or right-of-way, the monumentation requirement may be satisfied by the use of markers flush to the ground, breakaway markers of durable material, or a vegetation maintenance plan approved by District staff in writing.

(9) As a condition of permit issuance under this Rule, a property owner must file on the deed a declaration in a form approved by the District establishing a vegetated buffer area adjacent to the delineated wetland edge within the final WMC and other wetland buffers approved as part of a permit under this Rule. The declaration must state that on further subdivision of the property, each subdivided lot of record shall meet the monumentation requirement of Section 6(e)(8). On public land or right-of-way, in place of a recorded declaration, the public owner may execute a written maintenance agreement with the District. The agreement will state that if the land containing the buffer area is conveyed to a private party, the seller must file on the deed a declaration for maintenance in a form approved by the District.

(10) Buffer may be disturbed to alter land contours or improve buffer function if the following criteria are met:

(i) An erosion control plan is submitted under which alterations are designed and conducted to expose the smallest amount of disturbed ground for the shortest time possible, fill or excavated material is not placed to create an unstable slope, mulches or similar materials are used for temporary soil coverage, and permanent vegetation is established as soon as possible after disturbance is completed.

(ii) Wooded buffer and native riparian canopy trees are left intact;

(iii) When disturbance is completed, sheet flow characteristics within the buffer are improved; average slope is not steeper than preexisting average slope or 5:1 (horizontal: vertical), whichever is less steep; preexisting slopes steeper than 5:1 containing dense native vegetation will not require regrading; the top 18 inches of the soil profile is not compacted, has a permeability at least equal to the permeability of the preexisting soil in an uncompacted state and has organic matter content of between five and 15 percent; and habitat diversity and riparian shading are maintained or improved. Any stormwater feature within the buffer will not have exterior slopes greater than 5:1.

(iv) A re-vegetation plan is submitted specifying removal of invasive species and establishment of native vegetation suited to the location.

(v) A recorded Declaration or, for a public entity, maintenance agreement is submitted stating that, for three years after the project site is stabilized, the property owner will correct erosion, maintain and replace vegetation, and remove invasive species to establish permanent native vegetation according to the re- vegetation plan.

(vi) Disturbance is not likely to result in erosion, slope failure or a failure to establish vegetation due to existing or proposed slope, soil type, root structure or construction methods.

(11) Material may not be excavated from or placed in a buffer, except for temporary placement of fill or excavated material pursuant to duly-permitted work in the associated wetland, or pursuant to paragraph 6(e)(10) of this Rule.

(f) EASEMENT. The property owner must convey to the District and record or register, in a form acceptable to the District, a perpetual, assignable easement granting the District the authority to monitor, modify and maintain hydrologic and vegetative conditions within the WMC wetland and buffer adjacent to WMC wetland, including the authority to install and maintain structural elements within those areas and reasonable access to those areas to perform authorized activities. The WMC shall be identified and delineated as part of the recorded easement.

(g) PARTIAL ABANDONMENT. As a condition of permit issuance, the District may require a property owner to petition the District for partial abandonment of a public drainage system pursuant to Minnesota Statutes §103E.805. A partial abandonment under this Section may not diminish a benefited property owner's right to drainage without the owner's agreement.

7. REQUIRED EXHIBITS. The following exhibits must accompany a permit application for both WCA and non-WCA wetland alterations.

(a) SITE PLAN. An applicant must submit a site plan showing:

(1) Property lines and delineation of lands under ownership of the applicant.

(2) On-site location of all public and private ditch systems

(3) Existing and proposed elevation contours, including the existing run out elevation and flow capacity of the wetland outlet, and spoil disposal areas.

(4) Area of wetland to be filled, drained, excavated or otherwise altered.

(b) **WETLAND DELINEATION REPORT.** An applicant must submit a copy of a wetland delineation report conforming to a methodology authorized for WCA use and otherwise consistent with Minnesota Board of Water & Soil Resources guidance. The following requirements and clarifications apply to submittals of wetland delineation reports to the District and supplement the approved methodology and guidance:

(1) Wetland delineations should be conducted and reviewed during the growing season. The District may accept delineations performed outside this time frame on a case-by-case basis. The District will determine if there is sufficient information in the report and visible in the field at the time to assess the three wetland parameters (hydrophytic vegetation, hydric soils, hydrology) in relation to the placement of the wetland delineation line. If proper assessment of the delineation is not possible, the District may consider the application incomplete until appropriate field verification is possible.

(2) An applicant conducting short- or long-term wetland hydrology monitoring for the purpose of wetland delineation/determination must coordinate with the District prior to initiating the study.

(3) For a project site with row-cropped agricultural areas, the wetland delineation report must include a review of Farm Service Agency aerial slides (if available) for wetland signatures per Guidance for Offsite Hydrology/Wetland Determinations (July 1, 2016), as amended, and Section 404 Clean Water Act or subsequent State-approved guidance. This review is to be considered along with field data and other pertinent information, and is not necessarily the only or primary basis for a wetland determination in an agricultural row-cropped area.

(4) The wetland delineation report must follow current BWSR/ACOE Guidance for Submittal of Delineation Reports, and include:

(i) Documentation consistent with the 1987 Corps of Engineers Wetlands Delineation Manual and Northcentral and Northeast Regional Supplement.

(ii) National Wetland Inventory (NWI) map, Soil Survey Map, and Department of Natural Resources (DNR) Protected Waters Map of the area being delineated.

(iii) Results of a field investigation of all areas indicated as potential wetland by mapping sources including: NWI wetlands, hydric soil units, poorly drained or depressional areas on the Soil Survey Map, and DNR Protected Waters or Wetlands.

(iv) Classifications of each delineated wetland using the following systems:

- Classification of Wetlands and Deep Water Habitats of the United States (Cowardin et al. 1979)
- Fish and Wildlife Service Circular 39 (Shaw and Fredine 1971)
- Wetland Plants and Plant Communities of Minnesota and Wisconsin (Eggers & Reed, 3rd Edition, 2011)

(v) A survey map (standard land survey methods or DGPS) of delineated wetland boundaries.

(5) As a condition of District approval of any wetland delineation, applicants shall submit X/Y coordinates (NAD 83 state plane south coordinate system) and a GIS shapefile of the delineated wetland boundaries. All data shall be collected with a Trimble Geoexplorer or equivalent instrument with sub-meter accuracy.

(c) **WETLAND REPLACEMENT PLAN APPLICATION.** An applicant submitting a plan involving a wetland alteration requiring replacement must submit five copies of a replacement plan application and supporting materials conforming to WCA replacement plan application submittal requirements and including the following additional documents:

(1) Plan sheet(s) clearly identifying, delineating, and denoting the location and size of each wetland impact area and all replacement actions for credit.

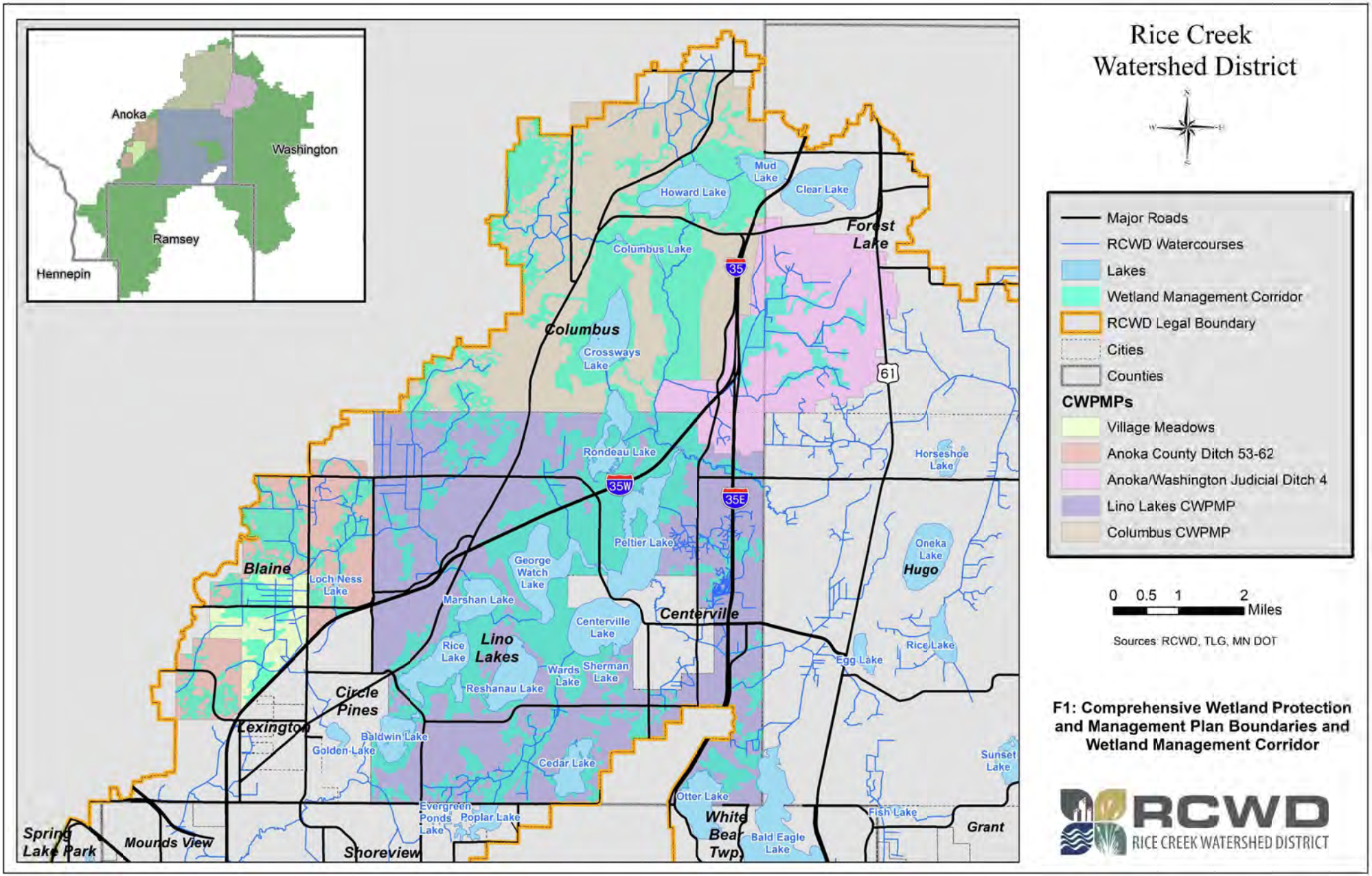
(2) Plan sheet(s) with profile views and construction specifications of each replacement wetland including proposed/estimated normal water level, proposed/estimated boundary of replacement wetland, topsoiling specifications (if any), grading specifications, and wetland/buffer seeding specifications.

(d) **FUNCTIONS AND VALUES ASSESSMENT.** An applicant must submit a before-and-after wetland functions and values assessment using a WCA-accepted methodology for a project in a CWPMP area or otherwise involving at least one acre of wetland impact requiring replacement.

(e) Erosion and sediment control plan in accordance with District Rule D.

(f) On District request, the applicant will conduct an assessment of protected plant or animal species within the project site, where such assessment is not available from existing sources.

(g) Other project site-specific submittal requirements as may be required by the District.


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Major Roads
RCWD Watercourses
Lakes
Wetland Management Corridor
RCWD Legal Boundary
Cities
Counties
CWPMPs
Village Meadows
Anoka County Ditch 53-62
Anoka/Washington Judicial Ditch 4
Lino Lakes CWPMP
Columbus CWPMP
0 0.5 1 2
Miles
Sources: RCWD, TLG, MN DOT
F1: Comprehensive Wetland Protection and Management Plan Boundaries and Wetland Management Corridor
RCWD
RICE CREEK WATERSHED DISTRICT
Columbus
Forest Lake
Blaine
Lino Lakes
Centerville
Hugo
Circle Pines
Lexington
Spring Lake Park
Mounds View
Shoreview
White Bear Twp.
Grant
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Crossways Lake
Rondeau Lake
Horseshoe Lake
Peltier Lake
Oneka Lake
George Watch Lake
Loch Ness Lake
Marshan Lake
Centerville Lake
Rice Lake
Wards Lake
Sherman Lake
Reshanau Lake
Egg Lake
Baldwin Lake
Golden Lake
Cedar Lake
Sunset Lake
Otter Lake
Fish Lake
Evergreen Ponds
Poplar Lake
Bald Eagle Lake
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35E
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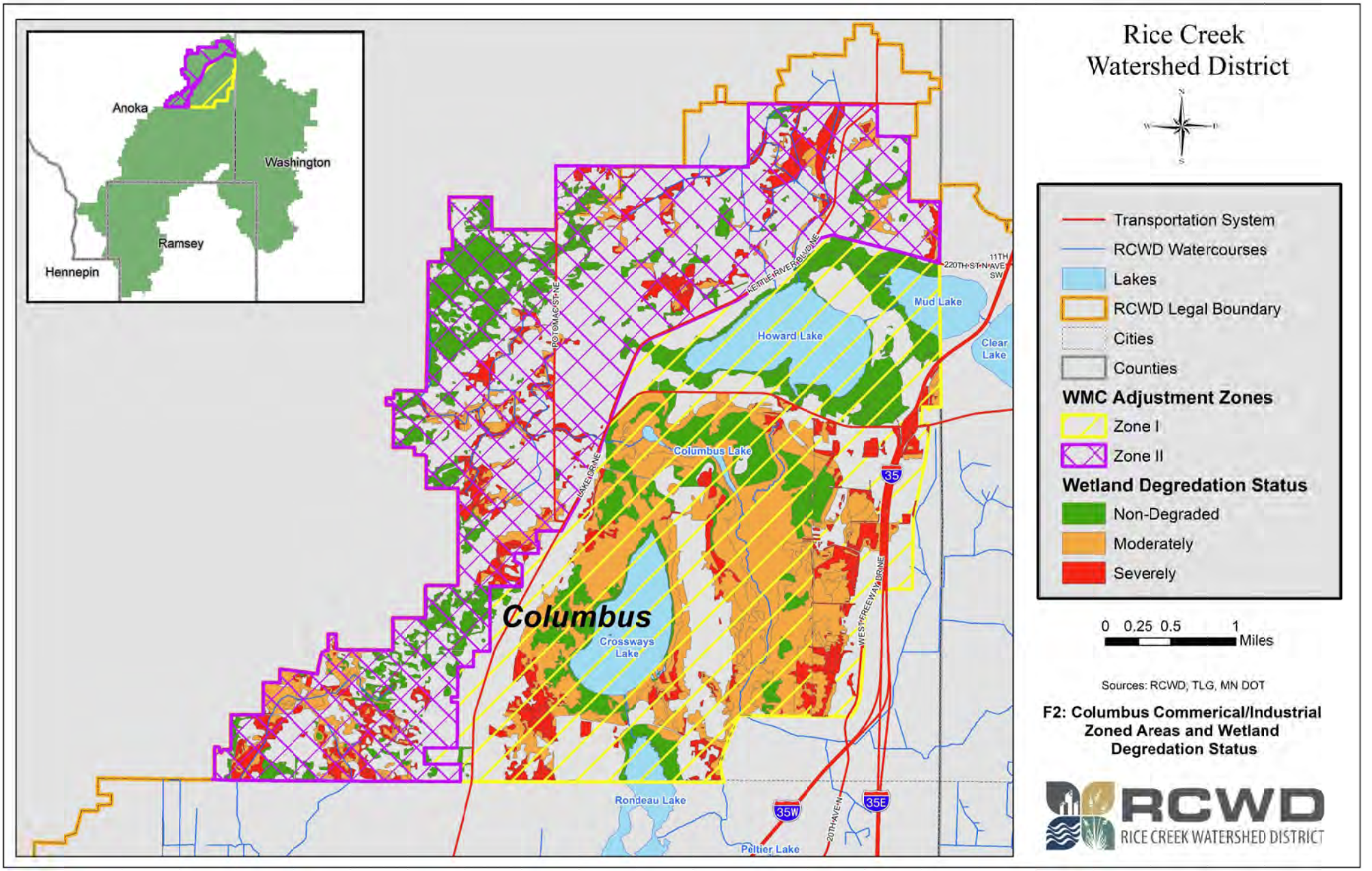
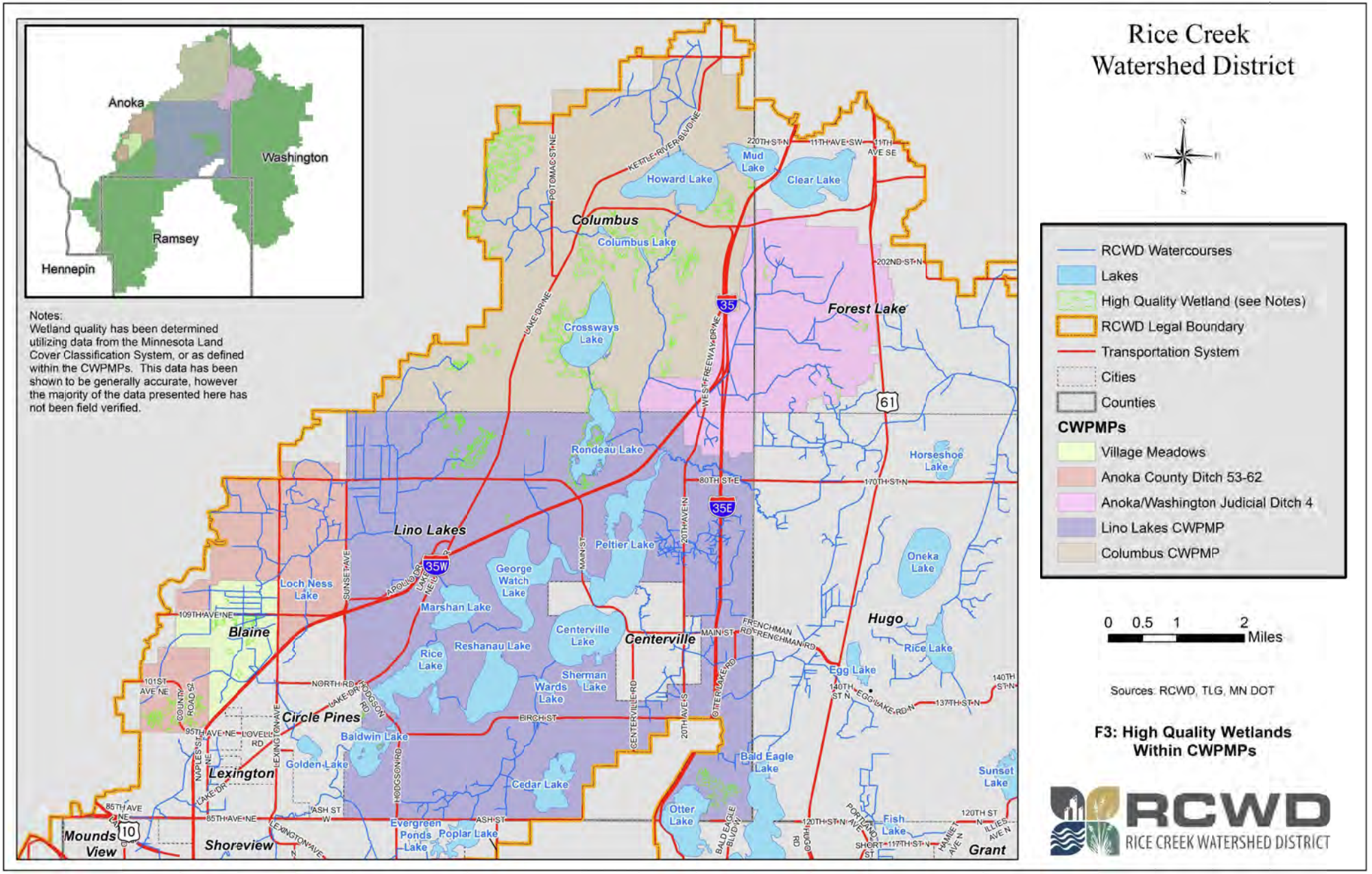

Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Columbus
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Crossways Lake
Rondeau Lake
Peltier Lake
Transportation System
RCWD Watercourses
Lakes
RCWD Legal Boundary
Cities
Counties
WMC Adjustment Zones
Zone I
Zone II
Wetland Degredation Status
Non-Degraded
Moderately
Severely
0 0.25 0.5 1
Miles
Sources: RCWD, TLG, MN DOT
F2: Columbus Commerical/Industrial Zoned Areas and Wetland Degredation Status
RCWD
RICE CREEK WATERSHED DISTRICT


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Notes:
Wetland quality has been determined utilizing data from the Minnesota Land Cover Classification System, or as defined within the CWPMPs. This data has been shown to be generally accurate, however the majority of the data presented here has not been field verified.
RCWD Watercourses
Lakes
High Quality Wetland (see Notes)
RCWD Legal Boundary
Transportation System
Cities
Counties
CWPMPs
Village Meadows
Anoka County Ditch 53-62
Anoka/Washington Judicial Ditch 4
Lino Lakes CWPMP
Columbus CWPMP
0 0.5 1 2 Miles
Sources: RCWD, TLG, MN DOT
F3: High Quality Wetlands
Within CWPMPs
RCWD
RICE CREEK WATERSHED DISTRICT
Columbus
Lino Lakes
Forest Lake
Centerville
Hugo
Blaine
Circle Pines
Lexington
Mounds View
Shoreview
Grant
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Crossways Lake
Rondeau Lake
Horseshoe Lake
Peltier Lake
Oneka Lake
George Watch Lake
Loch Ness Lake
Marshan Lake
Reshanau Lake
Centerville Lake
Rice Lake
Egg Lake
Sherman Lake
Wards Lake
Baldwin Lake
Golden Lake
Cedar Lake
Bald Eagle Lake
Sunset Lake
Otter Lake
Fish Lake
Evergreen Ponds
Poplar Lake
35
35W
35E
61
10
220TH ST N
11TH AVE SW
202ND ST N
80TH ST E
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101ST AVE NE
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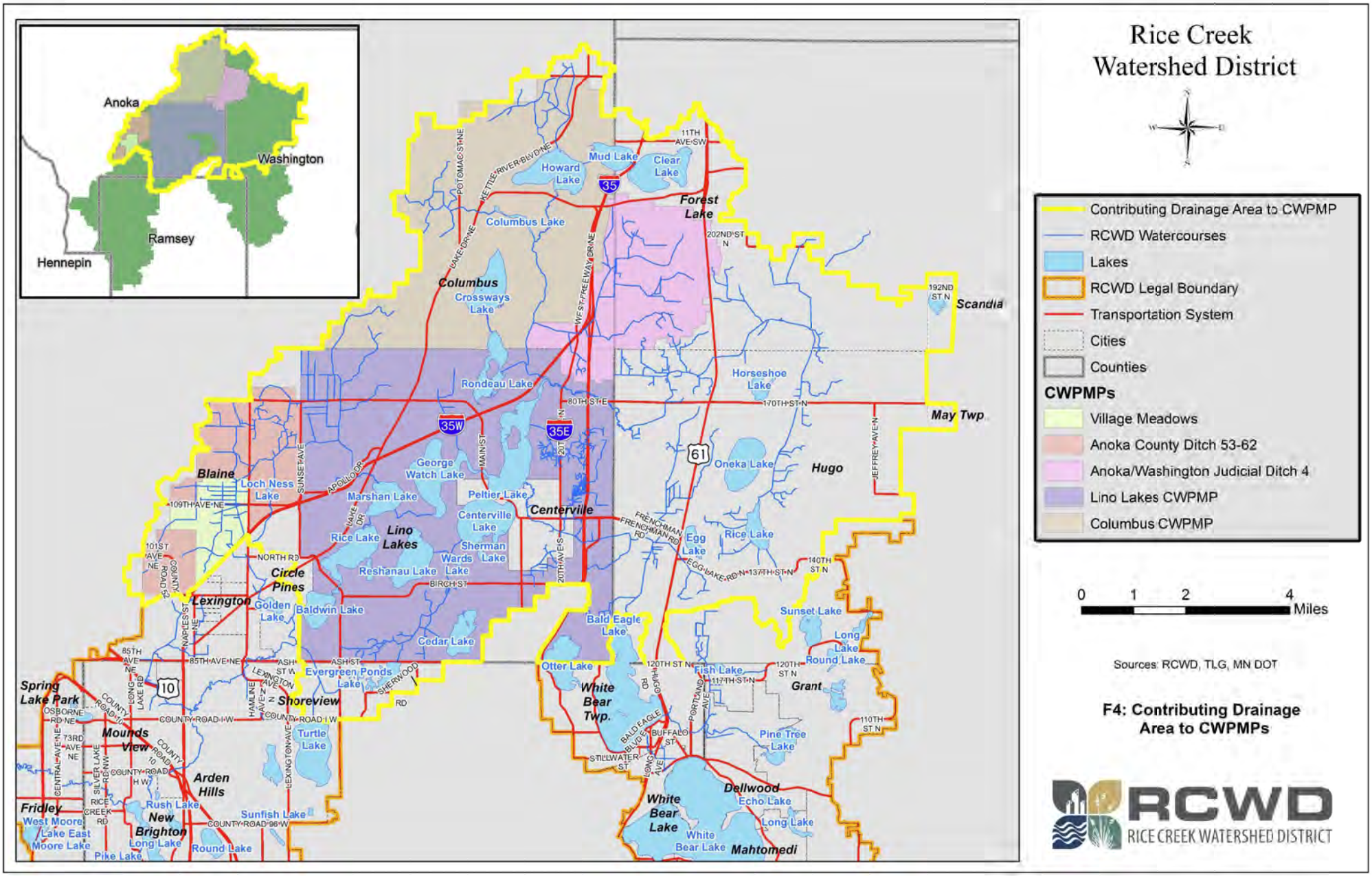
85TH AVE NE
140TH ST N
137TH ST N
120TH ST N
117TH ST N


Rice Creek
Watershed District
Anoka
Washington
Ramsey
Hennepin
Contributing Drainage Area to CWPMP
RCWD Watercourses
Lakes
RCWD Legal Boundary
Transportation System
Cities
Counties
CWPMPs
Village Meadows
Anoka County Ditch 53-62
Anoka/Washington Judicial Ditch 4
Lino Lakes CWPMP
Columbus CWPMP
0 1 2 4 Miles
Sources: RCWD, TLG, MN DOT
F4: Contributing Drainage Area to CWPMPs
RCWD
RICE CREEK WATERSHED DISTRICT
Blaine
Lino Lakes
Centerville
Circle Pines
Lexington
Spring Lake Park
Mounds View
Arden Hills
Shoreview
Fridley
New Brighton
Columbus
Forest Lake
Scandia
May Twp
Hugo
White Bear Twp.
White Bear Lake
Mahtomedi
Dellwood
Grant
Sunfish Lake
Rush Lake
Long Lake
Round Lake
Pike Lake
Lake East Moore Lake
West Moore Lake
Loch Ness Lake
Marshan Lake
George Watch Lake
Peltier Lake
Centerville Lake
Rice Lake
Reshanau Lake
Sherman Lake
Wards Lake
Golden Lake
Baldwin Lake
Evergreen Ponds Lake
Cedar Lake
Turtle Lake
Howard Lake
Mud Lake
Clear Lake
Columbus Lake
Crossways Lake
Rondeau Lake
Horseshoe Lake
Oneka Lake
Egg Lake
Rice Lake
Bald Eagle Lake
Otter Lake
Fish Lake
Sunset Lake
Long Lake
Round Lake
Pine Tree Lake
Echo Lake
Long Lake
White Bear Lake
35
35W
35E
61
10
Potomac St NE
Kettle River Blvd NE
Lake Dr NE
West Frontage Drive NE
Sunset Ave
Apollo Dr
Main St
Jeffrey Ave N
Frenchman Rd
Egg Lake Rd N
Naples St NE
Sherwood Rd
Long Lake Rd
Hamline Ave
Lexington Ave
Portland Ave
Bald Eagle Blvd
Stillwater St
Buffalo St
Central Ave NE
Silver Lake Rd NW
Rice Creek Rd
11th Ave SW
202nd St N
192nd St N
170th St N
140th St N
137th St N
120th St N
117th St N
110th St N
80th St E
109th Ave NE
101st Ave NE
85th Ave NE
73rd Ave NE
North Rd
Birch St
Ash St W
Osborne Rd NE
County Road 10
County Road I-W
County Road H-W
County Road 96 W
County Road 52

RULE G: REGIONAL CONVEYANCE SYSTEMS

1. **POLICY.** It is the policy of the Board of Managers to preserve regional conveyance systems within the District, including its natural streams and watercourses, as well as artificial channels and piped systems. Rule G applies to surface water conveyance systems other than public drainage systems The purpose of Rule G is to maintain regional conveyance capacity, prevent flooding, preserve water quality and ecological condition, and provide an outlet for drainage for the beneficial use of the public as a whole now and into the future. Rule G does not apply to public drainage systems, as defined in these rules, which the District manages and maintains through the exercise of its authority under the drainage code (Minnesota Statutes Chapter 103E) and the application of Rule I. It is not the intent of this rule to decide drainage rights or resolve drainage disputes between private landowners.

2. **REGULATION.** No person may construct, improve, repair or alter the hydraulic characteristics of a regional conveyance system that extends across two or more parcels of record not under common ownership, including by placing or altering a utility, bridge or culvert structure within or under such a system, without first obtaining a permit from the District. No permit is required to repair or replace an element of a regional conveyance system owned by a government entity when the hydraulic capacity of the system will not change.

3. **CRITERIA.**

The conveyance system owner is responsible for maintenance. In addition, modification of the conveyance system must:

(a) Preserve existing design hydraulic capacity.

(b) Retain existing navigational capacity.

(c) Not adversely affect water quality or downstream flooding characteristics.

(d) Be designed to allow for future erosion, scour, and sedimentation considerations.

(e) Be designed for maintenance access and be maintained in perpetuity to continue to meet the criteria of Section 3. The maintenance responsibility must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed. Alternatively, a public permittee may meet its perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District.

4. **SUBSURFACE CROSSINGS.** A crossing beneath a regional conveyance system must maintain adequate vertical separation from the bed of the conveyance system. The District will determine adequate separation by reference to applicable guidance and in view of relevant considerations such as soil condition, the potential for upward migration of the utility, and the likelihood that the bed elevation may decrease due to natural processes or human activities. The District also will consider the feasibility of providing separation and the risks if cover diminishes. Nothing in this paragraph diminishes the crossing owner's responsibility under Section 3, above. The applicant must submit a record drawing of the installed utility.

5. **REQUIRED EXHIBITS.** The following exhibits must accompany the permit application.

(a) Construction details showing:

(1) Size and description of conveyance system modification including existing and

proposed flow line (invert) elevations. All elevations must be provided in NAVD 88 datum.

(2) Existing and proposed elevations of utility, bridge, culvert, or other structure.

(3) End details with flared end sections or other appropriate energy dissipaters.

(4) Emergency overflow elevation and route.

(b) Narrative describing construction methods and schedule

(c) Erosion and sediment control plan in accordance with District Rule D.

(d) Computations of watershed area, peak flow rates and elevations, and discussion of potential effects on water levels above and below the project site.

6. **EXCEPTION.** Criterion 3(a) may be waived if the applicant can demonstrate with supporting hydrologic calculations the need for an increase in discharge rate in order to provide for reasonable surface water management in the upstream area and that the downstream impacts of the increased discharge rate can be reasonably accommodated and will not exceed the existing rate at the municipal boundary.

RULE H: ILLICIT DISCHARGE AND CONNECTION

1. POLICY. It is the policy of the Board of Managers to:

(a) Regulate the contribution of pollutants to the District's Municipal Separate Storm Sewer System (MS4) by any user;

(b) Prohibit Illicit Connections and Discharges to the District's MS4;

(c) Carry out inspection and monitoring procedures necessary to ensure compliance with this Rule under statutory and related authority.

2. PROHIBITION. No person shall discharge or cause to be discharged into a public drainage system within the District any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

3. EXCEPTIONS. The commencement, conduct or continuance of any illegal discharge to the waters of the District is prohibited except as described as follows:

(a) The following discharges are exempt from discharge prohibitions established by this rule:

(1) Water line flushing or other potable water sources

(2) Landscape irrigation or lawn watering

(3) Diverted stream flows

(4) Rising ground water

(5) Ground water infiltration to storm drains

(6) Uncontaminated pumped ground water

(7) Foundation and footing drains

(8) Firefighting activities

(b) Discharges specified in writing by the District, or other federal, state or local agency as being necessary to protect the public health and safety.

(c) Dye testing is an allowable discharge, but requires a verbal notification to the District prior to the time of the test.

(d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

4. ILLICIT CONNECTIONS PROHIBITED

(a) The construction, use, maintenance or continued existence of illicit connections to the public drainage system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of this rule if the person connects a line conveying sewage to the public drainage system, or allows such a connection to continue.

RULE I: PUBLIC DRAINAGE SYSTEMS

1. POLICY. Rule I applies to work within public drainage systems, as that term is defined in these rules. The District regulates work in surface water conveyance systems other than public drainage system through the application of Rule G. It is the policy of the Board of Managers to regulate any work within the right-of-way of a public drainage system that has the potential to affect the capacity or function of the public drainage system, or ability to inspect and maintain the system. The purpose of Rule I is to protect the integrity and capacity of public drainage systems consistent with Minnesota Statutes Chapter 103E to prevent regional or localized flooding, preserve water quality, and maintain an outlet for drainage for the beneficial use of the public and benefitted lands now and into the future. .

2. REGULATION.

(a) Temporary or permanent work in or over a public drainage system, including any modification of the system, requires a permit under this rule. The permit is in addition to any formal procedures or District approvals that may be required under Minnesota Statutes Chapter 103E or other drainage law.

(b) A utility may not be placed under a public drainage system without a permit under this rule. The design must provide at least five feet of separation between the utility and the as-constructed and subsequently improved grade of the public drainage system, unless the District determines that a separation of less than five feet is adequate to protect and manage the system at that location. The applicant must submit a record drawing of the installed utility. The crossing owner will remain responsible should the crossing at any time be found to be an obstruction or subject to future modification or replacement under the drainage law.

(c) A pumped dewatering operation may not outlet within 200 feet of a public drainage system without a permit under this rule. A permit application must include a dewatering plan indicating discharge location, maximum flow rates, and outlet stabilization practices. Rate of discharge into the system may not exceed the system's available capacity.

3. CRITERIA.. A project proposing to work subject to Paragraph 2 (a) must:

(a) Comply with applicable orders or findings of the Drainage Authority.

(b) Comply with all Federal, State and District wetland protection rules and regulations.

(c) Demonstrate that such activity will not adversely impact the capacity or function of the public drainage system, or ability to inspect and maintain the system.

(d) Not create or establish wetlands within the public drainage system right of way without an order to impound the public drainage system under Minnesota Statute 103E.227.

(e) Provide conveyance at the grade of the ACSIC where work is being completed. If the ACSIC has not been determined, the applicant may request that the District duly determine the ACSIC before acting on the application, or may accept conditions that the District determines adequate to limit the risk that the applicant's work will not be an obstruction, within the meaning of Minnesota Statutes chapter 103E, when the ACSIC is determined. An applicant that proceeds without determination of the ACSIC bears the risk that the work later is determined to be an obstruction.

(f) Maintain hydraulic capacity and grade under interim project conditions, except where the District, in its judgement, determines that potential interim impacts are adequately mitigated.

(g) Where the open channel is being realigned, provide an access corridor that the District

deems adequate at the top of bank of the drainage system, with the following characteristics:

- A minimum 20-feet in width
- Cross-slope (perpendicular to direction of flow) no more than 5% grade.
- Longitudinal slope (parallel to the direction of flow) no more than 1:5 (Vertical to Horizontal).

(h) Provide adequate supporting soils to facilitate equipment access for inspection and maintenance. Provide stable channel and outfall.

(i) Be designed for maintenance access and be maintained in perpetuity to avoid constituting an obstruction and otherwise to continue to meet the criteria of Section 3. The maintenance responsibility must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed. Alternatively, a public permittee may meet its perpetual maintenance obligation by executing a programmatic or project-specific maintenance agreement with the District. Public Linear Projects are exempt from the public drainage system easement requirement of Section 3(i).

(j) Identify proposed temporary obstruction or crossings of the public drainage system and specify operational controls to enable unobstructed conveyance of a rainfall or flow condition.

4. **REQUIRED EXHIBITS.** The following exhibits must accompany the permit application. All elevations must be provided in NAVD 88 datum.

(a) Map showing location of project, tributary area, and location and name of the public drainage system branches within the project area

(b) Existing and proposed cross sections and profile of affected area.

(c) Description of bridges or culverts proposed.

(d) Location and sizes of proposed connections to the public drainage system

(e) Narrative and calculations describing effects on water levels above and below the project site.

(f) Erosion and sediment control plan.

(g) Hydrologic and hydraulic analysis of the proposed project.

(h) Local benchmark in NAVD 88 datum.

RULE J: APPROPRIATION OF PUBLIC WATERS

1. **POLICY.** It is the policy of the Board of Managers to regulate the appropriation of public waters as follows.

2. **REGULATION.** A permit from the District is required for the appropriation of water from:

(a) A public water basin or wetland that is less than 500 acres and is wholly within Hennepin or Ramsey County.

(b) A protected watercourse within Hennepin or Ramsey County that has a drainage area of less than 50 square miles.

3. **CRITERIA.** A permit applicant for appropriation of public waters as described above must complete and submit to the District an appropriation checklist. The appropriation checklist form may be obtained from the District office.

RULE K: ENFORCEMENT

1. **VIOLATION OF RULES IS A MISDEMEANOR.** Violation of these rules or a permit issued under these rules, is a misdemeanor subject to a penalty as provided by law.

2. **DISTRICT COURT ACTION.** The District may exercise all powers conferred upon it by Minnesota Statutes Chapter 103D to enforce these rules, including criminal prosecution, injunction, or action to compel performance, restoration or abatement.

3. **ADMINISTRATIVE ORDER.** The District may issue a cease and desist or compliance order when it finds that a proposed or initiated project presents a serious threat of soil erosion, sedimentation, or an adverse effect on water quality or quantity, or violates any rule or permit of the District.

4. **OTHER ADMINISTRATIVE AUTHORITIES**. The District may use all other authorities that it possesses under statute to address a violation of these rules, or a permit issued under these rules. This includes, but is not limited to, permit suspension or termination; the right to enter to inspect for and correct violations; and the right to be reimbursed for costs incurred to do so by use of financial assurance funds, civil action or joint-powers municipal assessment.

