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# Permitting Process

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**Citizen Advisory Committee**

November 15, 2021

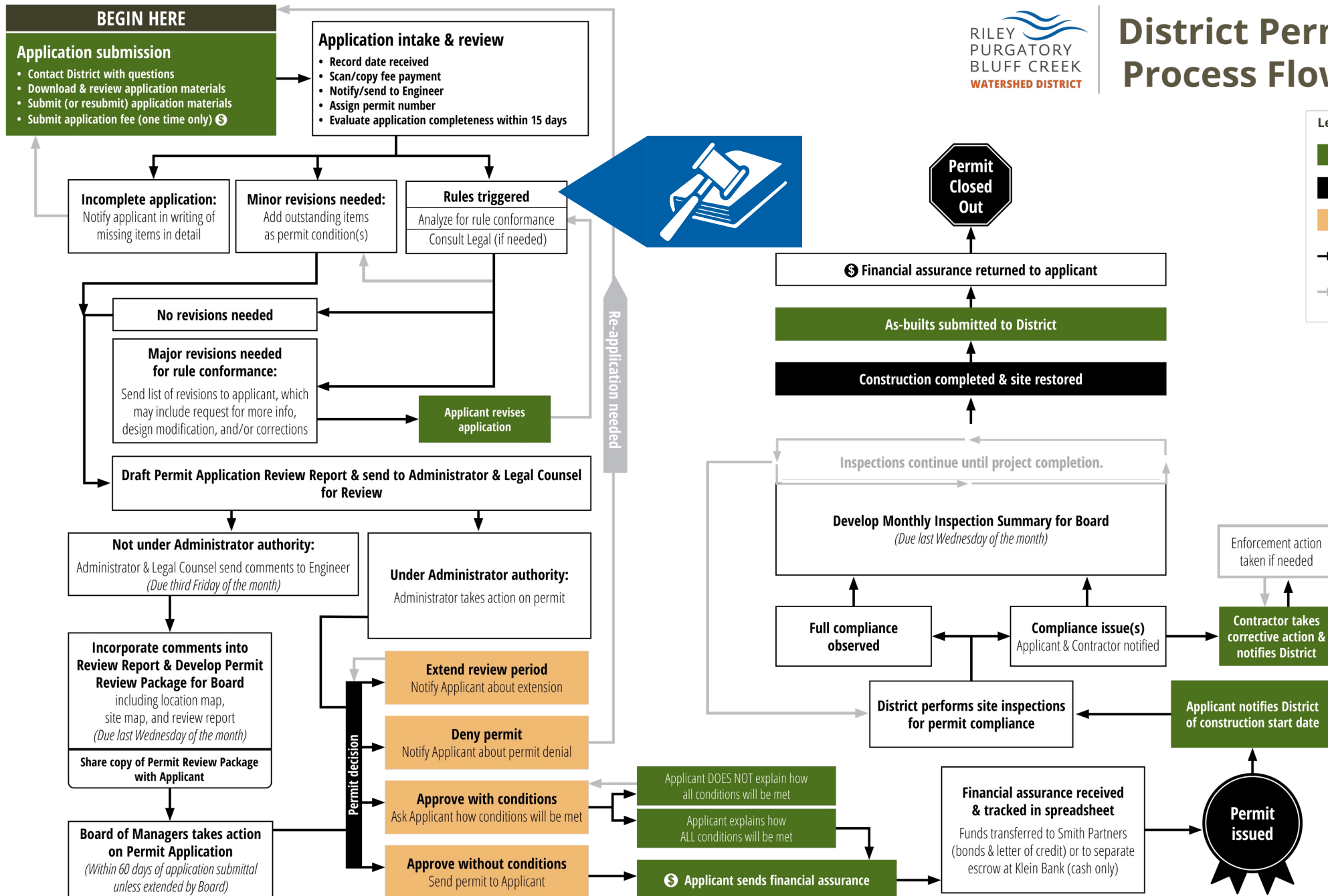
A decorative graphic at the bottom of the slide consists of several overlapping, wavy shapes in shades of grey and orange, creating a landscape-like effect.



