



Capitol Region Watershed District

1410 Energy Park Dr., Suite 4 St. Paul, MN 55108
Phone: (651) 644-8888 Fax: (651) 644-8894 www.capitolregionwd.org

Rulemaking Workplan, Adopted 01/05/2005

During 2005, Capitol Region Watershed District intends to complete the rulemaking process. The following is the workplan detailing the process that will be undertaken. The workplan has two phases. Phase 1 (tasks 1.1 – 1.13), which will occur from January through September 2005, includes the development and drafting of the rules. Phase 1 has been broken into two parts: developing the technical standards (tasks 1.1 – 1.6) and developing the administrative process (tasks 1.7 – 1.13). Both the technical and administrative pieces will be important to the success of the Rules. Phase 2 (tasks 2.1 – 2.8), which will occur from October through December 2005 and is the formal Rule adoption process detailed in MN Statute 103D.341. The rulemaking process timeline is attached.

- 1 **Drafting Rules/SONAR (Statement of Need and Reasonableness)**
The drafting of the Rules and the SONAR (Phase 1) will occur from January 2005 through October 2005.
 - 1.1 **Board Formally Initiates Rulemaking**
The Board will initiate rulemaking via resolution at its first meeting in January 2005.
 - 1.2 **Develop/Approve Rulemaking Workplan**
The Board will review, comment, and approve the rulemaking workplan at its first meeting in January 2005.
 - 1.3 **Complete Statement of Need and Reasonableness (SONAR)**
Staff will complete a Statement of Need and Reasonableness (SONAR). Although this is not required by statute, it is prudent to complete a SONAR should anyone, at a later time, question why rulemaking was undertaken. The SONAR will include much of the information that was gathered for the meeting with the cities regarding rulemaking on December 13, 2004. This will be completed in January 2005.
 - 1.4 **Meeting w/Cities regarding Technical Standards**
During task 1.5 (Determine/Draft Technical Standards) a meeting with the member cities will be called to discuss the technical standards that will be in the rules. This meeting will be held to gather input from staff of the member cities as to issues that may arise from adopting rules with certain technical criteria. Staff from member cities have requested that examples be provided of densely developed sites that are able to meet CRWD development review criteria. Example sites will be provided. This meeting will occur in March 2005.

1.5 Determine/Draft Technical Standards

Technical standards will be determined and drafted with the input of various individuals and organizations, including: CRWD staff & board, CRWD Citizens Advisory Committee, Ramsey Public Works staff, Ramsey Conservation District staff, city staff, consulting engineers, an attorney, and others. This process is estimated to take approximately 3 months. The initial stages of this task will include revisiting the current development review criteria, and considering all other possible standards. In addition to determining the standards themselves considerable time will be spent determining the applicability of the standards. (Parcel size threshold, subwatershed standards, etc.)

1.6 CRWD adopts Technical Standards

The Board will formally adopt the Technical Standards. This will occur in April 2005.

1.7 Distribute Technical Standards to Cities

The adopted technical standards will be distributed to the Cities. The Cities will have an opportunity to review the standards and comment. Task 1.7 will be completed in June 2005.

1.8 Respond to / address issues with Technical Standards

Any issues regarding the technical standards will be addressed. Although this is listed as a specific task, CRWD will respond to issues as they arise throughout the rulemaking process.

1.9 Determine/Draft Administrative Process (Fees, Bond, Submittal Requirements, etc.)

This task will determine the administrative items found in the Rules. This will include the process for review and other procedural requirements, which may necessitate a permit program. Other items to be determined include: review/permit fees, performance bond/surety, required exhibits, etc.

1.10 Prepare "final draft" Rules for adoption and distribution

Staff will prepare the final draft (proposed) Rules which will include the technical standards and administrative process.

1.11 CRWD adopts "final draft" Rules & SONAR

The Board will formally adopt the draft Rules and SONAR. This task is scheduled for completion in July 2005.

1.12 Distribute draft Rules to Agencies and Cities for review and comment

The draft Rules will be distributed to the member cities and appropriate agencies for review and comment. Although this is not required until the formal rule adoption process detailed in task 2, it is appropriate to address any major issues before the formal adoption process is initiated.

1.13 Respond to comments

Comments and issues from the member cities and agencies will be addressed, as they will throughout the process. This task will occur in September 2005.

- 2 **Formal Rule Adoption (103D.341)**
The formal Rule adoption process (Phase 2) will occur from October 2005 through December 2005.
- 2.1 **Publish notice of a hearing on the proposed rule.**
- 2.2 **Submit the proposed rule to BWSR for review and comment.**
BWSR has a 45-day comment period.
- 2.2 **Hold a public hearing.**
- 2.3 **Respond to comments.**
- 2.4 **Vote on the adoption of the proposed rule.**
- 2.5 **Sign and record the adopted rule.**
- 2.6 **Publish notice of the adopted rule.**
- 2.7 **File the adopted rule with the county recorder and BWSR.**
- 2.8 **Mail the adopted rule to each municipality in the watershed district.**

Capitol Region Watershed District Rulemaking Timeline

Adopted 01/05/2005

2005

ID #	Task	Board Action	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Drafting Rules/SONAR (Statement of Need and Reasonableness)													
1.1	Board Formally Initiates Rulemaking	X												
1.2	Develop/Approve Rulemaking Workplan	X												
1.3	Complete Statement of Need and Reasonableness (SONAR)													
1.4	Meeting w/Cities regarding Technical Standards													
1.5	Determine/Draft Technical Standards													
1.6	CRWD adopts Technical Standards	X												
1.7	Distribute Technical Standards to Cities													
1.8	Respond to / address issues with Technical Standards													
1.9	Determine/Draft Administrative Process (Fees, Bond, Review Process, etc.)													
1.10	Prepare "final draft" Rules for adoption and distribution													
1.11	CRWD adopts "final draft" Rules & SONAR	X												
1.12	Distribute draft rules to Agencies and Cities for review and comment													
1.13	Respond to comments													
2	Formal Rule Adoption (103D.341)													
2.1	Publish notice of a hearing on the proposed rule													
2.2	Submit the proposed rule to BWSR for review and comment													
2.2	Hold a public hearing	X												
2.3	Respond to comments													
2.4	Vote on the adoption of the proposed rule	X												
2.5	Sign and record the adopted rule	X												
2.6	Publish notice of the adopted rule													
2.7	File the adopted rule with the county recorder and BWSR													
2.8	Mail the adopted rule to each municipality in the watershed district													

Board Actions towards Rule Adoption:	Date
1.1 Board Formally Initiates Rulemaking	Jan. 2005
1.2 Develop/Approve Rulemaking Workplan	Jan. 2005
1.6 CRWD adopts Technical Standards	Apr. 2005
1.11 CRWD adopts "final draft" Rules & SONAR	Jul. 2005
2.2 Hold a public hearing	Nov. 2005
2.4 Vote on the adoption of the proposed rule	Dec. 2005
2.5 Sign and record the adopted rule	Dec. 2005