RULE L: VARIANCES

1. **VARIANCES AUTHORIZED.** The Board of Managers may hear a request for variance from a literal provision of these rules where strict enforcement would cause practical difficulty because of circumstances unique to the property under consideration. The Board of Managers may grant a variance if an applicant demonstrates that such action will be in keeping with the spirit and intent of these rules and in doing so may impose conditions on the variance as necessary to find that it meets the standards of section 2, below. A variance request must be addressed to the Board of Managers as part of a permit application and must address each of the four criteria listed in the standard.

2. **STANDARD.** In order to grant a variance, the Board of Managers must determine that:

   (a) Special conditions apply to the structures or lands under consideration that do not apply generally to other land or structures in the District.

   (b) Because of the unique conditions of the property involved, practical difficulty to the applicant would result, as distinguished from mere inconvenience, if the strict letter of the rule were applied.

   (c) The proposed activity for which the variance is sought will not adversely affect the public health, safety or welfare; will not create extraordinary public expense; and will not adversely affect water quality, water control or drainage in the District.

   (d) The intent of the District's rules is met.

3. **PRACTICAL DIFFICULTY DEFINED.** In evaluating practical difficulty, the Board of Managers will consider the following factors:

   (a) How substantial the variation is from the rule provision;

   (b) Whether the variance would shift cost to adjacent property owners or the public;

   (c) Whether the variance will substantially change the character of watershed resources or be a substantial detriment to neighboring properties;

   (d) Whether the practical difficulty can be alleviated by a technically and economically feasible method other than a variance;

   (e) How the practical difficulty occurred, including whether the landowner created the need for the variance; and

   (f) In light of all of the above factors, whether allowing the variance will serve the interests of justice.

4. **TERM.** A variance expires on expiration of the CAPROC approval or permit associated with the variance request.

5. **VIOLATION.** A violation of any condition set forth in a variance is a violation of the District permit that it accompanies and automatically terminates the variance.

RCWD
RICE CREEK WATERSHED DISTRICT

July 16, 2024

Re: Rice Creek Watershed District Rule Revision

- Definitions (Rule A)
- Procedural Requirements (Rule B)
- Stormwater Management (Rule C)
- Erosion and Sediment Control Plans (Rule D)
- Floodplain Alteration (Rule E)
- Wetland Alteration (Rule F)
- Regional Conveyance Systems (Rule G)
- Public Drainage Systems (Rule I)
- Enforcement (Rule K)
- Variances (Rule L)

To Distribution List (Attached):

Under Minnesota Statutes §103D.341, the Rice Creek Watershed District ("District") has prepared proposed revisions to its permitting rules. The District Board of Managers has directed that the proposed revisions be distributed for public comment.

The proposed rule revisions encompass a number of changes to the rules listed above. Some are substantive changes prompted by the District's experience in administering the current rules. There are also a number of technical adjustments to application submittals and rule criteria, brought forward principally by the District's permit review team based on experience in administration. Finally, there are changes that don't change the rules, but address ambiguities or simplify.

The District is the operator of a "Municipal Separate Storm Sewer System" (MS4) under the Clean Water Act stormwater program, and must conform to the terms of an MS4 General Permit (GP) administered by the Minnesota Pollution Control Agency (MPCA). The GP requires the District to regulate stormwater impacts of land disturbance in accordance with certain terms and standards. Among the proposed substantive changes are revisions to the Stormwater Management rule to conform to the directives of the GP. The municipalities within the District, with limited exception, also are MS4s obligated to regulate land disturbance according to the MS4 GP. By conforming to GP standards, the District is aligning its stormwater rule closely with the stormwater ordinances of its cities, reducing complexity and cost for regulated parties.

The proposed changes, in redline, are included with this letter and otherwise available for review at the District offices or accessed through the District website, www.ricecreek.org. The District is soliciting input from all interested parties so that the rule revision is reasonable and best-suited to

accomplish its water resource management goals without undue regulatory or administrative burden. Comments are most helpful when they are specific and factually detailed as to concerns or potential impacts, and when they include specific suggestions for alternative language or an alternative approach that may be suitable for all parties subject to regulation.

Please submit written comments by mail or electronic mail to the attention of Patrick Hughes, Regulatory Manager. Comments must be received by September 20, 2024. In addition, the District Board of Managers will hold a public hearing on the proposed rule at its regular meeting called to order at 9 a.m., on September 11, 2024, in Council Chambers, Shoreview City Hall, 4600 Victoria Street North, Shoreview MN.

The following is a brief review of the substantive changes proposed, and the rationale for each.

1. Definitions (Rule A)

The District proposes to add definitions for four terms:

- Common Plan of Development
- Outlet Control Structure
- Single Family Residential Construction
- Volume Control Practice

These four definitions all would be added to implement changes to the Stormwater Management rule, and are discussed under section 3, below.

2. Procedural Requirements (Rule B)

There are no proposed substantive changes to procedures. Section C.13 of the Stormwater Management rule (concerning area/phased development permits) is proposed for deletion. Therefore, a reference in section B.6 to section C.13 would be removed.

3. Stormwater Management (Rule C)

Aligning with MS4 GP Standards: "Common Plan of Development"

The rule, at section C.2, contains a clause to protect against cumulative impacts from development activities that fall under regulatory thresholds because they are pursued independently of each other or phased. The clause, which the District refers to as the "connected action" clause, applies the rule's thresholds:

cumulative of all impervious surface created or reconstructed through multiple phases or connected actions of a single complete project, as defined by the District, on a single parcel or contiguous parcels of land under common ownership, development or use.

The MS4 GP employs a similar concept, termed "Common Plan of Development." The District proposes to substitute "Common Plan of Development" for the "connected action" clause. The proposed rule incorporates the term, as defined in the MS4 GP, into the Definitions rule. The MPCA has issued written guidance in applying the term – see **https://www.pca.state.mn.us/sites/default/files/wq-strm2-22.pdf**. The District intends to apply the Common Plan of Development clause in accordance with MPCA guidance, as the MPCA may expand or adjust it over time. The District does not foresee a great difference in application of the two approaches.

Aligning with MS4 GP Standards: Water Quality Volume Practices

Both the District stormwater rule and the MS4 GP mandate stormwater phosphorus control and volume management by specifying a minimum "water quality volume" that stormwater management practices must be designed to accommodate. See District rule C.6(c), MS4 GP 20.6/20.7. Both mandate that stormwater be managed by a "volume control practice" – i.e., by infiltrating or reusing it - unless site conditions (clay soils, high groundwater, soil contamination, etc.) counsel that stormwater not be introduced into the soil matrix. There are slight differences in how this preference is stated that the proposed rule would remove.

The District rule, at paragraph C.6(d)(2), states that to the extent infiltration on the project site is feasible, then a volume control practice must be the chosen method of stormwater management, whether the practice is placed on the project site or elsewhere. To the extent a volume control practice is not feasible, another method of stormwater management such as biofiltration, filtration or retention must supply the remaining required water quality volume. A project that is not a "Public Linear Project," (PLP, defined as "a project involving a roadway, sidewalk, trail or utility not part of an industrial, commercial, institutional or residential development") must meet the water quality volume standard. The rule requires the same for PLPs, except that recognizing right-of-way constraints, it requires a PLP to manage stormwater associated with reconstructed hard surface only to the extent it is feasible to do so within the project site, or relevant right-of-way. See C.6(e).

The MS4 is a bit broader, in that it requires a PLP permittee to provide water quality volume, for both new and reconstructed hard surface, only to the extent that a volume control practice can do so on site. The permittee must make a reasonable attempt to acquire additional right-of-way or adjacent land. See MS4 GP, 20.7. But it need not employ practices other than volume control practices, and need not meet the water quality volume standard beyond what it can achieve on site. The proposal would adjust the District rule to conform to the MS4 GP standard.

Aligning with MS4 GP Standards: Treatment Location

The District stormwater rule allows off-site treatment of stormwater according to a "Resource of Concern" framework. The rule identifies 54 lakes within the District as principal receiving waters or "Resources of Concern" (ROCs). A permittee may provide for stormwater from project hard surface to be managed on the project site, or else downgradient from the project site, but above the first downgradient ROC. If there are not opportunities to meet the water quality volume standard within this defined area, then the outstanding water quality volume requirement may be met by locating a practice upgradient from the project site, subject to a calculation showing that the amount of total phosphorus kept out of the ROC will at least equal the amount that an on-site practice would have captured. See C.6(d). Underlying this framework affording leeway to off-site, and specifically regional, treatment is the District's observation that such treatment often is more cost-efficient, and that a regional facility is conducive to municipal, or otherwise more-reliable, maintenance.

In contrast, the MS4 GP requires PLP permittees to treat stormwater on-site, and does not require treatment beyond what can be achieved on-site. For non-PLP permittees, the MS4 GP requires treatment on-site except as a permittee shows that doing so is not "cost-effective." MS4 GP 20.8, 20.10.

The proposed rule would adopt the MS4 GP framework. With respect to projects that are not PLPs, the District believes that this framework still will allow for use of regional or other off-site treatment: when an off-site facility would provide for more cost-efficient treatment or maintenance, this would satisfy the "cost-effective" MS4 GP criterion. The rule will require that the applicant document the more favorable cost profile of the off-site proposal.

The MS4 GP also specifies a sequencing for off-site treatment. First, stormwater must be managed upgradient of the next "receiving water," and next, within the DNR "catchment area." MS4 GP 20.11. The District proposes to retain its ROC-based location sequencing. The District developed the ROC framework thoughtfully on the basis of its watershed hydrology. The two frameworks appear equivalent and the District does not see a water resource advantage in disrupting its approach.

Aligning with MS4 GP Standards: Roof Treatment

Subsection C.6(f) allows for stormwater from residential roofs, decks and other non-driving surfaces that can't reasonably be routed to a stormwater practice to be considered as treated, if the runoff is directed to green space meeting specified criteria. Because the MS4 GP requires all runoff to be captured and treated, the proposed rule would clarify that this subsection simply recognizes that runoff handled per the criteria is being infiltrated. The rule would authorize the District to require, as a permit condition, a covenant recorded on the title protecting the green space, if the District finds there to be a risk that the green space might be converted to hard surface in the future.

Special Rule Provisions for Public Permittees

Constraints under which units of government operate in acquiring and owning land may warrant different approaches to applying District rules. Two examples arise from the District's recent experience in applying the stormwater rule to government projects.

First, the District manages portions of the watershed under wetland plans developed under the Minnesota Wetland Conservation Act (Minn. Stat §103G.2243) and approved by the state. To support these plans, the District's wetland and stormwater rules provide that when land is subdivided, the landowner must file instruments on the property title to protect the wetland and establish a permanent vegetated buffer adjacent to it. See C.10(d). When a city or other unit of government is negotiating with a private landowner for a fee or easement interest in unimproved land, in order to site a portion of road right-of-way, a linear utility or another location-constrained public improvement, the landowner's obligation to place these permanent encumbrances on the retained portion of the tract may dissuade the landowner from cooperating. This may force condemnation proceedings, and otherwise result in unnecessary public cost, delay and potential acrimony.

In addition, in this instance, subdivision isn't prompted by any present landowner intent to develop the retained property, and so the threat to the wetland resource is low. If and when the landowner should take steps to develop the retained land, the buffer and easement protections then would be required by the rule and put into place.

Accordingly, the District, in a new subsection C.12(e), proposes to exempt the retained land from the required encumbrances when the subdivision is for the benefit of a public project by a public permittee.

Second, a standard condition of a permit under the stormwater rule requires the landowner, for the benefit of the District as drainage authority, to convey to the District a maintenance easement over any public drainage system (PDS) that crosses the property. C.10(b). The right of maintenance access already exists, by virtue of the physical presence of the PDS and of legal doctrines resting on the District's statutory obligation to maintain the PDS. The rule requires the easement less to convey the right of maintenance, and more to document this right clearly on the property title to avoid future misunderstanding or conflict between the District and the landowner, or between the landowner and a successor in title.

In many cases, there are limitations or complications in burdening public land with an easement of the sort required. Further, the benefit of documenting the District's right to maintain the PDS is less than for a private landowner, both because a public owner rarely will seek to obstruct PDS maintenance, and because public land ownership tends to be more stable over time. For these reasons, the District, by modifying subsection C.10(c), proposes to exempt public landowners from the PDS easement requirement.

<u>Technical Adjustments</u>

The proposed rule would refine certain technical provisions of the stormwater rule.

- The rule would modify subsection C.5(f) to adjust the criterion for when a landowner may create an outlet for a landlocked basin. The rule now requires the basin outlet to be above the water elevation resulting from back-to-back 100-year precipitation events. The proposal would require only that the outlet be above the critical duration flood event (typically either the 100-year rainfall event, or the 10-day snowmelt event). If a critical duration flood event is exceeded, flow from the outlet of a previously landlocked basin likely will have little downgradient impact, as the volume discharged from the basin will be only a small part of overall runoff volume downstream.

- The rule would add in the Definitions section a formal definition of "Outlet Control Structure," in particular that it is a permanent, rigid structure, and that riprap on an earthen berm is not such a structure. The rule then would add to the technical specifications of the stormwater rule (subsections C.9(a), .9(c) and .9(d)) that the design of an infiltration, biofiltration, filtration or retention practice must include such a structure. An earthen weir, whether armored with riprap or otherwise, has a higher risk of erosion from daily flows and is challenging to build with the necessary precision as to its elevation. A rigid structure as defined is one that is stable, and able to be constructed or installed to a precisely specified elevation.

- At subsection C.9(g), the stormwater rule requires that the low floor and low entry elevations of new structures be a certain height above the 100-year flood and emergency overflow elevations of an adjacent natural waterbody, stormwater basin or rain garden. With some regularity, the District board of managers is asked to consider a variance for the construction or reconstruction of a garage, shed or similar non-habitable structure that is constrained by site conditions and existing structures to meet this standard. The board ordinarily grants a variance in these cases, on the reasoning that the applicant, as the structure owner, bears the flood damage risk, and on the condition that a notation of non-conformance to the District rule is filed on the deed for the benefit of a future purchaser of the property. The District proposes to incorporate this framework into the rule, allowing District staff to judge the impracticality of meeting the standard, so that homeowners need not incur the expense and delay of seeking a variance from the board. The District also notes that its municipalities, as building code officials and flood insurance program participants, have primary authority for flood protection in construction and independently may apply the vertical separation requirements they think warranted. In applying this to structures "not intended for habitation," the District would rely on the municipality's definition of habitability.

<u>Clarifying and Simplifying</u>

The following revisions are proposed in order to clarify and simplify the rule. The clarifications, generally, will simply allow the rule to reflect, explicitly, the District's practice in implementing the relevant provision.

- Subsection C.2(c) states that a PLP requires a permit "when one acre or more of impervious surface will be created or reconstructed." This is ambiguous, as it could be read to mean that a permit is required only when either an acre or more of hard surface will be created, or an acre

or more will be reconstructed. The proposal revises the rule to be clear that a permit is required when the sum of new and reconstructed hard surface will exceed an acre. This is the threshold specified by the MS4 GP, the intent of the rule, and how the District has applied it.

- Subsection C.5(a), concerning the use of a regional stormwater management facility, would be clarified in two respects: (a) for any use of a regional facility, the applicant must document that the practice is subject to a maintenance commitment by the owner to the District; and (b) the applicant need not demonstrate a right to use the practice's "remaining" water quality volume, but only that amount of water quality volume that the applicant requires to meet the rule standard. Also, the rule would be revised to eliminate the applicant's obligation to show that the practice is in a maintained condition. The District has observed that when the practice is owned by a third-party, this can be difficult or infeasible. If a practice is not in a maintained condition, the District will pursue maintenance directly with the owner of the practice.

- Table C-1, implementing subsection C.6(c), states total phosphorus removal factors for alternative water quality volume practices. The District intends to remove "stormwater wetlands" from the table. A stormwater wetland generally is impractical and rarely is proposed as a practice. Removing stormwater wetlands from the table still allows an applicant to use this practice if the application supports sizing and a proposed pollutant removal efficiency.

- At subsection C.9(b), to simplify and for clarity, the District would consolidate the listing of external technical standards for stormwater reuse into a District guidance document.

- The District proposes to add, at subsection C.9(e), that the design of an underground stormwater management facility must include an inspection/access port. In practice, the District requires such a port, and this would give better notice to applicants. Ordinarily a port is shown on the manufacturer's typical detail drawing, but on occasion the port is excluded from the design engineer's plan and in the final construction. The port is important, used primarily for inspection and for suction hose access to remove sediment. Incorporating a port into the design is a minor element of the permittee's stormwater facility cost.

- At subsection C.9(f), the rule would provide more detail on soil data submittals required for a proposed infiltration practice. The indicated soil data details already are being required of applicants. The District needs these data in the context of a history of failing practices attributable to lack of information as to seasonal high-water table or other relevant conditions. The requirement is consistent with professional practice.

- Subsection C.12(a) exempts "single family residential construction" from the permit requirement. The term now would appear in the Definitions to make clear that it refers to residential construction on an individual lot of record. It does not refer to residential subdivision, or to construction on individual lots subdivided pursuant to a District permit.

- The District proposes to delete section C.13, which concerns certain types of development that occur over a period of time, referred to as "area development" and "phased development." Section C.13 provides for permits longer than the standard 18 months (B.6) and insulates a permittee against rule changes that otherwise would apply at a time of permit renewal. The

section is lengthy and somewhat complicated, and according to the District's records, no applicant has sought to utilize it in some time. The District has the discretion to authorize a longer permit duration in an appropriate case, so as to achieve the same purpose as the section.

Erosion and Sediment Control Plans (Rule D)

There has been some confusion and/or concern from some entities responsible for maintaining stormwater management basins that completing their required maintenance activities would trigger the need for a District permit. This confusion could potentially dissuade these entities from completing required maintenance in a timely manner.

To avoid this confusion, the proposed rule would add a new subsection D.2(e), clarifying that sediment excavation from a constructed stormwater basin is exempt from the Rule D permit requirement, even if it is subject to a permit under another District rule. As specified in subsection D.2(b), a notice of intent must be filed with the District before the work begins, so that the District is aware of the activity and that it is on record as exempt from permitting. If the excavation exceeds the thresholds of subsection D.2(b), best practices must be followed.

Floodplain Alteration (Rule E)

The District proposes four limited changes to the Floodplain Alteration rule.

Section E.3 now prohibits fill within designated floodway. Floodway is that part of a watercourse adjacent to the channel that conveys the majority of flow and is often subject to a higher degree of protection from encroachment than the rest of the floodplain. In the interest of simplifying the rule, this clause would be removed. The District has not designated "floodway" for the purpose of this rule, and it has not been necessary to apply this provision of the rule. In the judgment of the District Engineer, fill in a floodway poses no added risk as compared with fill within the floodplain when it is accompanied by compensatory flood storage or is of an inconsequential (*de minimis*) amount. Because the rule requires a permittee to provide compensatory flood storage for any fill in the floodplain above a *de minimis* amount, the District finds it unnecessary to prohibit fill within a narrower floodway.

Subsection E.3(b) would be modified to clarify that storage volume within a stormwater basin, above the basin's ordinary water level, does not count toward compensatory flood storage unless the applicant shows by modeling that the volume is available during the 100-year flood peak.

In its rule revision that became effective Jan. 1, 2021, the District added to the rule, at subsection E.3(e), an exemption from the flood storage replacement requirement for a one-time deposit of up to 100 yards of fill per parcel. The District proposes to allow this exemption to be used cumulatively for a parcel of record, rather than limiting it to a one-time deposition. This is consistent with the purpose of the exemption, will not increase the risk of downstream adverse impact due to floodplain fill, and will decrease the expenditure of time by both the applicant and District in demonstrating rule compliance.