# Rules Overview

| RULE     | DESCRIPTION                          | GENERAL APPLICABILITY  |
|----------|--------------------------------------|--|
| <b>A</b> | Procedural                           | All applications   |
| <b>B</b> | Floodplain & Drainage                | Any work in a floodplain or change in drainage   |
| <b>C</b> | Erosion & Sediment Control           | ≥ 5,000 square feet or ≥ 50 cubic yards of land disturbance  |
| <b>D</b> | Wetland, Lake, & Creek Buffer        | If Rule B, E, F, G or J triggered  |
| <b>E</b> | Dredging and Sediment Removal        | Dredge or remove >1 cubic yard of sediment from any public water   |
| <b>F</b> | Shoreline & Streambank Stabilization | Shoreline or streambank disturbance below Ordinary High Water (OHW) level                                |
| <b>G</b> | Waterbody Crossings and Structures   | Construct, improve, replace or remove a crossing in any waterbody, place or replace a structure (not PW) |
| <b>H</b> | Appropriation of Surface Water       | < 10,000 gallons/day and < 1,000,000 gallons/year  |
| <b>I</b> | <i>Rescinded</i>                     |  |
| <b>J</b> | Stormwater Management                | ≥ 5,000 square feet or ≥ 50 cubic yards of land disturbance or subdivision                               |
| <b>K</b> | Variances & Exceptions               |  |
| <b>L</b> | Permit Fees                          | All non-government applicants  |
| <b>M</b> | Financial Assurances                 | All non-government applicants  |

# District Permitting Process Flowchart



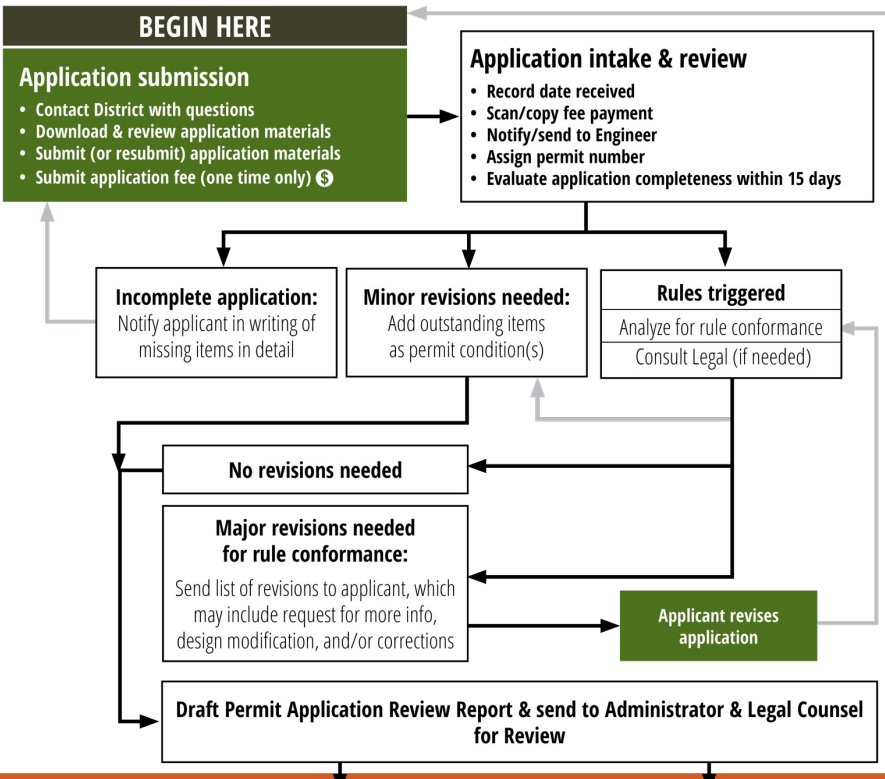
**Legend**

- Applicant action needed
- Process milestone
- Permit decision
- Direction of process flow
- Return to earlier step

