

RULE 1: ADMINISTRATIVE PROCEDURES

Required Submittals and Exhibits

The VBWD requires submittals for all projects within the VBWD that require a VBWD permit. The submittals must accompany the permit application and must show how the project conforms to the requirements in these Rules and Regulations and the VBWD Watershed Management Plan.

The following submittals and exhibits must be submitted for all projects within the VBWD that require a VBWD permit:

1. A completed and signed permit application form.
2. The deed of ownership for the project site.
3. The required permit application fee (see Rule 12).
4. Grading Plan/Mapping Exhibits:

One 11-inch by 17-inch copy and two full-sized copies of the plans shall be submitted. The plans shall be prepared by a registered professional engineer and shall include the following:

- A. Property lines and delineation of lands under ownership of the applicant.
- B. Delineation of the subwatersheds contributing runoff from off-site, proposed and existing on-site subwatersheds, and flow directions/patterns.
- C. Location, alignment and elevation of proposed and existing stormwater facilities.
- D. Delineation of existing on-site wetlands, shoreland and/or floodplain areas (including any buffers).
- E. Existing and proposed normal water elevations and the critical (the highest) water level produced from the 100-year 24-hour storms, the 100-year 10-day snowmelt event, or the VBWD simplified method for landlocked basins or an approved alternative for all on-site wetlands, ponds, depressions, lakes, streams and creeks (see Rule 5, 6, 7, 8).
- F. Ordinary High Water (OHW) elevations, as determined by the DNR (if applicable).
- G. Existing and proposed site contour elevations related to NGVD, 1929 datum.
- H. Drainage easements covering land adjacent to ponding areas, wetlands and waterways up to their 100-year flood levels and covering all ditches and storm sewers. Access easements to these drainage easements and to other stormwater management facilities shall also be shown.
- I. Minimum building elevation for each lot.
- J. Identification of downstream water body.

5. Hydrologic/Hydraulic Design Exhibits:

One copy of the following shall be submitted. The calculations shall be prepared by a registered professional engineer.

- A. All hydrologic and hydraulic computations completed to design the proposed stormwater management facilities shall be submitted. Model summaries must be submitted. The summaries shall include a map that corresponds to the drainage areas in the model and all other information used to develop the model.
- B. A table (or tables) must be submitted showing the following:

- i. A listing of all points where runoff leaves the site and the existing and proposed stormwater runoff rates and volumes.
 - ii. A listing of the normal water levels under existing and proposed conditions and the water levels produced from the storm and runoff events listed above for all on-site wetlands, ponds, depressions, lakes, streams and creeks.
- C. A completed VBWD stormwater volume reduction checklist (see Rule 2 and Appendix A).
- 6. Erosion Control and Sedimentation Prevention Exhibits (see Rule 3):
 - A. One 11 inch by 17 inch copy and two full-sized plans which show how waterborne sediment will be prevented from leaving the site during and after construction to prevent sedimentation of downstream water bodies. The plans shall include a construction sequencing schedule.
 - B. A copy of the Stormwater Pollution Prevention Plan (SWPPP), prepared by a qualified individual, which conforms to the MPCA's NPDES Construction Stormwater Permit requirements. The NPDES permit requirements cover both temporary and permanent erosion prevention and sediment control measures, and apply to all construction projects that disturb one or more acres of land. The SWPPP must conform to the special requirements for "Special Waters" (Valley Creek and the St. Croix River), when applicable. The SWPPP shall also show how erosion will be prevented during construction on individual building sites. Any applicable local standards shall be incorporated into the plan.
- 7. Construction plans for all proposed stormwater management facilities. Construction specifications must be provided upon request.
- 8. A maintenance agreement in the format of Appendix B, as revised and updated by the VBWD Attorney.
- 9. Four copies of the Wetland Delineation Report, which also must include a summary of the MnRAM evaluation (*Minnesota Routine Assessment Method for Evaluating Wetland Functions, Version 3.0* or updated versions), and classification determination according to VBWD's wetland management classification system (see Rule 4).
- 10. Five copies of Part 1 of the Combined Wetland Permit Application (CWPA) for all projects proposing to alter wetlands, which may not require wetland replacement (see Rule 4).
- 11. Five copies of the *Wetland Replacement Plan, including Parts 1 and 2 of the CWPA*, for all projects requiring wetland replacement (see Rule 4).
- 12. Other exhibits required by or to show conformance to these Rules and Regulations.

Permit Application Process

- 1. The VBWD Engineer must receive from the applicant a complete permit application, all necessary supporting documents, and the permit application fee 14 calendar days prior to a meeting at which application is to be considered. Supporting documentation must include the deed of ownership for the project site. If the permit applicant does not yet own the property, a preliminary VBWD permit can issued, but will not be effective until the VBWD receives the proof that the permit applicant owns the property.
- 2. The VBWD Engineer will review each permit request with respect to VBWD policies and criteria.