The District will track the cumulative amount of floodplain fill on a parcel through documentation in each respective permit.

Present subsection E.3(g) requires that the low floor of a new structure be at least two feet above the 100-year flood elevation of a natural waterbasin, stream or wetland. Similar to the change to subsection C.9(g) as discussed above, the proposed rule would exempt structures on residential property not intended for habitation from this requirement, if the applicant demonstrates that it is impractical to achieve the separation, and files a notation of non-conformance on the deed.

Wetland Alteration (Rule F)

Under Minnesota Rules 8420.0233, an agency implementing the Minnesota Wetland Conservation Act (WCA) may adopt replacement requirements more strict than those specified in WCA. The District proposes to add, in a new subsection F.5(e), that when an applicant proposes to replace wetland impacts through the use of banked wetland credits, credits generated within District watershed boundaries must be used, if available. If such credits aren't available, the applicant may use credits generated within the larger Bank Service Area, as defined in WCA. WCA has required, first, the use of bank credits from within the same "minor watershed" as the impact, followed by major watershed, bank service area, and other bank service area. The major watershed as defined matches the District's boundary fairly closely. In a pending rulemaking, WCA requirements may be loosened to allow credits from anywhere within the same Bank Service Area. See Minn. Stat. §103G.222, subd. 3(c). However, the District considers it important to pursue "no net loss" of wetland resources within the hydrologic system encompassed by the District's boundaries.

The District also proposes a minor change to subsection F.7(b), which presently requires a wetland delineation supporting an application to have been conducted between May 1 and October 15. This would be revised to require the delineation "during the growing season." It is the District's intent that this allow more flexibility, so that delineation can occur whenever seasonal conditions allow it to be done accurately, and to avoid unnecessarily subjecting an applicant to project delay.

Regional Conveyance Systems (Rule G)

The District proposes two small clarifications to its Regional Conveyance Systems rule.

First, while the rule applies both to work that disturbs a conveyance system and work (such as utility boring) that passes beneath it, the rule's applicability section (section G.2) refers ambiguously to work "within" a system. The rule would add "within or under."

Second, subsection G.3(a) prohibits replacement of a culvert or other conveyance element with one that expands the system's hydraulic capacity; section G.6 grants an exception to this prohibition when certain technical criteria are met by modeling. The District proposes to make this exception more

flexible by amending subsection G.3(c) to allow a change in hydraulic capacity provided there is no adverse effect on "downstream flooding characteristics."

Public Drainage Systems (Rule I)

Pursuant to Minnesota Statutes §103E.005, subdivision 9, the District is the drainage authority responsible to maintain the 115 miles of public drainage systems (PDSs) within its boundaries. Pursuant to this responsibility, the District has adopted Rule I to protect against an obstruction within, or unauthorized alteration to, a PDS that may affect channel stability or its capacity to conduct flows.

Impact may result from work that encroaches on PDS channel or tile, whether that disturbance is permanent or temporary. It also may result from work or a structure (such as a temporary or permanent crossing) that doesn't physically disturb the PDS, but crosses it at a height that may obstruct flow under certain conditions or impede maintenance. However, the present rule, at I.2(a), states only: "No work may be completed on the public drainage system, including connecting to a public drainage system, without first obtaining a permit from the District." For clarity, the District proposes to revise this to read: "Temporary or permanent work in or over a public drainage system, including any modification of the system, requires a permit under this rule."

In addition, the District proposes a new subsection I.3(j) to address proposed temporary obstruction or crossing of a PDS for the purpose of property access during development or other activity. This new clause would require an applicant to specify how they will assure that this condition will not cause an obstruction in the event of a substantial rainfall or flow condition during the period of disturbance. The District may incorporate appropriate terms or conditions into the permit to ensure that PDS function and integrity are not impaired. Separately from managing temporary physical disturbance to a PDS, under subsection I.2(c) the District presently regulates temporary discharges into a PDS to protect channel stability and capacity.

Finally, in conjunction with revisions to the Stormwater Management rule as discussed above, the District proposes to delete subsection I.3(i), which requires as a condition of a Rule I permit that the permittee convey to the District a maintenance easement over the PDS. As discussed above, while the easement, recorded on the title, provides a benefit to the District and notice to potential successors in interest to the underlying property, the District is comfortable that it may exercise legal access to the PDS for maintenance purposes without it. The District has found that permits sought solely under this rule often are for minor work in instances where the burden to prepare and convey the easement may be excessive in proportion to the work being done.

Enforcement (Rule K)

The District proposes to add a section K.4 referencing the scope of its tools to respond to a violation of a permit or of its rules. In addition to civil and criminal court proceedings, the District has administrative authorities including the ability to enter and inspect properties, to issue compliance orders, to suspend

or terminate a permit, and to obtain reimbursement for costs incurred in these activities. The additional text wouldn't change the substance of the rules but would be for informational purposes only.

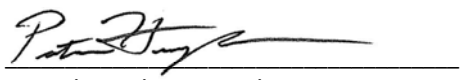
Variances (Rule J)

The District's variance rule, at section J.1, allows an applicant to request a variance on the basis of either "undue hardship" or "practical difficulty." The District proposes to delete reference to the "undue hardship" standard for a variance. This is not intended as a substantive change.

For many years, pursuant to statute, "undue hardship" was the legal standard for a variance under development codes administered by land use authorities. No statute specifies the variance standard for watershed districts, but districts, including the District, typically adopted the same standard. More recently, the legislature changed the legal standard for land use variances from "undue hardship" to "practical difficulty." Shortly thereafter, the District, instead of replacing "undue hardship," simply added "practical difficulty" as an alternative standard.

"Practical difficulty" is a less restrictive standard, resting not on whether the variance is needed for the property owner to obtain economic value from the property but, largely, on whether the applicant can demonstrate that the request is reasonable. Accordingly, to the District's recollection, since it added the practical difficulty standard, all variance applications have been put forward under that standard. The District finds that there is no reason to retain the "undue hardship" standard, and that the rule will be more simple without it.

Also, in section J.3, where the criteria to decide "practical difficulty" are listed, the District proposes, solely for clarity, to rephrase the present criterion, "The effect of the variance on government services." It would read, instead: " Whether the variance would shift cost to adjacent property owners or the public." The existing phrase is taken from case law and its meaning is obscure to permit applicants. The District believes the proposed language is more clear as to what the criterion means, and what the District board of managers will consider.



Patrick Hughes, Regulatory Manager

RESOLUTION NO. 2024-05
RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

DIRECTING DISTRIBUTION of PROPOSED RULE REVISIONS
and NOTICE of PUBLIC HEARING

Manager _____ offered the following Resolution and moved its adoption, seconded by Manager _____:

WHEREAS pursuant to Minnesota Statutes §103D.341, the Rice Creek Watershed District duly adopted and implements rules to protect water resources throughout the watershed;

WHEREAS from experience in implementing its present rules, and to meet certain minimum stormwater management standards imposed by the Minnesota Pollution Control Agency, the District proposes to revise its stormwater management, erosion and sediment control, floodplain alteration, wetland alteration, regional conveyance systems, public drainage systems, enforcement, variances, definitions and procedural rules;

WHEREAS the Board has worked with staff to ensure that the proposed changes, as they have been developed, are consistent with the Board's regulatory and broader watershed management plan policies;

WHEREAS the District has prepared a written memorandum to accompany the proposed rule revisions that provides notice of the proposed revisions, and explains the proposed changes and the rationale for them;

THEREFORE BE IT RESOLVED that pursuant to Minnesota Statutes §103D.341, the District administrator is to distribute the proposed rule documents as presented in the July 24, 2024 Board meeting packet, with any further non-substantive revisions, and otherwise make the documents available for public review and comment for a period of at least 45 days; and

BE IT FURTHER RESOLVED that in accordance with all legal requirements, the District administrator shall give notice of a public hearing on the proposed rule revisions to be held in conjunction with the regular meeting of the Board on September 11, 2024.

The question was on the adoption of the resolution and there were __ yeas and __ nays as follows:

	Yea	Nay	Absent	Abstain
BRADLEY	☐	☐	☐	☐
ROBERTSON	☐	☐	☐	☐
WAGAMON	☐	☐	☐	☐
WALLER	☐	☐	☐	☐
WEINANDT	☐	☐	☐	☐

Upon vote, the President declared the Resolution _____.

_____ Dated: _____, 2024
_____, Pro Tem Secretary

* * * * * * * * * * *

I, _____, Pro Tem Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this _____ day of _____, 2024.

_____
_____, Pro Tem Secretary

ITEMS REQUIRING BOARD ACTION

3. Biennial Solicitation for Professional Services 2025-26 (Nick Tomczik)

MEMORANDUM
Rice Creek Watershed District

Date: July 15, 2024
To: RCWD Board of Managers
From: Nick Tomczik, Administrator
Subject: Solicitation for Professional Services 2025-26

Introduction
Board authorization of biennial solicitation of interest notice for professional services.

Background
Minnesota Statute 103B.227, subdivision 5, states that a watershed management organization *shall at least every two years* solicit interest proposals for legal, professional, or technical consultant services before retaining the services of an attorney or consultant or extending an annual services agreement. By counsel's advise, this statute applies to all professional services that are provided to the District on a retainer rather than project-specific basis. For the District, this would include engineer, attorney, accountant, human resource consultant, and information technologies.

The District must biannually solicit for professional services having last completed the exercise in 2022. The task may be accomplished by publishing the notice in the District official newspaper and by posting the notice on the District website. The notice simply requires the entity to provide a proposal, which is to include background and profile information on the firm, along with specific information as to expertise in watershed district matters, hourly billing rates for the 2025-2026 timeframe, and the names and qualifications of personnel. The District typically provides roughly a one-month timeframe for responses.

The Board would likely review the professional services proposals received from the statutory notice at the October 7 workshop after a September 13th submittal deadline. Subsequently, the Board will interview candidates as it deems necessary and authorize the administrator to enter into contracts for services in the various professional fields.

Staff Recommendation
District staff recommends that the Board of Managers direct the administrator to provide notice for District solicitation of professional services.

Proposed motion
Manager _____ moves to Authorize the Administrator to publish in the District's official newspaper, post on District website, and distribute to its current consultants the Solicitation of Interest Notice for Professional Services.

Attachment
Solicitation of Interest Notice for Professional Services

RICE CREEK WATERSHED DISTRICT

Solicitation Of Interest Notice For Professional Services

The Managers of the Rice Creek Watershed District desire to update their list of accountants, attorneys, and professional engineers experienced in the work of Watershed Districts.

The solicitation will enable the Managers to identify consultants qualified to supply the professional services needed by the District; these currently include: engineer, attorney, accountant, human resource, and information technologies services. Based upon the review of the emailed information, the Managers will determine whether a personal appearance is required and, if necessary, will notify you.

Emailed proposals should include background and profile information on the firm, along with the specific information as to expertise in watershed district matters, hourly billing rates for 2025-2026, and names and qualifications of personnel.

Information should be limited to four pages and emailed to tstasica@ricecreek.org no later than September 13, 2024.

For further information, contact Nick Tomczik, Administrator, at 763-398-3079 or ntomczik@ricecreek.org. RCWD 4325 Pheasant Ridge Drive NE, Suite 611, Blaine, MN 55449.

ITEMS REQUIRING BOARD ACTION

4. Check Register Dated July 24, 2024, in the Amount of $239,963.25 and July Interim Financial Statements Prepared by Redpath and Company

Rice Creek Watershed District
Check Register
July 11, 2024 - July 24, 2024
To Be Approved at the July 24, 2024 Board Meeting

Check #	Date	Payee	Description	
25724	07/24/24	Barr Engineering	Engineering Expense	$2,181.89
25725	07/24/24	Blaine Shopping Center, LLC	Rent	8,617.24
25726	07/24/24	Carp Solutions, LLC	Professional Services	24,740.00
25727	07/24/24	Career Enhancement Options, Inc.	Contracted Services	761.25
25728	07/24/24	City of Shoreview	Professional Services	200.00
25729	07/24/24	Delta Dental	Employee Benefits	1,071.88
25730	07/24/24	Ann Frisch	Cost Share-Construction	2,971.50
25731	07/24/24	Maria Garrity	Mini Grant-Construction	500.00
25732	07/24/24	HealthPartners	Employee Benefits	12,761.88
25733	07/24/24	Houston Engineering, Inc.	Engineering Expense	47,887.70
25734	07/24/24	Hugo's Tree Care Inc.	Contracted Services	2,750.00
25735	07/24/24	Margaret Iaizzo	Mini Grant-Construction	500.00
25736	07/24/24	Instrumental Research, Inc.	Lab Expense	6,670.00
25737	07/24/24	Leymar Companies LLC	Professional Services	175.00
25738	07/24/24	Life:Blaine/Spring Lake Park	Publications	72.00
25739	07/24/24	MN Board of Water & Soil Resources	Training and Ecucation	505.00
25740	07/24/24	Minnesota Native Landscapes, Inc.	Construction	2,995.20
25741	07/24/24	NineNorth	Professional Services	451.36
25742	07/24/24	Jerilynn Ommen	Cost Share-Construction	7,500.00
25743	07/24/24	Plaudit Design	Professional Services	792.00
25744	07/24/24	Premium Waters, Inc.	Meeting Supplies	68.98
25745	07/24/24	Ramsey County	Contracted Services	17,867.09
25746	07/24/24	Redpath & Company, LLC	Audit and Accounting	3,564.20
25747	07/24/24	RMB Environmental Laboratories, Inc.	Lab Expense	3,203.20
25748	07/24/24	Rymark	Professional Services	2,991.17
25749	07/24/24	Smith Partners	Legal Expense	7,932.38
25750	07/24/24	St. Paul Pioneer Press	Legal Notices	40.56
25751	07/24/24	Timesaver Off Site Secretarial, Inc.	Professional Services	482.00
25752	07/24/24	Velocity Telephone	Telecommunications	197.37
25753	07/24/24	Ben Williams	Cost Share-Construction	5,787.89
25754	07/24/24	Woodland Restorations, LLC.	Contracted Services	1,900.00
25755	07/24/24	WSB & Associates, Inc.	Engineering Expense	7,692.00
11401	07/24/24	Matthew and Elizabeth Finn	Surety Release - #22-107	1,000.00
11402	07/24/24	Richard Van Houtan	Surety Release - #22-110	3,800.00
Payroll	07/31/24	July 31st Payroll (estimate)	July 31st Payroll (estimate)	33,839.60
Payroll	07/31/24	Manager Per Diem/Expenses (estimate)	Manager Per Diem/Expenses (estimate)	1,566.49
EFT	07/20/24	Further	Employee Benefits	47.00
EFT	07/24/24	Xcel Energy	Telecommunications	22.64
EFT	07/24/24	Verizon Wireless	Telecommunications	134.30
EFT	07/24/24	Verizon Wireless	Telecommunications	679.11

Rice Creek Watershed District
Check Register
July 11, 2024 - July 24, 2024
To Be Approved at the July 24, 2024 Board Meeting

Check #	Date	Payee	Description	
EFT	07/31/24	4M Bank Fee	Bank Fee	17.50
EFT	07/31/24	Internal Revenue Service (estimate)	7/31 Federal Withholding (estimate)	11,073.71
EFT	07/31/24	Minnesota Revenue (estimate)	7/31 State Withholding (estimate)	2,110.00
EFT	07/31/24	Empower Retirement	7/31 Deferred Compensation	870.00
EFT	07/31/24	Empower Retirement	7/31 Roth IRA	305.00
EFT	07/31/24	Further	7/31 HSA	621.47
EFT	07/31/24	PERA (estimate)	7/31 PERA (estimate)	6,948.00
EFT	07/31/24	Empower Retirement	July Health Care Savings (estimate)	1,097.69
Total				**$239,963.25**

Rice Creek Watershed District Budget Status Report
Administrative & Program Budget
Fiscal Year 2024
7/31/2024

Combined General & Administrative	Budget Item	Account Number	Original Budget	Budget Adjustment	Current Month Expenses	Year-to-Date Expenses	Current Budget Balance	Percent of Budget
Manager	Per diems	4000	$33,750.00	-	$1,375.00	$14,250.00	$19,500.00	42.22%
	Manager expenses	4010	8,000.00	-	597.18	2,357.18	5,642.82	29.46%
Committees	Committee/Bd Mtg. Exp.	4800	-	-	-	-	-	-
Employees	Staff salary/taxes/benefits	4100-4140	251,775.00	-	19,388.94	141,483.39	110,291.61	56.19%
	District training & education	4265	10,000.00	-	165.23	790.01	9,209.99	7.90%
	Employee expenses	4320-4321	1,100.00	-	203.88	600.59	499.41	54.60%
Administration/ Office	Office/Meeting/Software	4200-4205	5,818.00	-	95.11	1,169.88	4,648.12	20.11%
	Printing	4208	500.00	-	-	-	500.00	0.00%
	Rent/Office	4210	22,200.00	-	1,723.45	13,787.60	8,412.40	62.11%
	Telecommunications	4240	7,500.00	-	328.21	3,232.44	4,267.56	43.10%
	Dues	4245	15,642.00	-	-	12,500.00	3,142.00	79.91%
	Publications	4250	200.00	-	-	-	200.00	0.00%
	Insurance	4270	8,000.00	-	-	7,008.20	991.80	87.60%
	Postage	4280	1,100.00	-	-	-	1,100.00	0.00%
	Legal Notices	4290	1,500.00	-	-	-	1,500.00	0.00%
	Office Equipment/Lease	4635	4,450.00	-	130.21	1,108.43	3,341.57	24.91%
	Sub-Total-Administration:		**371,535.00**	**-**	**24,007.21**	**198,287.72**	**173,247.28**	**53.37%**
Consultants	Auditor/Accounting	4330	21,000.00	-	712.84	12,778.78	8,221.22	60.85%
	Legal	4410	50,000.00	-	2,357.29	17,763.78	32,236.22	35.53%
	Consultants/Professional Serv.	4420	25,000.00	-	1,209.49	10,758.48	14,241.52	43.03%
	Engineering-General	4500	56,000.00	-	3,400.00	20,628.50	35,371.50	36.84%
	Sub-Total-Consultants:		**152,000.00**	**-**	**7,679.62**	**61,929.54**	**90,070.46**	**40.74%**
TOTAL			**$523,535.00**	**-**	**$31,686.83**	**$260,217.26**	**$263,317.74**	**49.70%**

Rice Creek Watershed District Budget Status Report
Administrative & Program Budget
Fiscal Year 2024
7/31/2024

Revenue/Expenditures By Project		2024 Budget	2024 Year to date Revenue	2024 Current Month Expense	2024 Year to date Expense	Current Budget Balance	Percent of Budget
10 - General and Administrative		$523,535.00	$330,551.54	$31,686.83	$260,217.26	$523,535.00	0.00%
30 - Environmental Education		254,068.00	126,125.82	13,447.90	131,592.40	122,475.60	51.79%
35 - Information Management		271,146.00	145,180.28	9,786.71	86,877.31	184,268.69	32.04%
60 - Restoration Projects		2,165,193.00	1,198,154.00	32,308.52	655,216.99	1,509,976.01	30.26%
70 - Regulatory		1,590,761.00	774,399.05	80,658.55	630,729.43	960,031.57	39.65%
80 - Ditch & Creek Maintenance		1,741,000.00	783,731.40	40,544.95	803,334.41	937,665.59	46.14%
90 - Lake & Stream Management		1,147,001.00	517,813.39	88,085.34	409,220.11	737,780.89	35.68%
95 - District Facilities		641,635.00	273,670.25	23,170.13	136,149.46	505,485.54	21.22%
Total District Revenue/Expenditures		**$8,334,339.00**	**$4,149,625.73**	**$319,688.93**	**$3,113,337.37**	**$5,481,218.89**	**37.36%**

Current Fund Balances:

Fund:		Fund Balance @ 12/31/2023	2024 Fund Balance Transfers	2024 Year to date Revenue	2024 Current Month Expense	2024 Year to date Expense	Fund Balance @ 7/31/2024
10 - General Fund		$494,336.97	-	330,551.54	$31,686.83	$260,217.26	$564,671.25
30 - Environmental Education		267,417.49	-	126,125.82	13,447.90	131,592.40	261,950.91
35 - Information Management		304,261.14	-	145,180.28	9,786.71	86,877.31	362,564.11
60 - Restoration Projects		2,577,070.33	-	1,198,154.00	32,308.52	655,216.99	3,120,007.34
70 - Regulatory		778,726.26	-	774,399.05	80,658.55	630,729.43	922,395.88
80 - Ditch & Creek Maintenance		1,569,947.45	-	783,731.40	40,544.95	803,334.41	1,550,344.44
90 - Lake & Stream Management		980,975.03	-	517,813.39	88,085.34	409,220.11	1,089,568.31
95 - District Facilities		906,117.47	-	273,670.25	23,170.13	136,149.46	1,043,638.26
99 - Project Anticipation		4,500,000.00	-	-	-	-	4,500,000.00
Total District Fund Balance:		**$12,378,852.14**	**-**	**$4,149,625.73**	**$319,688.93**	**$3,113,337.37**	**$13,415,140.50**

Rice Creek Watershed District

Interim Financial Statements

July 31, 2024

REDPATH AND COMPANY

4810 White Bear Parkway White Bear Lake, MN 55110 651.426.7000 www.redpathcpas.com

Redpath and Company is an independent member of HLB International, a world-wide organization of professional accounting firms.