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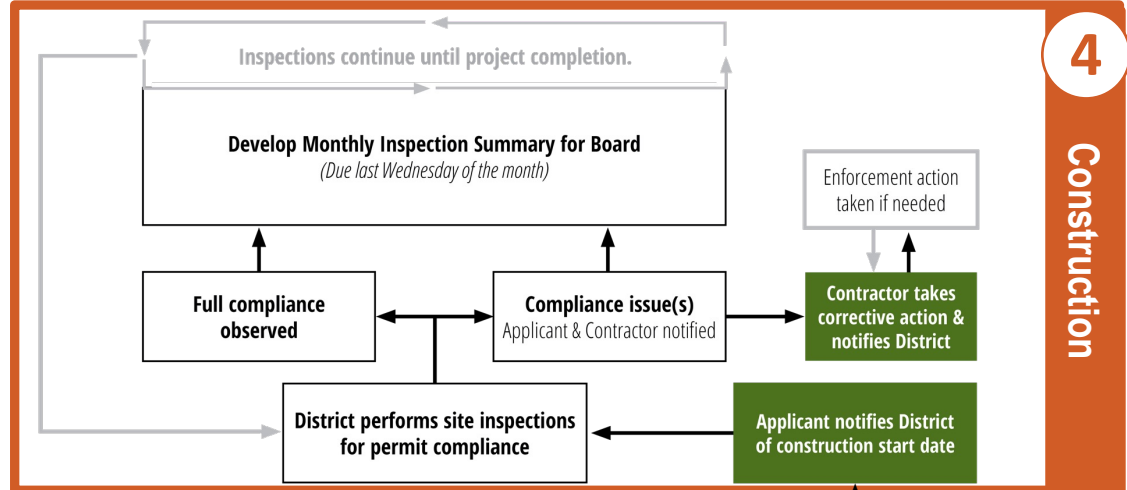
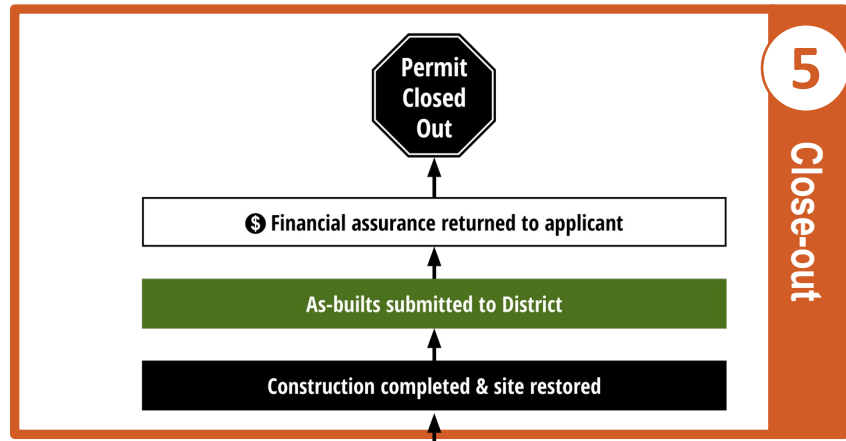
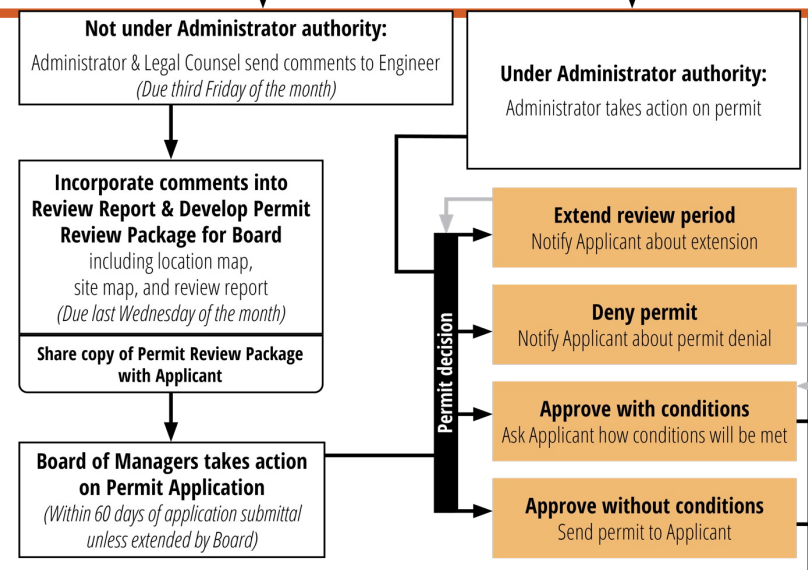
1

