

## Resolution Capitol Region Watershed District

In the matter pertaining to: **Setting Fees and Surety Rates for Watershed District Permitting** Board Member Manager Murphy introduced the following resolution and moved its adoption, seconded by Board Member Manager Sanders.

WHEREAS, the District originally adopted watershed district rules on September 6, 2006, and adopted revised rules on June 5<sup>th</sup>, 2019, and

WHEREAS, the District implements a permitting program to ensure compliance with watershed district rules, and

WHEREAS, MN Statute 103D.345 authorizes the District to charge a permit application fee and field inspection fee to cover actual costs related to the investigation of the area affected by the proposed activity, analysis of the proposed activity, services of a consultant, and any required subsequent monitoring of the proposed activity, and

WHEREAS, consultant billing and staff time is reviewed to determine proposed fees; and

WHEREAS, the District conducts inspections and collects sureties to ensure compliance during construction and proper BMP performance before permit closure; and

WHEREAS, stormwater BMPs require post-construction maintenance for long term performance; and

WHEREAS, Manufactured Treatment Devices often require increased maintenance frequency to properly function as designed.

THEREFORE, BE IT RESOLVED that the District adopts the attached fee and surety schedule; and

BE IT FURTHER RESOLVED that the District periodically review, and the Board adopt the fee and surety schedule based on analysis of actual field inspection costs.

**Vote: Approved/Denied**

Manager	Yeas*	Nays	Absent	Abstain	Requested By:	Luke Martinkosky
Collins	X				Recommended for Approval:	Mark Doneux
Murphy	X				Approved by Attorney:	James Mogen
Sanders	X				Funding Approved:	N/A
Sullivan	X					
Janzen						
Texer	X					
Total	5					

\*Approval must receive minimum of 3 Yeas

Supporting Documentation Incorporated By Reference		
Date	Document	Prepared By
May 5, 2021	Fee/Surety Schedule	CRWD
June 6, 2019	Final Rules	CRWD

Resolution Adoption Certified By The Board of Managers:

By: Joseph Collins

Date: 5/19/2021

## FEE AND SURETY SCHEDULE

NOTE: Fees and sureties shall not be collected for public projects.

### FEES

Permit Inspection Fees shall be paid with submittal of an application to the District.

Erosion Control Permit Only	
Rule F Only	\$500
Stormwater Management, Wetland Management, and Flood Control Permits*	
Rule C, or Rule D, or Rule E	\$1500
Illicit Discharge and Connection	
Rule G	\$500

\*An additional \$500 fee will be charged to applicant if the project involves a Wetland Replacement or Banking Plan.

### SURETIES

Description of Activity	Cash Surety Amount
1. Grading associated with Development (Rule F)	\$2,000/acre <sup>+</sup>
2. Stormwater Management Facilities (Rule C)	\$5,000/acre <sup>+</sup>
3. Manufactured Treatment Device Maintenance	\$10,000 +\$3,000/acre

<sup>+</sup>A minimum surety amount of \$500 shall be collected for all projects

Sureties shall be paid in full prior to issuance of a District permit in the form of a check. The surety will be used to ensure the completion of work in accordance with the permit. The permit inspection fee includes two standard inspections, one at the beginning of the project and upon completion of the project. Sureties can be utilized for additional site inspections. After the District has completed inspections and determined that the project was constructed in compliance with the permit conditions, a certificate of completion is issued, and the remaining surety will be returned to the applicant.

The maintenance period for MTDs will commence upon permit closure, and will be held for 5-years. Up to 20% of the total maintenance surety is available to be returned each year following receipt of an annual inspection/maintenance report.