Rice Creek Watershed District
Statement of Revenue and Expenditures - General Fund - 10
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
GENERAL FUND - 10-00				
Revenues				
General Property Tax	$ 255,527.42	$ 257,999.99	494,658.00	(236,658.01)
Interest Revenue	0.00	12,853.26	0.00	12,853.26
Investment Interest-Surety	0.00	53,947.43	28,877.00	25,070.43
Investment Income	0.00	5,750.86	0.00	5,750.86
Total Revenues	255,527.42	330,551.54	523,535.00	(192,983.46)
Expenses				
Manager Per Diem	1,375.00	14,250.00	33,750.00	(19,500.00)
Manager Expense	405.69	840.06	3,500.00	(2,659.94)
Manager Travel	191.49	1,517.12	4,500.00	(2,982.88)
Wages	13,751.91	96,869.19	172,334.00	(75,464.81)
Benefits	2,387.20	20,822.25	32,192.00	(11,369.75)
PERA Expense	1,030.10	7,173.17	12,925.00	(5,751.83)
HCSA Contributions	1,097.69	7,497.74	15,640.00	(8,142.26)
Payroll Taxes	1,064.90	7,994.52	13,184.00	(5,189.48)
Payroll Taxes-Unemployment	57.14	1,126.52	5,500.00	(4,373.48)
Office Supplies	8.63	493.51	2,450.00	(1,956.49)
Field Supplies	0.00	0.00	250.00	(250.00)
Computer Software	0.00	0.00	250.00	(250.00)
Meeting Supplies	68.98	493.87	2,868.00	(2,374.13)
Printing	0.00	0.00	500.00	(500.00)
Rent	1,723.45	13,787.60	22,200.00	(8,412.40)
Telecommunications	328.21	3,232.44	7,500.00	(4,267.56)
Dues	0.00	12,500.00	15,642.00	(3,142.00)
Publications	0.00	0.00	200.00	(200.00)
Training & Education	165.23	790.01	10,000.00	(9,209.99)
Insurance & Bonds	0.00	7,008.20	8,000.00	(991.80)
Postage	0.00	0.00	1,100.00	(1,100.00)
Legal Notices	0.00	0.00	1,500.00	(1,500.00)
Staff Travel	203.88	600.59	1,100.00	(499.41)
Audit & Accounting	712.84	12,778.78	21,000.00	(8,221.22)
Professional Services	1,133.36	7,752.66	20,000.00	(12,247.34)
Contracted Services	76.13	3,005.82	5,000.00	(1,994.18)
Legal	2,357.29	17,763.78	50,000.00	(32,236.22)
Engineering	3,400.00	20,628.50	56,000.00	(35,371.50)
Computer Equipment	0.00	0.00	250.00	(250.00)
Equipment	0.00	79.99	2,000.00	(1,920.01)
Equipment Lease	130.21	1,028.44	2,200.00	(1,171.56)
Bank Charges	17.50	10,482.50	0.00	10,482.50
Total Expenses	31,686.83	270,517.26	523,535.00	(253,017.74)
Total Revenues Over/(Under) Expenditures - General Fund	**223,840.59**	**60,034.28**	**0.00**	**60,034.28**
Total Revenue Over/(Under) Expenditur	**$ 223,840.59**	**60,034.28**	**0.00**	**60,034.28**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Communication & Outreach - 30
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
COMMUNICATION & OUTREACH - 30-00				
Revenues				
General Property Tax	$ 81,130.52	$ 82,352.60	157,055.00	(74,702.40)
Interest Income	0.00	5,869.99	14,014.00	(8,144.01)
Investment Income	0.00	2,626.39	0.00	2,626.39
Total Revenues	81,130.52	90,848.98	171,069.00	(80,220.02)
Expenses				
Wages	7,913.94	58,248.79	91,332.00	(33,083.21)
Interns	0.00	0.00	5,127.00	(5,127.00)
Benefits	746.43	6,604.07	10,006.00	(3,401.93)
PERA Expense	593.54	4,113.18	6,850.00	(2,736.82)
Payroll Taxes	588.82	4,080.56	7,379.00	(3,298.44)
Office Supplies	0.00	213.05	1,225.00	(1,011.95)
Field Supplies	0.00	0.00	250.00	(250.00)
Computer Software	0.00	0.00	1,000.00	(1,000.00)
Meeting Supplies	0.00	12.57	500.00	(487.43)
Printing	0.00	208.11	250.00	(41.89)
Rent	861.72	6,893.76	11,100.00	(4,206.24)
Telecommunications	171.94	1,754.89	3,750.00	(1,995.11)
Publications	0.00	0.00	100.00	(100.00)
Training & Education	0.00	3,514.11	5,000.00	(1,485.89)
Insurance and Bonds	0.00	3,504.10	4,000.00	(495.90)
Postage	0.00	0.00	550.00	(550.00)
Legal Notices	0.00	0.00	250.00	(250.00)
Staff Travel	0.00	225.39	550.00	(324.61)
Audit & Accounting	356.42	6,389.39	10,500.00	(4,110.61)
Professional Services	0.00	600.00	2,500.00	(1,900.00)
Contracted Services	76.13	1,125.82	5,000.00	(3,874.18)
Legal	0.00	3,517.33	1,000.00	2,517.33
Engineering	0.00	0.00	500.00	(500.00)
Computer Equipment	0.00	0.00	250.00	(250.00)
Equipment	0.00	0.00	1,000.00	(1,000.00)
Equipment-Lease	65.10	514.23	1,100.00	(585.77)
Total Expenses	11,374.04	101,519.35	171,069.00	(69,549.65)
Total Revenues Over/(Under) Expenditures - Commmunication:	**69,756.48**	**(10,670.37)**	**0.00**	**(10,670.37)**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Communication & Outreach - 30
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
WATERSHED COMMUNICATION & OUTREACH - 30-02				
Revenues				
General Property Tax	7,335.36	7,335.36	14,200.00	(6,864.64)
Total Revenues	7,335.36	7,335.36	14,200.00	(6,864.64)
Expenses				
Office Supplies	0.00	19.58	0.00	19.58
Computer Software	15.24	45.72	1,000.00	(954.28)
Printing	0.00	0.00	1,500.00	(1,500.00)
Training & Education	452.02	4,463.20	8,500.00	(4,036.80)
Legal	0.00	1,956.96	4,000.00	(2,043.04)
Total expenses	467.26	6,485.46	15,000.00	(8,514.54)
Total Revenues Over/(Under) Expenditures - Watershed Communicati	**6,868.10**	**849.90**	**(800.00)**	**1,649.90**
MASTER WATER STEWARD PROGRAM - 30-03				
Revenues				
General Property Tax	4,907.45	4,907.45	9,500.00	(4,592.55)
Total Revenues	4,907.45	4,907.45	9,500.00	(4,592.55)
Expenses				
Field Supplies	0.00	109.00	0.00	109.00
Training & Education	0.00	293.27	3,000.00	(2,706.73)
Contracted Services	0.00	0.00	12,000.00	(12,000.00)
Legal Fees	538.00	538.00	0.00	538.00
Construction	68.60	314.20	0.00	314.20
Total expenses	606.60	1,254.47	15,000.00	(13,745.53)
Total Revenues Over/(Under) Expenditures - Master Water:	**4,300.85**	**3,652.98**	**(5,500.00)**	**9,152.98**
OUTREACH PARTNERSHIPS - 30-04				
Revenues				
General Property Tax	14,464.07	14,464.07	28,000.00	(13,535.93)
Total Revenues	14,464.07	14,464.07	28,000.00	(13,535.93)
Expenses				
Training & Education	0.00	2,975.00	7,000.00	(4,025.00)
Contracted Services	0.00	14,830.90	25,000.00	(10,169.10)
Total expenses	0.00	17,805.90	32,000.00	(14,194.10)
Total Revenues Over/(Under) Expenditures - Outreach:	**14,464.07**	**(3,341.83)**	**(4,000.00)**	**658.17**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Communication & Outreach - 30
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
MINI-GRANTS PROGRAM - 30-05				
Revenues				
General Property Tax	4,458.03	4,458.03	8,630.00	(4,171.97)
Total Revenues	4,458.03	4,458.03	8,630.00	(4,171.97)
Expenses				
Construction	1,000.00	2,849.89	10,000.00	(7,150.11)
Total expenses	1,000.00	2,849.89	10,000.00	(7,150.11)
Total Revenues Over/(Under) Expenditures - Mini-Grants:	**3,458.03**	**1,608.14**	**(1,370.00)**	**2,978.14**
ENGINEERING & TECHNICAL SUPPORT - 30-06				
Revenues				
General Property Tax	2,820.49	2,820.49	5,460.00	(2,639.51)
Total Revenues	2,820.49	2,820.49	5,460.00	(2,639.51)
Expenses				
Professional Services	0.00	675.00	0.00	675.00
Engineering	0.00	1,002.33	6,000.00	(4,997.67)
Total expenses	0.00	1,677.33	6,000.00	(4,322.67)
Total Revenues Over/(Under) Expenditures - Eng. & Technical:	**2,820.49**	**1,143.16**	**(540.00)**	**1,683.16**
WATERSHED PLAN MAINTENANCE - 30-08				
Revenues				
General Property Tax	1,291.44	1,291.44	2,500.00	(1,208.56)
Total Revenues	1,291.44	1,291.44	2,500.00	(1,208.56)
Expenses				
Legal	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	4,000.00	(4,000.00)
Total expenses	0.00	0.00	5,000.00	(5,000.00)
Total Revenues Over/(Under) Expenditures - Watershed Plan:	**1,291.44**	**1,291.44**	**(2,500.00)**	**3,791.44**
Total Revenue Over/(Under) Expenditur	**$ 102,959.46**	**$ (5,466.58)**	**(14,710.00)**	**9,243.42**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Information Management - 35
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
INFORMATION MANAGEMENT - 35-00				
Revenues				
General Property Tax	$ 72,935.06	$ 74,091.77	141,191.00	(67,099.23)
Interest Revenue	0.00	8,071.23	14,956.00	(6,884.77)
Investment Interest	0.00	3,611.27	0.00	3,611.27
Total Revenues	72,935.06	85,774.27	156,147.00	(70,372.73)
Expenses				
Wages	1,818.48	12,051.62	30,407.00	(18,355.38)
Benefits	127.92	1,448.27	4,070.00	(2,621.73)
PERA Expense	136.38	885.19	2,281.00	(1,395.81)
Payroll Taxes	117.08	889.59	2,326.00	(1,436.41)
Office Supplies	55.00	130.59	613.00	(482.41)
Computer Software	276.39	2,688.41	11,000.00	(8,311.59)
Printing	0.00	0.00	125.00	(125.00)
Rent	430.86	3,446.88	5,550.00	(2,103.12)
Telecommunications	78.14	869.60	1,875.00	(1,005.40)
Publications	0.00	0.00	50.00	(50.00)
Training & Education	0.00	410.68	2,500.00	(2,089.32)
Insurance and Bonds	0.00	1,752.05	2,000.00	(247.95)
Postage	0.00	0.00	275.00	(275.00)
Staff Travel	0.00	0.00	275.00	(275.00)
Audit & Accounting	178.21	3,194.70	5,250.00	(2,055.30)
Professional Services	3,066.18	24,168.39	53,000.00	(28,831.61)
Contracted Services	0.00	0.00	1,500.00	(1,500.00)
Recruitment	0.00	41.98	0.00	41.98
Legal	46.11	752.49	500.00	252.49
Engineering	0.00	0.00	500.00	(500.00)
Computer Equipment	950.91	28,754.52	30,000.00	(1,245.48)
Equipment	0.00	0.00	1,500.00	(1,500.00)
Equipment Lease	32.55	257.13	550.00	(292.87)
Total Expenses	7,314.21	81,742.09	156,147.00	(74,404.91)
Total Revenues Over/(Under) Expenditures - Information Management	**65,620.85**	**4,032.18**	**0.00**	**4,032.18**
BOUNDARY MANAGEMENT PROGRAM - 35-03				
Revenues				
General Property Tax	2,582.87	2,582.87	5,000.00	(2,417.13)
Total Revenues	2,582.87	2,582.87	5,000.00	(2,417.13)
Expenses				
Legal	0.00	0.00	2,500.00	(2,500.00)
Engineering	0.00	768.75	2,500.00	(1,731.25)
Total Expenses	0.00	768.75	5,000.00	(4,231.25)
Total Revenues Over/(Under) Expenditures - Boundary Mgmt:	**2,582.87**	**1,814.12**	**0.00**	**1,814.12**

Substantailly all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Information Management - 35
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
DISTRICT-WIDE MODEL - 35-04				
Revenues				
General Property Tax	20,662.96	20,662.96	40,000.00	(19,337.04)
Total Revenues	20,662.96	20,662.96	40,000.00	(19,337.04)
Expenses				
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	0.00	(16,897.75)	35,000.00	(51,897.75)
Total Expenses	0.00	(16,897.75)	40,000.00	(56,897.75)
Total Revenues Over/(Under) Expenditures - District-Wide Model:	**20,662.96**	**37,560.71**	**0.00**	**37,560.71**
DATABASE & VIEWER MAINTENANCE - 35-05				
Revenues				
General Property Tax	33,577.31	33,577.31	65,000.00	(31,422.69)
Total Revenues	33,577.31	33,577.31	65,000.00	(31,422.69)
Expenses				
Legal	0.00	0.00	5,000.00	(5,000.00)
Engineering	1,680.50	18,257.25	60,000.00	(41,742.75)
Construction Expense	0.00	500.00	0.00	500.00
Total expenses	1,680.50	18,757.25	65,000.00	(46,242.75)
Total Revenues Over/(Under) Expenditures - Database & Viewer:	**31,896.81**	**14,820.06**	**0.00**	**14,820.06**
DISTRICT WEBSITE - 35-15				
Revenues				
General Property Tax	2,582.87	2,582.87	5,000.00	(2,417.13)
Total Revenues	2,582.87	2,582.87	5,000.00	(2,417.13)
Expenses				
Professional Services	792.00	2,506.97	3,000.00	(493.03)
Legal	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	1,000.00	(1,000.00)
Total expenses	792.00	2,506.97	5,000.00	(2,493.03)
Total Revenues Over/(Under) Expenditures - District Website:	**1,790.87**	**75.90**	**0.00**	**75.90**
Total Revenue Over/(Under) Expenditur	**$ 122,554.36**	**$ 58,302.97**	**0.00**	**58,302.97**