Evaluation



2

Decision



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# District Permitting Process Flowchart

**Legend**

- Applicant action needed
- Process milestone
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- Direction of process flow
- Return to earlier step

1

Evaluation

**BEGIN HERE**

**Application submission**

- Contact District with questions
- Download & review application materials
- Submit (or resubmit) application materials
- Submit application fee (one time only) \$

**Application intake & review**

- Record date received
- Scan/copy fee payment
- Notify/send to Engineer
- Assign permit number
- Evaluate application completeness within 15 days

**Incomplete application:**  
Notify applicant in writing of missing items in detail

**Minor revisions needed:**  
Add outstanding items as permit condition(s)

**Rules triggered**

- Analyze for rule conformance
- Consult Legal (if needed)



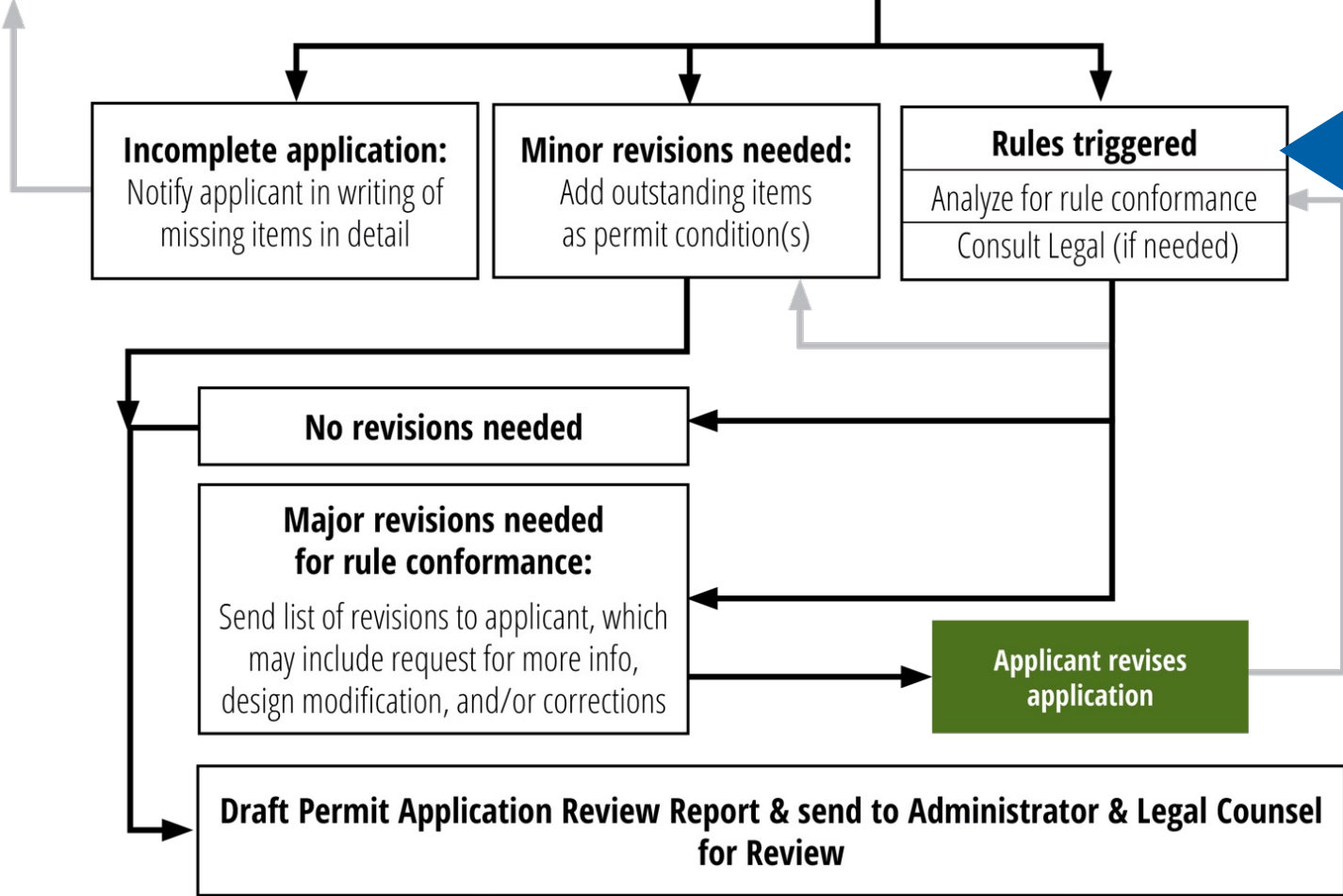
**No revisions needed**

**Major revisions needed for rule conformance:**  
Send list of revisions to applicant, which may include request for more info, design modification, and/or corrections

