



2023

Regulatory Program Report

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rpbcwd.org/permits

OVERVIEW

Regulation plays an important role in preventing and mitigating water resource issues. The regulatory program sets standards that must be met by entities that develop or otherwise disturb land within the District. The regulatory program is intended to provide for consistent application of resource protection from impacts related to land use change throughout the watershed.

The District's Board of Managers adopted the regulatory program on November 5, 2014, and implementation of the regulatory program went into effect in January 2015. In response to stakeholder comments, the District modified the regulatory program in 2018 and 2019. The regulatory program includes thirteen rules, A - N, (rule I was eliminated in 2018 revisions). The rules and summary of modifications are available on the District's website at rpbcwd.org/permits.

In 2023,
the District was
responsible for
administration of
regulations **throughout**
the District as
no municipalities *adopted*
ordinances equally
protective of the resources.

PERMITTING

The District Regulatory Program requires individuals and entities desiring to take certain actions to obtain a permit from the District before commencing any work covered by District Rules. Since the District reinstated its regulatory program in 2015, 651 permit applications have been submitted to the District, including 80 for the 2023 calendar year. In 2021 District staff began using MS4Front permit management software and database which allows staff to easily view and track permits, escrows, fees, inspections, and violations.

In 2023, there were 24 permit applications that were approved by the Board of Managers. In addition, another 32 were approved administratively as set forth in District policy. These included 13 permits for work on existing single-family lots of record, 14 issued to municipalities or local road authorities, and five to commercial properties.

VARIANCES

In 2023, four requests for variances from District rules were submitted and approved by the Board of Managers:

- One variance request was for the floodplain management and drainage alterations rule (Rule B) for the Xcel Service Center project (Permit Number 2022-074). The request pertained to the provision of compensatory storage criteria.
- One variance request was for the wetland and creek buffers rule (Rule D) for the Chanhassen Trail Improvements project (Permit Number 2023-044). The request pertained to the buffer widths criteria.
- One variance request was for the wetland and creek buffers (Rule D) for the Cortrust Parking Improvements project (Permit Number 2023-022). The request pertained to the buffer widths criteria.

- One variance request was for the wetland and creek buffers rule (Rule D) and the stormwater management rule (Rule J). The request pertained to the buffer widths criteria of Rule D and the rate control criteria of Rule J.

PERMIT VIOLATIONS

During 2023 there were three locations where work was conducted without a permit from RPBCWD. The district continues to work with the property owners to rectify these conditions and as such the Board of Managers has not pursued formal violation notices or enforcement action as indicated in Rule N.

BENEFITS TO WATER RESOURCES

The District Regulatory Program sets standards to regulate the management of stormwater runoff to limit the runoff quality and rate on receiving waterbodies. The intent of these standards is to improve water quality to support environmental health and recreational usability of waterbodies within the District. In pursuit of these goals, the District requires that permittees limit the rate and volume of stormwater leaving their site, as well as managing stormwater runoff for total phosphorus (TP) and total suspended solids (TSS).

For every year for which data is available (2018-2023) permitted sites within the district have met or exceeded the 60% TP and 90% TSS removal goals. Additionally, for every year except 2019, the 1.1" volume abstraction goal has been met or exceeded. In 2023, implementation of the District's regulatory program resulted in the removal of 378 pounds of phosphorus and 116,120 pounds of sediment from the stormwater that will be discharged annually from permitted sites. From 2018 through 2023, 747 pounds of total phosphorus and 226,121 pounds of sediment were removed from stormwater discharge. Without the standards set by the District's Regulatory Program these pollutants would have reached our lakes and streams.



Each year, erosion control

measures required by the

Regulatory Program

prevents an estimated

FOUR

DUMP TRUCKS

of **SEDIMENT**

from ending up in

our lakes and streams.

This number grows each year.