Substantailly all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
RESTORATION PROJECTS - 60-00				
Revenues				
General Property Tax	$ 135,330.48	$ 140,497.28	261,978.00	(121,480.72)
Interest Revenue	0.00	51,792.54	119,427.00	(67,634.46)
Investment Interest	0.00	23,173.32	0.00	23,173.32
Total Revenues	135,330.48	215,463.14	381,405.00	(165,941.86)
Expenses				
Wages	9,500.31	66,344.49	227,542.00	(161,197.51)
Interns	0.00	0.00	5,127.00	(5,127.00)
Benefits	1,099.91	9,652.39	30,496.00	(20,843.61)
PERA Expense	712.50	4,943.83	17,066.00	(12,122.17)
Payroll Taxes	690.04	4,791.13	17,799.00	(13,007.87)
Office Supplies	0.00	234.43	1,225.00	(990.57)
Field Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	110.00	250.00	(140.00)
Rent	861.72	6,893.76	11,100.00	(4,206.24)
Telecommunications	179.75	1,762.70	3,750.00	(1,987.30)
Publications	72.00	72.00	100.00	(28.00)
Training & Education	0.00	566.37	5,000.00	(4,433.63)
Insurance and Bonds	0.00	3,504.10	4,000.00	(495.90)
Postage	0.00	0.00	550.00	(550.00)
Legal Notices	40.56	40.56	1,000.00	(959.44)
Staff Travel	0.00	0.00	550.00	(550.00)
Vehicle	107.22	426.83	15,000.00	(14,573.17)
Audit & Accounting	356.42	6,389.39	10,500.00	(4,110.61)
Professional Services	0.00	1,670.52	12,000.00	(10,329.48)
Contracted Services	114.19	1,583.72	7,500.00	(5,916.28)
Recruitment	0.00	908.02	0.00	908.02
Legal	161.71	582.10	2,000.00	(1,417.90)
Engineering	679.00	2,012.25	5,000.00	(2,987.75)
Equipment	0.00	0.00	2,500.00	(2,500.00)
Equipment Lease	65.10	514.23	1,100.00	(585.77)
Total Expenses	14,640.43	113,002.82	381,405.00	(268,402.18)
Total Revenues Over/(Under) Expenditures - Restoration Projects:	**120,690.05**	**102,460.32**	**0.00**	**102,460.32**
ANOKA CHAIN OF LAKES WATER MGMT. PROJECT - 60-01				
Revenues				
General Property Tax	131,829.67	131,829.67	255,200.00	(123,370.33)
Grant Income	0.00	477,250.00	0.00	477,250.00
Total Revenues	131,829.67	609,079.67	255,200.00	353,879.67
Expenses				
Printing	0.00	76.50	0.00	76.50
Legal	0.00	4,492.30	10,000.00	(5,507.70)
Engineering	2,181.89	22,036.05	30,000.00	(7,963.95)
Construction	0.00	464,234.24	260,000.00	204,234.24
Total expenses	2,181.89	490,839.09	300,000.00	190,839.09
Total Revenues Over/(Under) Expenditures - Anoka Chain:	**129,647.78**	**118,240.58**	**(44,800.00)**	**163,040.58**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
LOWER RC WATER MGMT. PROJECT - 60-03				
Revenues				
General Property Tax	38,743.04	38,743.04	75,000.00	(36,256.96)
Total Revenues	38,743.04	38,743.04	75,000.00	(36,256.96)
Expenses				
Engineering	0.00	0.00	40,000.00	(40,000.00)
Construction	2,995.20	2,995.20	135,000.00	(132,004.80)
Total expenses	2,995.20	2,995.20	175,000.00	(172,004.80)
Total Revenues Over/(Under) Expenditures - Lower RC:	**35,747.84**	**35,747.84**	**(100,000.00)**	**135,747.84**
MIDDLE RC WATER MGMT. PROJECT - 60-04				
Revenues				
General Property Tax	0.00	0.00	(15,000.00)	15,000.00
Total Revenues	0.00	0.00	(15,000.00)	15,000.00
Expenses				
Engineering	0.00	0.00	5,000.00	(5,000.00)
Construction	0.00	0.00	5,000.00	(5,000.00)
Total expenses	0.00	0.00	10,000.00	(10,000.00)
Total Revenues Over/(Under) Expenditures - Middle RC Water Mgmt.	**0.00**	**0.00**	**(25,000.00)**	**25,000.00**
BALD EAGLE LAKE (BEL) WMD - 60-05				
Revenues				
Special Assessments	222.75	222.75	0.00	222.75
Total Revenues	222.75	222.75	0.00	222.75
Expenses				
Contracted Services	0.00	3,508.08	0.00	3,508.08
Engineering	0.00	0.00	4,000.00	(4,000.00)
Construction Expense	0.00	0.00	27,789.00	(27,789.00)
Total expenses	0.00	3,508.08	31,789.00	(28,280.92)
Total Revenues Over/(Under) Expenditures - Bald Eagle Lake WMD:	**222.75**	**(3,285.33)**	**(31,789.00)**	**28,503.67**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
BALD EAGLE LAKE WATER MGMT. PROJECT - 60-06				
Revenues				
General Property Tax	43,908.79	43,908.79	85,000.00	(41,091.21)
Total Revenues	43,908.79	43,908.79	85,000.00	(41,091.21)
Expenses				
Engineering	0.00	0.00	50,000.00	(50,000.00)
Construction	0.00	0.00	60,000.00	(60,000.00)
Total expenses	0.00	0.00	110,000.00	(110,000.00)
Total Revenues Over/(Under) Expenditures - Bald Eagle Lake:	**43,908.79**	**43,908.79**	**(25,000.00)**	**68,908.79**
RCD 2, 3 & 5 BASIC WATER MGMT. PROJECT - 60-08				
Revenues				
General Property Tax	51,657.40	51,657.40	100,000.00	(48,342.60)
Total Revenues	51,657.40	51,657.40	100,000.00	(48,342.60)
Expenses				
Legal	0.00	107.60	5,000.00	(4,892.40)
Engineering	0.00	17,466.50	95,000.00	(77,533.50)
Construction Services	0.00	0.00	100,000.00	(100,000.00)
Total expenses	0.00	17,574.10	200,000.00	(182,425.90)
Total Revenues Over/(Under) Expenditures - Basic Water Mgmt. Proje	**51,657.40**	**34,083.30**	**(100,000.00)**	**134,083.30**
REGIONAL WATER MGMT.PARTNERSHIP PROJECTS - 60-11				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal Notices	0.00	0.00	500.00	(500.00)
Contracted Services	0.00	0.00	10,000.00	(10,000.00)
Legal	0.00	0.00	500.00	(500.00)
Engineering	0.00	0.00	10,000.00	(10,000.00)
Construction	0.00	0.00	29,000.00	(29,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
Total Revenues Over/(Under) Expenditures - Regional Water Mgmt.	**0.00**	**0.00**	**(50,000.00)**	**50,000.00**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
STORMWATER MGMT. COST SHARE - 60-15				
Revenues				
General Property Tax	160,508.30	160,508.30	310,717.00	(150,208.70)
Total Revenues	160,508.30	160,508.30	310,717.00	(150,208.70)
Expenses				
Legal Notices	0.00	888.95	3,000.00	(2,111.05)
Engineering	0.00	7,828.75	18,000.00	(10,171.25)
Construction	0.00	0.00	611,000.00	(611,000.00)
Total expenses	0.00	8,717.70	632,000.00	(623,282.30)
Total Revenues Over/(Under) Expenditures - Stormwater Mgmt.:	**160,508.30**	**151,790.60**	**(321,283.00)**	**473,073.60**
SW URBAN LAKES IMPLEMENTATION - 60-24				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal Notices	0.00	0.00	500.00	(500.00)
Legal	0.00	0.00	500.00	(500.00)
Engineering	384.00	384.00	19,000.00	(18,616.00)
Construction	0.00	0.00	55,000.00	(55,000.00)
Total expenses	384.00	384.00	75,000.00	(74,616.00)
Total Revenues Over/(Under) Expenditures - Southwest Urban Lake	**(384.00)**	**(384.00)**	**(75,000.00)**	**74,616.00**
CLEAR LAKE WATER MGMT.PROJECT - 60-29				
Revenues				
General Property Tax	33,370.68	33,370.68	64,600.00	(31,229.32)
Total Revenues	33,370.68	33,370.68	64,600.00	(31,229.32)
Expenses				
Contracted Services	0.00	0.00	10,000.00	(10,000.00)
Construction	0.00	0.00	65,000.00	(65,000.00)
Total expenses	0.00	0.00	75,000.00	(75,000.00)
Total Revenues Over/(Under) Expenditures - Clear Lake Water Mgmt.	**33,370.68**	**33,370.68**	**(10,400.00)**	**43,770.68**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
STORMWATER MASTER PLANNING - 60-35				
Revenues				
General Property Tax	12,914.35	12,914.35	25,000.00	(12,085.65)
Total Revenues	12,914.35	12,914.35	25,000.00	(12,085.65)
Total Revenues Over/(Under)				
Contracted Services	0.00	0.00	7,000.00	(7,000.00)
Legal	0.00	0.00	3,000.00	(3,000.00)
Engineering	4,415.00	4,415.00	40,000.00	(35,585.00)
Total expenses	4,415.00	4,415.00	50,000.00	(45,585.00)
Total Revenues Over/(Under) Expenditures - Stormwater Master:	**8,499.35**	**8,499.35**	**(25,000.00)**	**33,499.35**
MUNICIPAL CIP EARLY COORDINATION - 60-36				
Revenues				
General Property Tax	2,582.87	2,582.87	5,000.00	(2,417.13)
Total Revenues	2,582.87	2,582.87	5,000.00	(2,417.13)
Expenses				
Legal	0.00	0.00	2,000.00	(2,000.00)
Engineering	0.00	157.50	8,000.00	(7,842.50)
Total expenses	0.00	157.50	10,000.00	(9,842.50)
Total Revenues Over/(Under) Expenditures - Municipal CIP:	**2,582.87**	**2,425.37**	**(5,000.00)**	**7,425.37**
GROUNDWATER MGMT. & STORMWATER REUSE - 60-37				
Revenues				
General Property Tax	29,703.01	29,703.01	57,500.00	(27,796.99)
Total Revenues	29,703.01	29,703.01	57,500.00	(27,796.99)
Expenses				
Contracted Services	0.00	0.00	59,000.00	(59,000.00)
Legal	0.00	0.00	3,000.00	(3,000.00)
Engineering	7,692.00	13,623.50	3,000.00	10,623.50
Total expenses	7,692.00	13,623.50	65,000.00	(51,376.50)
Total Revenues Over/(Under) Expenditures - Groundwater Mgmt.:	**22,011.01**	**16,079.51**	**(7,500.00)**	**23,579.51**
Total Revenue Over/(Under) Expenditur	**$ 608,462.82**	**$ 542,937.01**	**(820,772.00)**	**1,363,709.01**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Regulatory - 70
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
REGULATORY - 70-00				
Revenues				
General Property Tax	$ 259,845.99	$ 266,240.55	503,018.00	(236,777.45)
Interest Revenue	0.00	36,168.74	87,743.00	(51,574.26)
Investment Interest	0.00	16,182.83	0.00	16,182.83
Total Revenues	259,845.99	318,592.12	590,761.00	(272,168.88)
Expenses				
Wages	27,273.63	158,943.59	347,478.00	(188,534.41)
Interns	0.00	0.00	5,127.00	(5,127.00)
Benefits	3,801.33	25,567.85	50,558.00	(24,990.15)
PERA Expense	2,045.52	12,248.66	26,061.00	(13,812.34)
Payroll Taxes	1,854.21	12,281.03	26,974.00	(14,692.97)
Office Supplies	110.00	722.62	3,063.00	(2,340.38)
Field Supplies	818.74	818.74	500.00	318.74
Meeting Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	165.00	625.00	(460.00)
Rent	2,154.31	17,234.48	27,750.00	(10,515.52)
Telecommunications	429.84	4,387.23	9,375.00	(4,987.77)
Publications	0.00	0.00	250.00	(250.00)
Training & Education	645.00	3,825.82	12,500.00	(8,674.18)
Insurance and Bonds	0.00	8,760.25	10,000.00	(1,239.75)
Postage	0.00	0.00	1,375.00	(1,375.00)
Legal Notices	0.00	0.00	500.00	(500.00)
Staff Travel	0.00	0.00	1,375.00	(1,375.00)
Vehicle	107.22	485.35	15,000.00	(14,514.65)
Audit & Accounting	891.05	15,973.48	26,250.00	(10,276.52)
Professional Services	0.00	1,500.00	3,000.00	(1,500.00)
Contracted Services	190.31	2,639.52	12,500.00	(9,860.48)
Recruitment	0.00	950.00	0.00	950.00
Legal	99.91	268.20	2,500.00	(2,231.80)
Engineering	0.00	0.00	2,500.00	(2,500.00)
Equipment	0.00	0.00	2,500.00	(2,500.00)
Equipment Lease	162.76	1,285.54	2,750.00	(1,464.46)
Total Expenses	40,583.83	268,057.36	590,761.00	(322,703.64)
Total Revenues Over/(Under) Expenditures - Regulatory Management	**219,262.16**	**50,534.76**	**0.00**	**50,534.76**
RULE REVISION & PERMIT GUIDANCE - 70-01				
Revenues				
General Property Tax	20,662.96	20,662.96	40,000.00	(19,337.04)
Total Revenues	20,662.96	20,662.96	40,000.00	(19,337.04)
Expenses				
Legal	3,353.60	3,353.60	20,000.00	(16,646.40)
Engineering	2,328.50	21,599.35	30,000.00	(8,400.65)
Total Expenses	5,682.10	24,952.95	50,000.00	(25,047.05)
Total Revenues Over/(Under) Expenditures - Rule/Permit:	**14,980.86**	**(4,289.99)**	**(10,000.00)**	**5,710.01**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Regulatory - 70
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
PERMIT REVIEW, INSPECT & COOR. - 70-03				
Revenues				
General Property Tax	388,810.72	388,810.72	752,672.00	(363,861.28)
Permit Fees	6,300.00	44,100.00	85,528.00	(41,428.00)
Income-Rule C Reviews	0.00	2,233.25	0.00	2,233.25
Total Revenues	395,110.72	435,143.97	838,200.00	(403,056.03)
Expenses				
Contracted Services	7,234.09	16,019.34	60,000.00	(43,980.66)
Legal	403.50	9,151.29	45,000.00	(35,848.71)
Legal-Audit	0.00	0.00	5,000.00	(5,000.00)
Engineering	26,755.03	300,743.74	800,000.00	(499,256.26)
Engineering-Reporting	0.00	11,804.75	20,000.00	(8,195.25)
Engineering-Audit	0.00	0.00	20,000.00	(20,000.00)
Total expenses	34,392.62	337,719.12	950,000.00	(612,280.88)
Total Revenues Over/(Under) Expenditures - Permit Review	**360,718.10**	**97,424.85**	**(111,800.00)**	**209,224.85**
Total Revenue Over/(Under) Expenditur	**$ 594,961.12**	**$ 143,669.62**	**(121,800.00)**	**265,469.62**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
DITCH & CREEK MAINTENANCE - 80-00				
Revenues				
General Property Tax	$ 134,138.23	$ 141,007.43	202,194.00	(61,186.57)
Interest Revenue	0.00	51,767.23	96,029.00	(44,261.77)
Investment Interest	0.00	23,161.98	0.00	23,161.98
Miscellaneous Income	0.00	59,650.00	0.00	59,650.00
Total Revenues	134,138.23	275,586.64	298,223.00	(22,636.36)
Expenses				
Wages	12,698.80	88,544.87	175,847.00	(87,302.13)
Benefits	1,427.75	12,761.39	22,385.00	(9,623.61)
PERA Expense	952.39	6,442.31	13,189.00	(6,746.69)
Payroll Taxes	931.30	6,621.63	13,452.00	(6,830.37)
Office Supplies	46.76	942.05	1,838.00	(895.95)
Field Supplies	0.00	5.94	250.00	(244.06)
Meeting Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	110.00	375.00	(265.00)
Rent	1,292.59	10,340.72	16,650.00	(6,309.28)
Telecommunications	292.92	2,999.94	5,625.00	(2,625.06)
Publications	0.00	42.00	150.00	(108.00)
Training & Education	0.00	569.02	7,500.00	(6,930.98)
Insurance and Bonds	0.00	5,256.15	6,000.00	(743.85)
Postage	0.00	0.00	825.00	(825.00)
Legal Notices	0.00	0.00	750.00	(750.00)
Staff Travel	0.00	154.97	825.00	(670.03)
Vehicle	107.22	783.40	15,000.00	(14,216.60)
Audit & Accounting	534.63	9,584.08	15,750.00	(6,165.92)
Professional Services	272.45	2,529.80	9,000.00	(6,470.20)
Contracted Services	114.19	1,583.72	8,500.00	(6,916.28)
Legal	99.92	268.21	5,000.00	(4,731.79)
Engineering	0.00	1,143.75	7,500.00	(6,356.25)
Equipment	0.00	0.00	2,500.00	(2,500.00)
Equipment Lease	97.65	771.32	1,650.00	(878.68)
Total Expenses	18,868.57	151,455.27	330,811.00	(179,355.73)
Total Revenues Over/(Under) Expenditures - Ditch & Creek:	**115,269.66**	**124,131.37**	**(32,588.00)**	**156,719.37**
NATURAL WATERWAY MGMT. - 80-01				
Revenues				
General Property Taxes	2,856.66	2,856.66	8,612.00	(5,755.34)
Total Revenues	2,856.66	2,856.66	8,612.00	(5,755.34)
Expenses				
Legal	0.00	0.00	1,000.00	(1,000.00)
Construction	0.00	0.00	9,000.00	(9,000.00)
Total expenses	0.00	0.00	10,000.00	(10,000.00)
Total Revenues Over/(Under) Expenditures - Natural Waterway:	**2,856.66**	**2,856.66**	**(1,388.00)**	**4,244.66**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
DITCHES - MAINTENANCE - 80-02				
Revenues				
General Property Tax	177,169.35	177,169.35	288,502.00	(111,332.65)
Total Revenues	177,169.35	177,169.35	288,502.00	(111,332.65)
Expenses				
Field Supplies	0.00	279.06	7,000.00	(6,720.94)
Vehicle	69.91	201.62	7,000.00	(6,798.38)
Professional Services	0.00	0.00	1,000.00	(1,000.00)
Contracted Services	12,765.00	215,641.51	240,000.00	(24,358.49)
Legal	0.00	161.40	10,000.00	(9,838.60)
Engineering	0.00	0.00	20,000.00	(20,000.00)
Construction	0.00	11,094.72	40,000.00	(28,905.28)
Equipment	0.00	4,235.23	10,000.00	(5,764.77)
Total expenses	12,834.91	231,613.54	335,000.00	(103,386.46)
Total Revenues Over/(Under) Expenditures - Ditches - Maintenance:	**164,334.44**	**(54,444.19)**	**(46,498.00)**	**(7,946.19)**
REPAIR REPORTS & STUDIES - 80-03				
Revenues				
General Propety Tax	103,410.88	103,410.88	172,240.00	(68,829.12)
Total Revenues	103,410.88	103,410.88	172,240.00	(68,829.12)
Expenses				
Printing	0.00	458.60	0.00	458.60
Legal Notices	0.00	1,125.16	10,000.00	(8,874.84)
Legal	710.90	3,851.50	40,000.00	(36,148.50)
Engineering	6,620.67	126,051.99	145,000.00	(18,948.01)
Wetland Credits	0.00	0.00	5,000.00	(5,000.00)
Total expenses	7,331.57	131,487.25	200,000.00	(68,512.75)
Total Revenues Over/(Under) Expenditures - Repair Reports	**96,079.31**	**(28,076.37)**	**(27,760.00)**	**(316.37)**
ACD 10-22-32 WMD - 80-04				
Revenues				
Special Assessments	0.00	210.95	0.00	210.95
Total Revenues	0.00	210.95	0.00	210.95
Expenses				
Contracted Services	0.00	0.00	14,124.00	(14,124.00)
Total expenses	0.00	0.00	14,124.00	(14,124.00)
Total Revenues Over/(Under) Expenditures - ACD 10-22-32	**0.00**	**210.95**	**(14,124.00)**	**14,334.95**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
ACD 31 WMD - 80-05				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Total expenses	0.00	0.00	0.00	0.00
Total Revenues Over/(Under) Expenditures - ACD 31:WMD:	**0.00**	**0.00**	**0.00**	**0.00**
ACD 46 WMD - 80-06				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Contracted Services	0.00	11,990.00	39,710.00	(27,720.00)
Total expenses	0.00	11,990.00	39,710.00	(27,720.00)
Total Revenues Over/(Under) Expenditures - ACD 46 WMD:	**0.00**	**(11,990.00)**	**(39,710.00)**	**27,720.00**
RCD 4 WMD - 80-07				
Revenues				
Special Assessments	224.08	5,224.45	0.00	5,224.45
Total Revenues	224.08	5,224.45	0.00	5,224.45
Expenses				
Legal Fees	68.04	68.04	0.00	68.04
Engineering	837.90	13,996.35	0.00	13,996.35
Construction	0.00	0.00	145,000.00	(145,000.00)
Total expenses	905.94	14,064.39	145,000.00	(130,935.61)
Total Revenues Over/(Under) Expenditures - RCD 4 WMD:	**(681.86)**	**(8,839.94)**	**(145,000.00)**	**136,160.06**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
RCD 4 REPAIR - 80-08				
Revenues				
General Property Tax	37,136.50	37,136.50	81,814.00	(44,677.50)
Total Revenues	37,136.50	37,136.50	81,814.00	(44,677.50)
Expenses				
Legal Notices	0.00	1,326.40	0.00	1,326.40
Legal	45.36	45.36	5,000.00	(4,954.64)
Engineering	558.60	9,231.90	90,000.00	(80,768.10)
Total expenses	603.96	10,603.66	95,000.00	(84,396.34)
Total Revenues Over/(Under) Expenditures - RCD 4 Repair:	**36,532.54**	**26,532.84**	**(13,186.00)**	**39,718.84**
MUNICIPAL PDS MAINTENANCE - 80-15				
Revenues				
General Property Tax	17,139.92	17,139.92	43,060.00	(25,920.08)
Total Revenues	17,139.92	17,139.92	43,060.00	(25,920.08)
Expenses				
Contracted Services	0.00	0.00	50,000.00	(50,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
Total Revenues Over/(Under) Expenditures - Municipal PDS	**17,139.92**	**17,139.92**	**(6,940.00)**	**24,079.92**
WJD BRANCH 1/2 REPAIR - 80-20				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Total expenses	0.00	0.00	0.00	0.00
Total Revenues Over/(Under) Expenditures - WJD Branch 1/2:	**0.00**	**0.00**	**0.00**	**0.00**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
AWJD 3 REPAIR - 80-21				
Revenues				
General Proprty Tax	58,961.22	58,961.22	111,956.00	(52,994.78)
Total Revenues	58,961.22	58,961.22	111,956.00	(52,994.78)
Expenses				
Legal Notices	0.00	0.00	1,000.00	(1,000.00)
Legal	0.00	1,131.40	5,000.00	(3,868.60)
Engineering	0.00	62,258.16	24,000.00	38,258.16
Construction	0.00	177,463.09	100,000.00	77,463.09
Total expenses	0.00	240,852.65	130,000.00	110,852.65
Total Revenues Over/(Under) Expenditures - AWJD 3	**58,961.22**	**(181,891.43)**	**(18,044.00)**	**(163,847.43)**
ACD 15 & AWJD 4 WMD - 80-22				
Revenues				
General Property Tax	0.00	0.00	15,820.00	(15,820.00)
Total Revenues	0.00	0.00	15,820.00	(15,820.00)
Expenses				
Professional Services	0.00	3.00	8,370.00	(8,367.00)
Contracted Services	0.00	0.00	10,000.00	(10,000.00)
Total expenses	0.00	3.00	18,370.00	(18,367.00)
Total Revenues Over/(Under) Expenditures - AWCD 15	**0.00**	**(3.00)**	**(2,550.00)**	**2,547.00**
ACD 15 & AWJD 4 - 80-23				
Revenues				
General Property Taxes	67,702.69	67,702.69	198,076.00	(130,373.31)
Total Revenues	67,702.69	67,702.69	198,076.00	(130,373.31)
Expenses				
Professional Services	0.00	0.00	30,000.00	(30,000.00)
Contracted Services	0.00	0.00	200,000.00	(200,000.00)
Total expenses	0.00	0.00	230,000.00	(230,000.00)
Total Revenues Over/(Under) Expenditures - ACD 15 & AWJD 4:	**67,702.69**	**67,702.69**	**(31,924.00)**	**99,626.69**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
ACD 53-62 WMD - 80-24				
Revenues				
Special Assessments	12,622.77	12,622.77	26,782.00	(14,159.23)
ROW Charges	0.00	0.00	2,405.00	(2,405.00)
Total Revenues	12,622.77	12,622.77	29,187.00	(16,564.23)
Expenses				
Professional Services	0.00	0.00	1,000.00	(1,000.00)
Legal	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	25,000.00	(25,000.00)
Construction	0.00	0.00	15,985.00	(15,985.00)
Total expenses	0.00	0.00	42,985.00	(42,985.00)
Total Revenues Over/(Under) Expenditures - ACD 53-62 WMD:	**12,622.77**	**12,622.77**	**(13,798.00)**	**26,420.77**
ACD 53-62 REPAIR - 80-25				
Revenues				
General Property Taxes	25,709.37	25,709.37	86,120.00	(60,410.63)
Total Revenues	25,709.37	25,709.37	86,120.00	(60,410.63)
Expenses				
Legal	0.00	302.40	5,000.00	(4,697.60)
Engineering	0.00	10,962.25	95,000.00	(84,037.75)
Total expenses	0.00	11,264.65	100,000.00	(88,735.35)
Total Revenues Over/(Under) Expenditures - ACD 53-62 Repair:	**25,709.37**	**14,444.72**	**(13,880.00)**	**28,324.72**
Total Revenue Over/(Under) Expenditur	**$ 596,526.72**	**$ (19,603.01)**	**(407,390.00)**	**387,786.99**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream Management - 90
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
LAKE & STREAM MANAGEMENT - 90-00				
Revenues				
General Property Tax	$ 158,451.82	$ 162,183.40	306,735.00	(144,551.60)
Interest Income	0.00	27,566.18	63,266.00	(35,699.82)
Investment Income	0.00	12,333.82	0.00	12,333.82
Total Revenues	158,451.82	202,083.40	370,001.00	(167,917.60)
Expenses				
Wages	15,370.55	109,221.03	230,497.00	(121,275.97)
Interns	0.00	0.00	5,127.00	(5,127.00)
Benefits	1,719.80	15,607.02	29,940.00	(14,332.98)
PERA Expense	1,152.78	8,020.37	17,287.00	(9,266.63)
Payroll Taxes	1,098.12	7,775.06	18,025.00	(10,249.94)
Office Supplies	46.98	320.40	1,225.00	(904.60)
Field Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	55.00	250.00	(195.00)
Rent	861.72	6,893.76	11,100.00	(4,206.24)
Telecommunications	179.76	1,762.71	3,750.00	(1,987.29)
Publications	0.00	0.00	100.00	(100.00)
Training & Education	135.23	276.89	5,000.00	(4,723.11)
Insurance and Bonds	0.00	3,504.10	4,000.00	(495.90)
Postage	0.00	0.00	550.00	(550.00)
Legal Notices	0.00	0.00	250.00	(250.00)
Staff Travel	0.00	60.30	550.00	(489.70)
Vehicle	107.23	447.10	15,000.00	(14,552.90)
Audit & Accounting	356.42	6,389.39	10,500.00	(4,110.61)
Professional Services	0.00	600.00	2,000.00	(1,400.00)
Contracted Services	114.19	1,583.72	7,500.00	(5,916.28)
Legal	46.12	214.41	1,000.00	(785.59)
Engineering	0.00	0.00	2,500.00	(2,500.00)
Equipment	0.00	0.00	2,500.00	(2,500.00)
Equipment Lease	65.10	514.23	1,100.00	(585.77)
Total Expenses	21,254.00	163,245.49	370,001.00	(206,755.51)
Total Revenues Over/(Under) Expenditures - Lake & Stream Mgmt.	**137,197.82**	**38,837.91**	**0.00**	**38,837.91**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream Management - 90
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
WATER QUALITY GRANT PROGRAM - 90-01				
Revenues				
General Property Tax	96,599.33	96,599.33	187,000.00	(90,400.67)
Total Revenues	96,599.33	96,599.33	187,000.00	(90,400.67)
Expenses				
Professional Services	0.00	0.00	24,000.00	(24,000.00)
Contracted Services	15,181.88	34,750.38	56,000.00	(21,249.62)
Education & Communication	0.00	975.90	0.00	975.90
Legal	430.40	3,308.88	1,000.00	2,308.88
Engineering	0.00	0.00	1,000.00	(1,000.00)
Construction	16,259.39	28,277.83	205,000.00	(176,722.17)
Total expenses	31,871.67	67,312.99	287,000.00	(219,687.01)
Total Revenues Over/(Under) Expenditures - Water Quality:	**64,727.66**	**29,286.34**	**(100,000.00)**	**129,286.34**
SURFACE WATER MONITORING & MGMT. PROGRAM - 90-04				
Revenues				
General Property Tax	117,985.48	117,985.48	228,400.00	(110,414.52)
Total Revenues	117,985.48	117,985.48	228,400.00	(110,414.52)
Expenses				
Field Supplies	37.98	2,468.85	2,500.00	(31.15)
Computer Software	0.00	21,903.00	27,000.00	(5,097.00)
Telecommunications	0.00	0.00	1,000.00	(1,000.00)
Publications	0.00	0.00	200.00	(200.00)
Training & Education	68.63	348.63	1,800.00	(1,451.37)
Vehicle	8.01	47.61	0.00	47.61
Professional Services	0.00	361.25	0.00	361.25
Contracted Services	0.00	10,021.75	102,200.00	(92,178.25)
Legal	53.80	53.80	500.00	(446.20)
Engineering	0.00	15,634.50	29,000.00	(13,365.50)
Computer Equipment	0.00	0.00	5,000.00	(5,000.00)
Equipment	71.79	470.79	11,500.00	(11,029.21)
Repairs & Maintenance	0.00	0.00	300.00	(300.00)
Lab Expense	9,873.20	19,766.60	59,000.00	(39,233.40)
Total expenses	10,113.41	71,076.78	240,000.00	(168,923.22)
Total Revenues Over/(Under) Expenditures - Surface Water:	**107,872.07**	**46,908.70**	**(11,600.00)**	**58,508.70**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream Management - 90
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
COMMON CARP MANAGEMENT - 90-26				
Revenues				
General Property Tax	86,681.11	86,681.11	167,800.00	(81,118.89)
Total Revenues	86,681.11	86,681.11	167,800.00	(81,118.89)
Expenses				
Field Supplies	0.00	49.95	0.00	49.95
Telecommunications	106.26	485.67	200.00	285.67
Staff Travel	0.00	0.00	100.00	(100.00)
Professional Services	24,740.00	89,934.53	150,000.00	(60,065.47)
Contracted Services	0.00	1,633.34	3,000.00	(1,366.66)
Legal	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	5,000.00	(5,000.00)
Construction	0.00	0.00	30,000.00	(30,000.00)
Equipment	0.00	4,468.50	10,700.00	(6,231.50)
Total expenses	24,846.26	96,571.99	200,000.00	(103,428.01)
Total Revenues Over/(Under) Expenditures - Common Carp:	**61,834.85**	**(9,890.88)**	**(32,200.00)**	**22,309.12**
CURLY LEAF PONDWEED MGMT. - 90-27				
Revenues				
General Property Tax	14,464.07	14,464.07	28,000.00	(13,535.93)
Total Revenues	14,464.07	14,464.07	28,000.00	(13,535.93)
Expenses				
Contracted Services	0.00	11,003.86	50,000.00	(38,996.14)
Total expenses	0.00	11,003.86	50,000.00	(38,996.14)
Total Revenues Over/(Under) Expenditures - Common Carp:	**14,464.07**	**3,460.21**	**(22,000.00)**	**25,460.21**
Total Revenue Over/(Under) Expenditur	**$ 386,096.47**	**$ 108,602.28**	**(165,800.00)**	**274,402.28**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - District Facilities - 95
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
DISTRICT FACILITIES - 95-00				
Revenues				
General Property Tax	$ 96,208.80	$ 97,615.59	206,244.00	(108,628.41)
Interest Revenue	0.00	18,027.41	15,391.00	2,636.41
Investment Interest	0.00	8,065.95	0.00	8,065.95
Total Revenues	96,208.80	123,708.95	221,635.00	(97,926.05)
Expenses				
Wages	9,352.02	65,042.47	133,258.00	(68,215.53)
Interns	0.00	0.00	5,127.00	(5,127.00)
Benefits	885.48	10,289.82	16,607.00	(6,317.18)
PERA Expense	701.46	4,263.51	9,994.00	(5,730.49)
Payroll Taxes	687.00	5,620.43	10,586.00	(4,965.57)
Office Supplies	0.00	131.12	613.00	(481.88)
Field Supplies	0.00	188.92	250.00	(61.08)
Meeting Supplies	0.00	0.00	250.00	(250.00)
Printing	0.00	0.00	125.00	(125.00)
Rent	430.87	3,446.96	5,550.00	(2,103.04)
Telecommunications	93.77	885.23	1,875.00	(989.77)
Publications	0.00	0.00	50.00	(50.00)
Training & Education	0.00	470.20	2,500.00	(2,029.80)
Insurance & Bonds	0.00	1,752.05	2,000.00	(247.95)
Postage	0.00	0.00	275.00	(275.00)
Staff Travel	0.00	96.48	275.00	(178.52)
Vehicle Expense	107.23	1,477.02	15,000.00	(13,522.98)
Audit & Accounting	178.21	3,194.67	5,250.00	(2,055.33)
Professional Services	0.00	300.00	2,000.00	(1,700.00)
Contracted Services	76.11	1,055.74	5,000.00	(3,944.26)
Recruitment	500.00	500.00	0.00	500.00
Legal	46.12	214.41	1,000.00	(785.59)
Engineering	0.00	0.00	1,000.00	(1,000.00)
Equipment	0.00	0.00	2,500.00	(2,500.00)
Equipment Lease	32.56	257.06	550.00	(292.94)
Total Expenses	13,090.83	99,186.09	221,635.00	(122,448.91)
Total Revenues Over/(Under) Expenditures - District Facilities:	**83,117.97**	**24,522.86**	**0.00**	**24,522.86**