**Applicant revises application**

**Draft Permit Application Review Report & send to Administrator & Legal Counsel for Review**

Re-application needed





# Rules Review Checklist

## Example of rule

### **Rule J: Stormwater Management**

**A permit is required for any land-disturbing activity that will involve:**

- Placement, alteration or removal of 50 cubic yards or more of earth
- Alteration or removal of 5,000 square feet or more of land-surface area or vegetation
- Subdivision of a parcel into three or more residential lots

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#### ***Exemptions***

- Single family home site, unless any portion of the parcel is:
  - Within 300 ft of the centerline of and draining to Riley Creek, Purgatory Creek, or Bluff Creek
  - Within 500 feet of the OHW and draining to any other public water or protected wetland, or
  - Below a 100-year flood elevation adopted by the District
- Rehabilitation of paved surfaces (mill and overlay)
- Trails and sidewalks that do not exceed 10 feet in width and are bordered downgradient by a pervious buffer of at least half the trail width

A rule may have more than one section that needs to be addressed.





# Rules Review Checklist

## Example

### Rule J: Stormwater Management

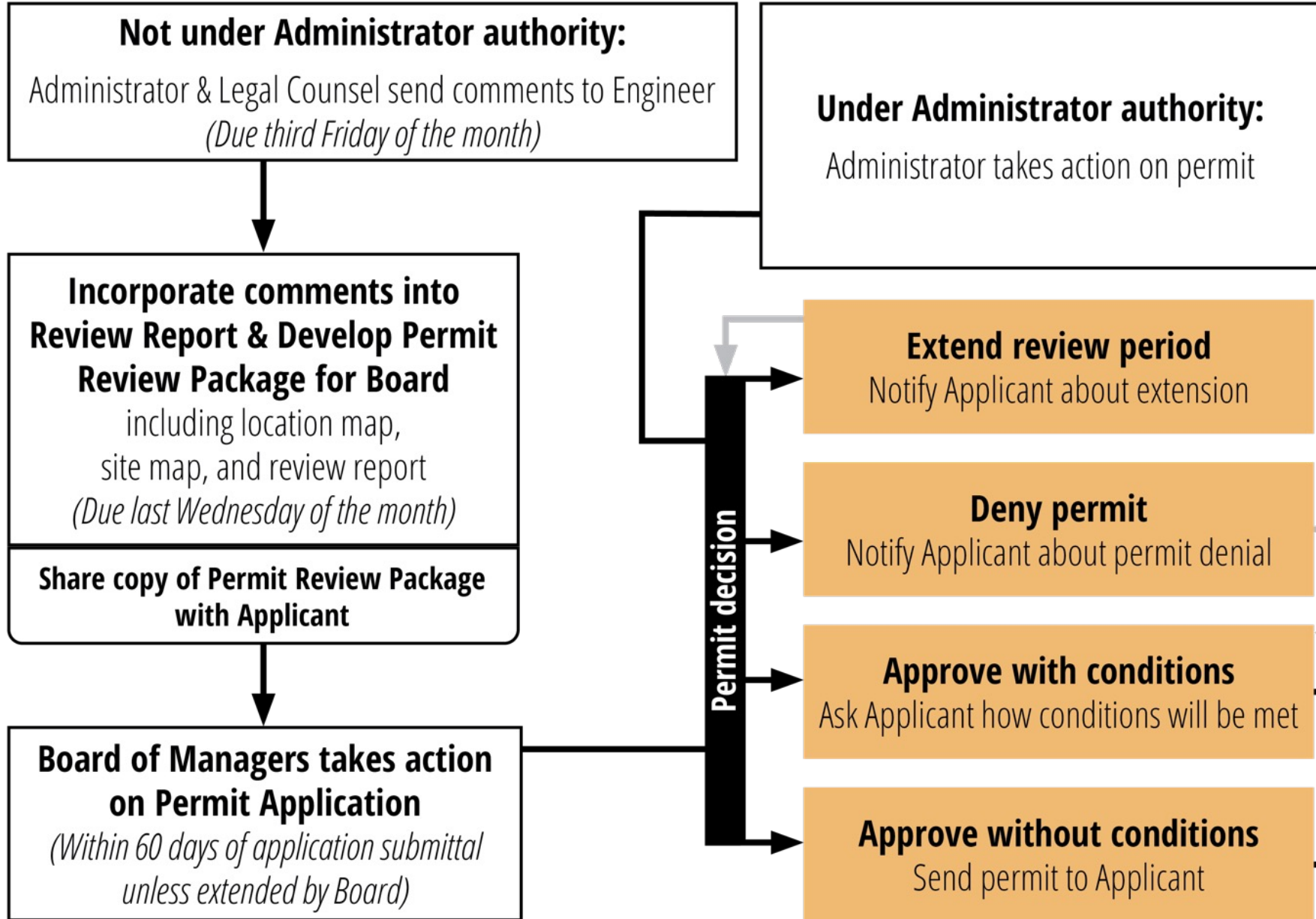
Rule J has 16 sections.