3. The VBWD Engineer will notify the applicant concerning
 - A. Applicable VBWD criteria and policies.
 - B. Additional required information where necessary with copies to the appropriate community and other concerned agencies
4. The VBWD Engineer will place the development proposal on the agenda when all the required information is received and all VBWD policies are met or a variance is requested and supporting written documentation is submitted. The Engineer will then submit a written report to the Managers at least two (2) days prior to the Managers meeting.
5. The issuance or denial of a permit shall be based on the policies contained in the Watershed Management Plan and these Rules and Regulations.
6. The Managers will act on a complete permit application within 60 days of receipt or as required by the Rules of the Wetland Conservation Act.
7. The granting of a VBWD permit in no way purports to permit acts which may be prohibited by other governmental agencies.
8. The required surety (see Rule 14) must be submitted prior to the commencement of any permitted activities.

Enforcement and Severability

1. The VBWD may exercise all powers conferred upon it by Minnesota Statutes, Chapter 103, in enforcing these Rules and Regulations.
2. If for any reason a section or subdivision of these Rules and Regulations should be held invalid, such decision shall not affect the validity of the remaining Rules and Regulations.
3. These Rules and Regulations shall conform to Minnesota law and if inconsistent therewith, the latter shall govern and these Rules and Regulations are amended accordingly.

Appellate Procedure and Review

1. Any person aggrieved by enforcement of these Rules and Regulations or by any Order of the VBWD may appeal therefrom in accordance with the appellate procedure and review as provided in Minnesota Statutes Chapter 103D.

Amendment Procedure

1. Any person may petition the Managers for the purpose of amending or changing these Rules and Regulations.
2. The Managers may initiate changes or amendments to these Rules and Regulations.
3. All changes and amendments to these Rules and Regulations, whether initiated by the Managers or by any other person, will require a majority vote of the Managers.

Permit Close-Out

1. The Managers will certify completion of a permitted project or element of the project and authorize the release of any required security upon inspection and submittal of information verifying completion of that project or an element of that project in accordance with the approved plans and conditions of the permit. For consideration of permit close-out, the permit holder must at least 14 calendar days prior to a meeting at which completion is to be considered, provide proof that all required documents have been recorded (including but not limited to easements) and must provide as-built drawings. For consideration of completion

of an element of a project (partial completion), the permit holder must provide documented proof that all components of the completed project are built according to the approved plan, which may include recording of documents (including but not limited to easements) and as-built drawings.

A. The as-built drawings must include:

- i. the surveyed bottom elevations, water levels, and general topography of all basins;
- ii. the size, type, and surveyed invert elevations of all pond outlets;
- iii. the surveyed elevations of all pond, street, and other emergency overflows; and
- iv. other important features to show that the project was constructed as approved by the Managers and protects the public health, welfare, and safety.

B. Additionally, the as-built drawings must show:

- i. the surveyed minimum floor elevations of constructed structures;
- ii. the required minimum floor elevations for all lots and un-built structures; and
- iii. the locations and elevations of septic systems, if they have been constructed.

All surveys must be certified by a registered land surveyor. The Managers will not release the permit holder's remaining fee and performance bond or other security until all of information is submitted, all temporary erosion prevention and sediment controls (such as silt fence) are removed, and stormwater ponds and pipes are free of sediment. No activity will be certified as complete if there are any unpaid fees or other outstanding permit violations.

RULE 2: STORMWATER MANAGEMENT

Policies

1. To carry out the responsibility of managing the VBWD's water resources and to implement the goals and policies of the VBWD's Watershed Management Plan, the Managers must be informed of all water and wastewater discharges within the VBWD. This includes stormwater runoff, municipal and industrial wastewater discharges, lake augmentation, and any discharge that requires a National Pollutant Discharge Elimination Program (NPDES) permit.
2. All discharges and related improvements must conform to the applicable requirements of State and Federal agencies including, but not limited to, Minnesota Rules Chapter 8410, MPCA stormwater permit requirements, and DNR permit requirements.
3. All stormwater discharges must be in general conformance with the VBWD's Watershed Management Plan and local watershed management plans.
4. All discharges and related improvements shall not unreasonably raise water levels or degrade the water quality of the waters of the VBWD.
5. Rate Control: Stormwater and snowmelt runoff rates will be managed so that future peak rates of runoff crossing community boundaries and/or leaving a development are below or equal to existing rates.
6. Volume Control: Stormwater volume will be controlled so that surface water and groundwater quantity and quality are protected.