Substantially all disclosures required by generally accepted accounting principles are not included.

Rice Creek Watershed District
Statement of Revenue and Expenditures - District Facilities - 95
For the One Month and Seven Months Ending July 31, 2024
No Assurance Is Provided On These Financial Statements

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
DISTRICT FACILITIES REPAIR - 95-03				
Revenues				
General Propety Tax	126,199.00	126,199.00	244,300.00	(118,101.00)
Total Revenues	126,199.00	126,199.00	244,300.00	(118,101.00)
Expenses				
Legal	0.00	0.00	17,000.00	(17,000.00)
Engineering	0.00	0.00	43,000.00	(43,000.00)
Construction	0.00	0.00	240,000.00	(240,000.00)
Total expenses	0.00	0.00	300,000.00	(300,000.00)
Total Revenues Over/(Under) Expenditures - District Facilities Repair	**126,199.00**	**126,199.00**	**(55,700.00)**	**181,899.00**
INSPECTION OPERATION & MAINTENANCE - 95-04				
Revenues				
General Propety Tax	23,762.30	23,762.30	26,000.00	(2,237.70)
Interest	0.00	0.00	20,000.00	(20,000.00)
Total Revenues	23,762.30	23,762.30	46,000.00	(22,237.70)
Expenses				
Field Supplies	0.00	0.00	5,000.00	(5,000.00)
Telecommunications	61.87	279.69	0.00	279.69
Vehicle	0.00	54.49	0.00	54.49
Contracted Services	8,660.00	24,455.99	40,000.00	(15,544.01)
Legal	0.00	5,264.70	3,000.00	2,264.70
Engineering	228.50	5,779.57	40,000.00	(34,220.43)
Construction	0.00	0.00	29,000.00	(29,000.00)
Equipment	1,128.93	1,128.93	3,000.00	(1,871.07)
Total expenses	10,079.30	36,963.37	120,000.00	(83,036.63)
Total Revenues Over/(Under) Expenditures - Wall Wetland Restoration	**13,683.00**	**(13,201.07)**	**(74,000.00)**	**60,798.93**
Total Revenue Over/(Under) Expenditur	**$ 222,999.97**	**$ 137,520.79**	**(129,700.00)**	**267,220.79**

Substantially all disclosures required by generally accepted accounting principles are not included.

ITEMS FOR DISCUSSION AND INFORMATION

1. Staff Reports

MEMORANDUM
Rice Creek Watershed District

Date: **July 17, 2024**
To: **RCWD Board of Managers**
From: **Matt Kocian, Lake and Stream Manager**
Subject: **Staff Report 6/17 – 7/17/2024**

Highlights for Preceding Month

Bold items required significant time & attention

- Monitoring
  - Data entry, analysis, and reporting
  - Kisters WISKI database training and development, data integration
  - **Lake monitoring**
  - Aquatic plant surveys – Peltier and Josephine

- Centerville Lake Alum project
  - Follow-up monitoring
  - **Financial grant reporting**

- Long Lake Carp Management
  - PIT antenna maintenance

- GIS program development – initiate "handoff" of RCWD GIS responsibilities to Ali

- RCWD Leadership Team Meeting

- Silver Lake Association Meeting

- Program Manager Development & Team Leader Meeting
  - L&S team meetings
  - SMART goals review

- Board workshop
  - Monitoring program review
  - 2025 budget review

- **MAWD Summer Tour – attend and present carp work**

- FMR / Anoka County / RCWD paddling event on George Watch Lake

- MPCA / BWSR Nutrient Reduction Tools meeting – state agencies seeking feedback on analytical tools for local partners

MEMORANDUM
Rice Creek Watershed District

Date: **July 16, 2024**
To: **RCWD Board of Managers**
From: **Nick Tomczik, Administrator**
Subject: **Staff Report – July 2024**

Highlights for Preceding Month

- ✓ Administrative
  - Tech Field Assistant Interviews
  - Administrative E-signature Policy & Software
  - Staff Meeting
  - Telework Schedule
  - Accounts Payable Review
  - Personnel Leave Requests
  - 1/4ly Treasurer's Meeting
  - Board Meetings & Staff Meetings
  - 2025 Budget Development and Notice
  - MnWD's Legislative and Resolutions Committee
  - MnWD's Summer Tour
- ✓ Communication & Outreach
  - Delisting Discussion
  - Fridley Art Effort
  - Blue Thumb Trademark Transfer
- ✓ Information Management
  - Annual IT Budget
  - MS4 Front Administration Updates
- ✓ Restoration Projects
  - Watershed Based Implementation Funding (WBIF) Discussions
  - WSB Storm Water Reuse Assessment
- ✓ Regulatory
  - 2024 Rule Revision
  - Permit closures
  - Permit Management Discussions
- ✓ Drainage & Facilities Program
  - Biweekly Program Discussions with Consultants
  - Beaver Removal
  - Project close-Out
  - Oasis Pond IESF
  - Hansen IESF
  - Priebe Lake Outfall Project (PLOP) Discussions
  - ACD 10-22-32 Alternative #4 & DNR Vegetation Interests
- ✓ Lake & Stream Management
  - Centerville Lake In Lake Treatment
  - Hwy 61 Ponds RFP

MEMORANDUM
Rice Creek Watershed District

Date: **July 17th, 2024**
To: **RCWD Board of Managers**
From: **Sara Belden, Watershed Inspector**
Subject: **Staff Report 6/15/24 – 7/17/24**

- Conducted inspections at active and idle construction site in Blaine. Highlights include:
    - 23-013 Minnesota State Emergency Operations Center – I scheduled a site inspection walkthrough with site staff. Lots of clear communication between entities on site, they are on top of their erosion control and asked good questions regarding the inspection report.
    - 22-015 The Preserve at Lexington Waters – I completed an inspection in June. It is a large housing development project. There are rare plant species throughout the site which are of special concern. Through files on Laserfiche and discussing with Patrick, I have been brought up to speed on the previous issues with the species on this site and the entities (contractor, DNR staff, etc.) involved in finding solutions.
    - Closure of the permits listed below
- Closed three permits
    - Walter's Recycling
    - Sunrise Elementary
    - Culver's Restaurant, Blaine
- Attended presentations of district staff outlining various departments within our office and what their main projects involve.
    - Regulatory, CAPROC
    - Outreach and Education
    - Lake and Stream Monitoring
    - Ditches and District Facilities
- Accompanied Will on some Columbus and Forest Lake inspections to learn what his approach to inspections looks like.
- Assisted Ali with canoe lake monitoring on Howard, Rice, Golden, Pike, East Moore, and Locke Lakes
- Attended PERA webinar Hire to Retire to learn about the program
- Completed the DiSC assessment. Met with Ellen Hinrichs to discuss my results and how they are reflected in my approach to work. I fall under the "CS" category.