| Rule Section | Description  |
|--------------|--|
| J-5.2        | Stormwater management system modeling (H&H)  |
| J-5.3        | Site plan – property lines; existing and proposed elevation contours; identification of existing and proposed normal, and ordinary high and 100-year water elevations onsite; delineation of existing and proposed impervious surfaces and if they will be rehabilitated or reconstructed;     |
| J-5.4a       | Proposed and existing stormwater facilities' location, alignment and elevation;  |
| J-5.4b       | Delineation of existing wetlands, marshes, shoreland and/or floodplain areas onsite or to which any portion of the project parcel drains;  |
| J-5.4c       | Geotechnical analysis including soil borings and, where applicable, data developed in accordance with the MN SW Manual supporting existing and designed infiltration rates at all proposed stormwater management locations and completed by a licensed soil scientist, geologist, or engineer; |
| J-5.4d       | Construction plans and specifications for all proposed stormwater management facilities including design details for outlet control structures and cross sections for stormwater BMPs;   |

| Rule Section | Description <i>(continued)</i>   |
|--------------|--|
| J-5.4e       | Stormwater runoff volume and rate analyses for the 24-hour, 2-, 10- and 100-year critical events existing using a nested storm distribution and proposed conditions; and 10-day snowmelt event (storm distributions for HydroCAD are available at <a href="http://www.rpbcwd.org/permits">www.rpbcwd.org/permits</a> ) |
| J-5.4f       | All hydrologic, water quality, and hydraulic computations completed to design stormwater management facilities (MIDS calculator electronic file or P8 model or sufficient P8 inputs and outputs);  |
| J-5.4g       | Narrative addressing incorporation of retention BMPs;  |
| J-5.4h       | Platting or easement documents;  |
| J-5.4i       | Documentation as to the status of the project's NPDES permit;  |
| J-5.4j       | Phase I or other assessment of non-contamination if infiltration is proposed;  |
| J-4.4        | An erosion control plan complying with District Rule C;  |
| J-3.6        | Low-floor elevations for all structures adjacent to waterbodies affected by the project (including existing and proposed stormwater BMPs);   |
| J-3.7        | Maintenance agreement;   |
| J-4.5        | As-built drawings following construction;  |

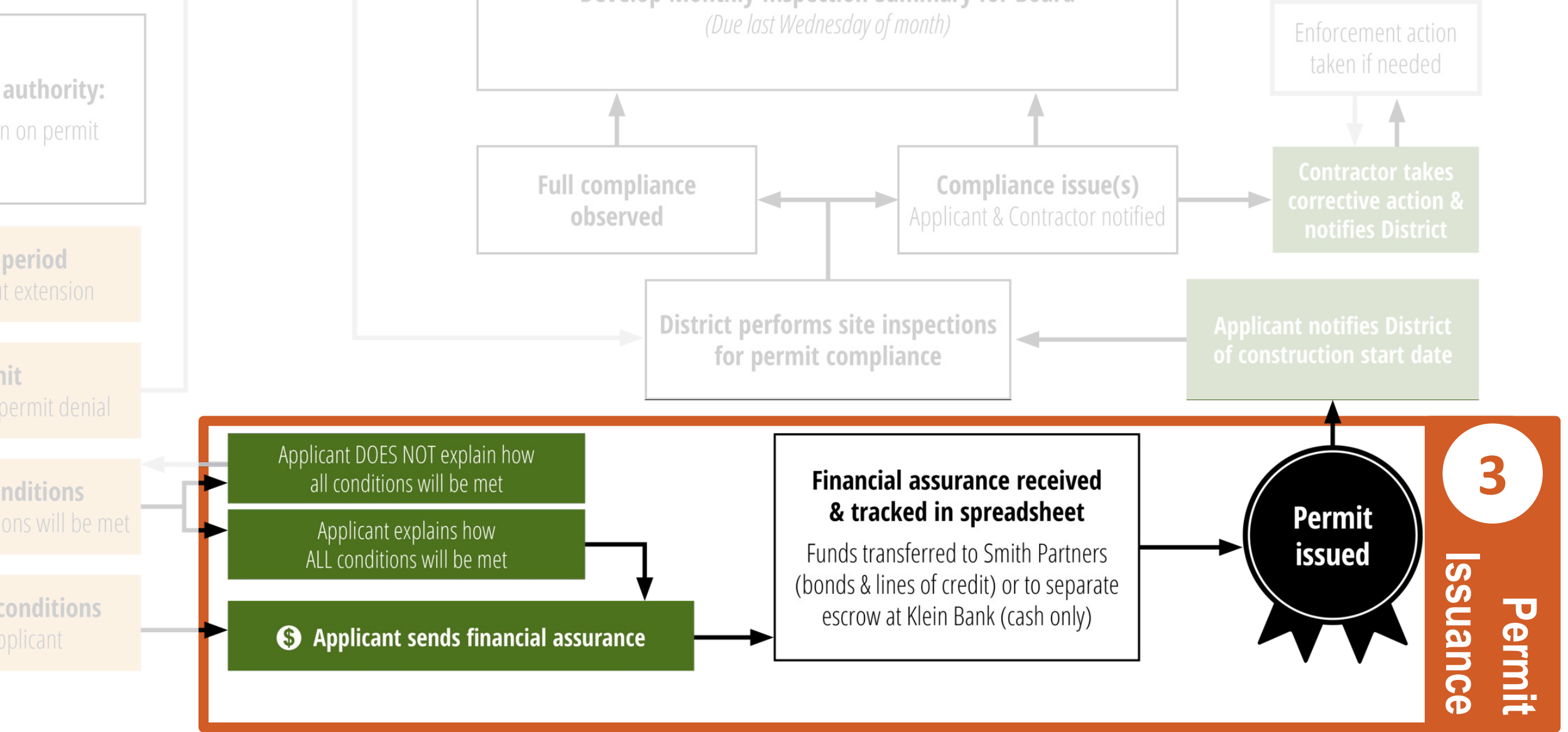
Decision

2



- Applicant DOES NOT meet all conditions
- Applicant expects to meet ALL conditions
- Applicant s





Construction completed & site restored

4

Construction

Inspections continue until project completion.

**Develop Monthly Inspection Summary for Board**  
*(Due last Wednesday of month)*

**Full compliance observed**

**Compliance issue(s)**  
Applicant & Contractor notified

Enforcement action taken if needed

**Contractor takes corrective action & notifies District**

**Applicant notifies District of construction start date**

**District performs site inspections for permit compliance**

Applicant DOES NOT explain how all conditions will be met

Applicant explains how ALL conditions will be met

**Financial assurance received & tracked in spreadsheet**

Funds transferred to Smith Partners (bonds & lines of credit) or to separate

**Permit issued**

5

Close-out

Permit  
Closed  
Out

Financial assurance returned to applicant

As-builts submitted to District

Construction completed & site restored

Inspections continue until project completion.