MEMORANDUM
Rice Creek Watershed District

Date: **July 17, 2024**
To: **RCWD Board of Managers**
From: **Ali Chalberg, Watershed Technician & Inspector**
Subject: **Staff Report 6/14/2024-7/17/2024**

Highlights from Preceding Month

Inspections

- Coordinated special stipulation and site review with contractors
- Review and work with HEI to approve as-built surveys
- Inspected temporary BMPs on construction sites to ensure compliance with runoff
- Onboarded new staff and joined them on inspections

Lakes/Streams

- Lake Monitoring
    - Canoe
    - Boat
- Deliver water samples to lab
- Bald Eagle & Hansen Park IESF Install
- Peltier & Josephine PI Surveys

Meetings

- Inspection Team Meetings
- Lake and Stream Team Meetings
- Staff meetings
- WISKI – KISTERS
- Board Workshop

Other

- Friends of the Mississippi River student paddle on Rice Creek

MEMORANDUM
Rice Creek Watershed District

Date: **July 16th, 2024**
To: **RCWD Board of Managers**
From: **Emmet Hurley, Program Support Technician**
Subject: **Staff Report 6/14/2024 – 7/17/2024**

- Administered the Zoom meeting for RCWD Board Meetings and Workshops
- Created folders for each staff member under G:\LFImport to be used for sending scans to via the RICOH machine
    - Coordinated with Mark Hemmingway to retrieve all .TIF files from G:\LFImport and populate them in the respective folders in Laserfiche
    - Sent out email to all staff notifying them of the newly added folders, including instructions
    - Updated RCWDs "Breadcrumbs" document to reflect these changes
- Facilitated the acquisition of DocuSign licensing to enable e-signature capabilities at RCWD, in compliance with new Minnesota State Legislature
    - Coordinated with DocuSign representatives and Nick Tomczik to identify the correct plan to meet our needs within RCWD budget
    - Cashed DocuSign-RCWD contract and all files attached via hyperlinks to Laserfiche for record keeping
    - In the process of initiating user accounts and deploying to RCWD staff
- Attended several meetings
    - Monthly staff meeting
    - Meetings with various IT contractors/vendors (Rymark, DocuSign, Leymar, etc.)
    - 6/28/2024 Board Meeting in-person
    - Virtually attended board workshops/other board meetings
    - DiSC overview with Ellen Hinrichs
- Submitted orders for new computer equipment and software
    - Acquired iPad Pro w/ Apple Pencil for Program Outreach department
    - Acquired Adobe Creative Cloud license for Program Outreach department
    - Coordinated with Nick & Theresa for purchase approval and submission of receipts
- Developed 2025 Budget for RCWD Information Technology
    - Based on historical data, inflation, new expenses for 2025, and recategorization of expenditures
    - Big-ticket items included: New Server, cost transfers from Telecommunications account, DocuSign, new computers etc.
- Updated RCWD website with Agenda/Packet for Board meetings and Workshops; sent out notifications via mail chimp and email
    - Updated RCWD website through WordPress to reflect upcoming Board Meetings/Workshops
    - Notified RCWD mailing list through MailChimp; notified Managers Weinandt and Robertson of Packet availability at RCWD office
- Troubleshooting Issues involving: Laserfiche, computer equipment, VPN, etc.

MEMORANDUM
Rice Creek Watershed District

Date: July 17th, 2024
To: RCWD Board of Managers
From: Molly Nelson, Outreach and Grants Technician
Subject: Staff Report 6/17/24 to 7/17/24

Introduction

The highlights of my work from June 17th to July 17th are as follows: (Note that these are highlights and not the full extent of all work that I have done).

- Reviewed landscaping contractor bid provided by the City of Fridley for the construction of the A24-02 Raingardens
- Coordinated project closure for Water Quality Grants R23-06, R23-08, and R24-05 and completed the voucher and invoice work associated with the reimbursement process.
- Conducted Water Quality Grant and Mini Grant 2025 budget planning.
- Completed invoices for Mini Grants MW24-01 and MW24-03 and ensured projects were completed according to the grant agreement.
- Coordinated remaining technical services work with RSWCD and ACD in accordance with remaining budget.
- Communicated and planned with new applicants for the Water Quality Grant program, including Forest Lake Area High School and Tighe-Schmitz Park (Birchwood Village).
- Met with WBIF lead staff to plan potential projects to present at the upcoming convene meeting.
- Coordinated reimbursement and grant closure for the Miron Waste Storage Facility W20-02 project.
- Coordinated R23-05 inlet reconstruction wok to be completed this month.
- Continued work on Water Quality Grant maintenance inspection documents and guidelines.
- Continued work with the Communications and Outreach Coordinator to review the design and structure of the maintenance guide toolkit to provide to new grantees.
- Assisted with facilitation of the Conservation Corps grant work July 7th and 8th.
- Work with HEI to review the survey questions to be sent out to all city contacts for the Enhanced Street Sweeping Prioritization Study.
- Attened the MPCA's Enhanced Street Sweeping lunch and learn event on 6/27/24.
- Planned and coordinated with staff for the August CAC field tour.
- Continued work with Communications & Outreach Coordinator on Outreach Programs and communications with the Public.

MEMORANDUM
Rice Creek Watershed District

Date: **July 17th, 2024**
To: **RCWD Board of Managers**
From: **Patrick Hughes, Regulatory Manager**
Subject: **Staff Report for 06/17/24 to 07/17/24**

Summary

- Created new permit and review files for the online database
- Sent notice of administrative action to Board – 24-044
- Assisted in the drafting of engineer's report – 24-041
- Attended the 07/10/2024 Board Meeting
- Prepared rule feedback comment response materials for 6/26 Board Meeting
- Attended regularly scheduled RCWD leadership team meeting
- Confirmed Q2 RCWD inspection hours for JPA with City of Centerville
- Discussed next steps regarding potential T&E impact for Permit #22-015
- Updated tracking document for WCD inspections hours per the service agreement
- Reviewed quarterly inspection hours invoice from Ramsey County SWCD
- Discussed potential violations for Thurnbeck Phases 2 and 3 (Permit #s 19-047, 21-041)
- Provided further guidance/onboarding for new inspectors and external inspectors
- Hosted Anoka TEP – Radisson Business Center, Park Construction
- Attended pre-application/planning meeting for Hansen Park West
- Met with the regulatory review team to discuss template document updates
- Reviewed potential violations – 19-047, 21-041, 21-009, 24-089R, 24-124R
- Shared the response to early feedback comments on the 2024 rule revision
- Reviewed permit application 24-044 for administrative approval
- Held Q2 SMART goal check-in meeting with Anna Grace
- Discussed Iron Mountain File Project with new staff working on the project
- Attended pre-application meeting for property NE of Main Street and 21st Ave N
- Prepared rule revision documents for distribution following 7/24 Board Meeting
- Completed site review/inspection for Permit 23-062

MEMORANDUM
Rice Creek Watershed District

Date: **July 16th, 2024**
To: **RCWD Board of Managers**
From: **Erik Larson, Watershed Inspector**
Subject: **Staff Report 6/17/24 – 7/16/2024**

- Completed initial inspections for all active/open permits (Approximately 50 Permits).
- Completed closure of 9 permits.
- Began closeout procedures for multiple completed projects.
- Performed follow-up inspections for non-compliant sites.
- Determined sites with high priority based on size/previous reports/proximity to waterbodies.
- Phone and email correspondence with city staff and contractors.
- Began going through historic permits in the database for sorting and consolidating old permit files in storage.
- Went in the field with Abel to inspect drain-tile/project related to a permit.
- Participated in a PERA webinar about their retirement benefits.
- Attended scheduled meetings.
    - Attended RCWD staff meetings.
    - Attended an infiltration review for an inundated infiltration basin.
    - Met with city engineer about closure items for an open permit.
    - Met with city official to do a joint inspection of a project of concern.
    - Meetings within the regulatory team.
- Turned 30!

MEMORANDUM
Rice Creek Watershed District

Date: July 17, 2024
To: RCWD Board of Managers
From: Will Roach, Watershed Technician/Inspector
Subject: Staff Update June 18th – July 17th

Introduction

- Drafted and shared minutes from the second WBIF meeting that was held on June 20th.
- Scheduled the third WBIF convene meeting for August 1st and have sent out invites to both the voting members and to all cities/municipal partners in the RCWD boundary.
- Finalized PowerPoint for the annual MS4/SWPPP meeting and presented its content to the Board at the public information meeting that was held on July 10.
- Prepared a list of open Stormwater Management Grant Program projects with remaining surety on the District's end and what items they need to be addressed/provided.
- Conducted ride along inspections with new staff hires at several sites in Colombus.
- Participated in an internal regulatory meeting to discuss several potential compliance issues and how to best proceed.
- Discussed a potential grant site with staff in an internal meeting and coordinated follow up with project contacts about potential funding.
- Began work on reviewing program documents for the Stormwater Management Grant program for the upcoming 2025 program year and drafting potential additional language to help improve process of grant submittals and reviews.
- Conducted a close out inspection as well as several active site inspections in Forest Lake.

MEMORANDUM
Rice Creek Watershed District

Date: July 17, 2024
To: RCWD Board of Managers
From: Tom Schmidt, Public Drainage and District Facilities Manager
Subject: Staff Report July 2024

Highlights for this month

Responded to and addressed constituent concerns/questions about the public drainage system and district facilities.
Contracted with Joe Grubbs for beaver trapping on WJD #2 at the Rice Lake outlet (in progress).
Participated in the interview process for the open technical field assistant position.
Contracted with Joe Grubbs for beaver trapping on ACD10-22-32 main trunk in Columbus (in progress).
Met with the contractor and district engineer concerning the approach for addressing erosion and sloughing issues on ACD53-62 in Circle Pines.
Contracted with Woodland Restorations for removing a tree on the main branch RWJD #1 in White Bear Township (complete).
Contracted with Woodland Restorations to remove a dead Elm tree on the bald Eagle iron-enhanced sand filter pond (complete).
Continued public drainage system inspections and responded to calls about high water levels after recent heavy rains.
Created and sent out landowner communication concerning the upcoming RCD#4 repair project.

MEMORANDUM
Rice Creek Watershed District

Date: July 17, 2024
To: RCWD Board of Managers
From: Kendra Sommerfeld, Communications & Outreach Manager
Subject: Staff Report 6/17/2024-7/17/2024

MN Water Stewards

- Capstone project planning in progress with Forest Lake High School and WCD
- Working with Fridley for the Water Steward art project

Partnerships/Collaborations

- Partnership with Growing Green Hearts- most completed
- Fall Rain garden workshop planning with Blue Thumb
- Friends of Miss River EIS program "On the Water" program completed
- Planning initiatives with White Bear Lake Center for the Arts for 2025
- Planning lake delisting celebration events with various partners
- Targeted mailings completed in Centerville, Lake Johanna, Lino Lakes/Chain of Lakes for grant programs and projects
- Wrote various articles about lake delistings, outreach initiatives, Conservation Corp
- HOA stormwater outreach with WCD, materials created and distributed
- Working on targeted outreach initiatives and planning for 2024
    - Planning with program managers for next year goals
- Creating postcards and information for mailings

Project/Program Outreach

- Creating "Maintenance Kits" for grantees within the Water Quality program
- Assisted with Conversation Corp project
- Enhanced Street sweeping study outreach and city communications
- WBIF Convene meeting and outreach
- Creating grant project outreach and information materials

Other

- Learning Adobe Creative Suite Programs for design and visual media creation

MEMORANDUM
Rice Creek Watershed District

Date: **7/16/24**
To: **RCWD Board of Managers**
From: **Catherine Nester, District Technician/Inspector**
Subject: **Staff Report 6/17/24 – 7/15/24**

Highlights from Preceding Month

- Performed routine monitoring at various stream, ditch, lake, & project monitoring sites throughout RCWD.
- Performed routine maintenance and calibration on lake and stream monitoring equipment and restocked supplies.
- Collected a flow measurement from Anoka County Ditch 53-62 at Firebarn Road in Circle Pines on June 27.
- Met with a professor at the Bald Eagle iron-enhanced sand filter about a special sampling project on July 1.
- Inquired with Oneka Ridge Golf Course regarding the status of the reuse system for sample collection purposes.
- Coordinated transfer of first round of volunteer lake samples to Met Council for the Citizen-Assisted Monitoring Program.
- Prepared for the monitoring program presentation at the July 8 Board workshop.
- Continued setting up the new monitoring data management platform (WISKI), including building system components, importing test data, data preparation/organization, and developing new workflows/forms/standard operating procedures. Scheduled a joint training session with staff from Coon Creek Watershed District for July 31.
- Ongoing coordination and communication with staff, HEI, & affected cities/watersheds regarding proposed legal boundary updates in Ramsey, Anoka, and Hennepin counties (answered questions and coordinated requested changes to the proposed legal boundary).
- Reviewed progress on SMART goals with supervisor on June 28.

MEMORANDUM
Rice Creek Watershed District

Date: **July 17th, 2024**
To: **RCWD Board of Managers**
From: **Anna Grace, Regulatory Technician**
Subject: **Staff Report 6/15/24 – 7/16/24**

- Created new permit files for online database and Laserfiche.
- Created new review files for online database and Laserfiche.
- Reviewed new permit applications and Initial Completeness Review Checklists were completed.
- Sent incomplete notice emails and continued working with applicants in tandem with RCWD staff and HEI consultants to receive all the required application materials.
- Continued coordinating with RCWD staff and inspectors with violations.
- Sent two permit applications to HEI for review.
- Sent one permit application to RCWD for review.
- Received 13 new review file inquiries for permit/past file/landowner/consultant/violation/City.
- Completed Administrative/Board Notices, CAPROC Notices, CAPROC Review, and Permit Issuance.
- Phone and email correspondence.
- Attended 16 scheduled meetings.
    - Schedule and attended virtual pre-application meetings:
        - RCWD, HEI, landowner, and project consultants to discuss proposed parking lot reconstruction and expansion on commercial lot in Columbus.
        - RCWD, HEI, and project consultants to discuss the NuStar terminal in Roseville.
        - RCWD, HEI, and project consultants to discuss future commercial lot development in Lino Lakes.
        - RCWD, HEI, City of New Brighton, and WSB to discuss the next phase of Hansen Park development.
    - Continued assisting in on-boarding of new staff members.
    - Process of updating regulatory templates.
    - Completed UMN Construction Installer Course.
    - Registered for MWPCP Intro MN Wetland Regulation and Delineation training and exam.
    - Assisted Ali Chalberg with canoe lake monitoring activities on Pike and East Moore.
    - Completed my quarterly review with Patrick Hughes.

MEMORANDUM
Rice Creek Watershed District

Date: July 16, 2024
To: RCWD Board of Managers
From: Theresa Stasica, Office Manager
Subject: Staff Report 6/18/2024 to 7/16/2024

- Coded invoices for payment this month which were reviewed by Administrator Nick Tomczik and Treasurer Marcie Weinandt and sent to our accountant Bonnie Burns via an excel spreadsheet.
- Initiated approved ACH's from vendor portal and released through US Bank SinglePoint portal.
- Gathered all timesheets and reviewed select employee timesheets for administrator's final review.
- Updated payroll timesheet with ESST hours for employee earning statements.
- Provided worksheets to payroll and to several employees for earning statement information.
- Provide bi-monthly payroll template to Redpath and updated information as needed.
- Organized Technical Field Assistant candidates and provided re-dacted resumes to TFA interview team. Scheduled interviews.
- Continued to provided administrative/HR support to new employees.
- Closed out account with Allstream.
- Track accounts receivable and deposit checks as needed.
- Verified letters and Invoiced RCD4 ROW charges to select cities, MnDOT and Ramsey County.
- Review and track monthly financial reports.
- Received and coded Anoka, Hennepin, Ramsey and Washington counties 1st half tax levy settlement reports and provided to accountant.
- Tracking grant expenses for FY2023 WBIF grant and 2024 CWF Centerville Lake grant.
- Handled HR/Benefit issues and entered updated wage information for effected employees on vendor portals.
- Provide minute templates to TimeSavers for meetings. Reviewed and edited regular Board minutes.
- Provided draft minutes for the Board workshop.
- Review monthly check register and interim financial statements.
- Retrieved, reviewed, and coded statements for district 6 bank accounts.
- Monitor District financial accounts and investments, US Bank and 4M.
- Attended Investment meeting with Treasurer, Administrator, and PMA Advisor.
- Set up and attended meeting with PMA Advisor and our accountant to discuss new Treasury purchase.
- Attending on-line training courses through Fred Pryor.
- Provide requested information to Board members and Administrator as needed.
- Assisted Board and Staff as needed.
- Created and assembled agenda packets. Developed a guide to assist Emmet in posting packets on our website and sending out Mailchimp notice.
- Attended board meetings and staff meetings.
- Placed orders for supplies as needed.
- Maintain Laserfiche filing system and scanned documents District receives into Laserfiche.
- Working with Iron Mountain on our secure file inventory.
- Finalizing my second submittal of digital records to the Minnesota Historical Society. After MHS catalogs the digital records, they will add to our content on MHS's website for public use.

MEMORANDUM
Rice Creek Watershed District

Date: July 17, 2024
To: RCWD Board of Managers
From: Kelsey White, Permit Technician
Subject: Staff Report 06/15/2024 – 07/16/2024

Reviews

- Coordinated submittal and review of CAPROC items for 7 permit applications.
- Drafted engineer's report for Amended CAPROC 24-010.
- Reviewed one permit application for administrative approval.
- Created two review files in laserfisch.
- Conducted completeness reviews for 2 wetland boundary/type applications.
- Drafted and sent 3 WCA Wetland Boundary/Type application notices.
- Drafted and sent 2 WCA Wetland Boundary/Type decision notices.

Communications

- Sent notice of permit issuance for permit application 24-024.
- Sent notice for one amended permit.
- Sent 3 CAPROC notices and 1 amended CAPROC notices.
- Sent 4 administrative action notices to the Board.
- Sent one MN Statue 15.99 decision timeframe extension notice.
- Drafted and sent one invoice for permit review costs exceeding $9,000.

Meetings

- Attended June 26th, 2024 Board Meeting to present the consent agenda.
- Attended discussion for Ramsey County climate action plan partnership opportunities.
- Coordinated and attended 3 wetland boundary reviews.
- Attended sequencing discussion for permit application 24-040.
- Held meeting to review stormwater BMP maintenance obligations for Otter Lake Elementary.
- Participated in weekly permit coordination meetings and monthly permit triage.
- Attended regular staff meetings.

Other Duties

- Coordinated with permitting team on regulatory template updates.
- Trained new staff on CAPROC procedures.
- Responded to email and telephone inquiries about RCWD permitting requirements.
- Responded to landowners about general WCA questions and questions regarding wetlands on or near their properties.

ITEMS FOR DISCUSSION AND INFORMATION

2. August Calendar

RICE CREEK WATERSHED DISTRICT

JULY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

MEMORANDUM
Rice Creek Watershed District

Date: July 11, 2024
To: RCWD Board of Managers
From: Theresa Stasica, Office Manager
Subject: August Calendar

Wednesday, August 7, 5:30 p.m. Citizen Advisory Committee Meeting
Board Liaison Manager John Waller
RCWD District Conference Room and remotely*

Monday, August 12, 9 a.m. Board Workshop
RCWD District Conference Room and remotely*

Wednesday, August 14, 9 a.m. Regular Board of Managers Meeting
Proposed 2025 Budget Public Hearing
at Shoreview City Hall Council Chambers and remotely*

Thursday, August 15 Deadline for submission of Expense Report

Wednesday, August 28, 9 a.m. Regular Board of Managers Meeting
at Shoreview City Hall Council Chambers and remotely*

* remotely=by alternative means (teleconference or video-teleconference) from remote locations