

BEST PRACTICES WHEN APPLYING FOR A PERMIT

Before you apply:

- Request a pre-application meeting or phone call with MCWD staff when you have a concept plan or sketch plat to discuss requirements for projects.
- Coordinate contractors, so only one contractor is applying for all of the project's required MCWD permits.
- Direct contractors to review MCWD's design standards and design the project to comply.
- Review permit rules and application requirements carefully to ensure you submit a complete application.
- Submit permit applications early and through the online permitting portal at www.minnehahacreek.org/permits.

During application review:

- Identify one point person (homeowner or contractor) to communicate with MCWD regarding the application.
- Respond promptly and completely when additional materials are needed to review the application.

After you receive your permit:

- If you received a permit for erosion control, notify MCWD when erosion control best maintenance practices have been installed.
- When the project is complete, notify MCWD to schedule a closeout inspection and request a refund of your financial assurance (if applicable).
- Submit annual inspection reports for the project (if required by the permit).

FINANCIAL ASSURANCE

Some projects require you to provide a pre-determined amount of money to be refunded when permit requirements are met. Financial assurance is required for projects that involve:

- Disturbing more than one acre of land
- Altering a wetland or wetland buffer
- Dredging
- Impacting the shoreline (i.e., installing riprap, retaining walls, boat ramps, etc.)
- Stormwater best management practices (i.e., rain gardens, pervious pavement, stormwater ponds, etc.)

Financial assurance may be provided through escrow, letter of credit, or performance bond.



MINNEHAHA CREEK WATERSHED DISTRICT PERMIT PROCESS AND RULES

WHY APPLY FOR A PERMIT?

Part of the Minnehaha Creek Watershed District's (MCWD) mission is to protect lakes, streams, and wetlands within the watershed's boundaries. To do this, MCWD requires permits for certain types of construction projects. We encourage early coordination on projects, so we can help ensure the built and natural environments work in balance to create value and enjoyment.

HOW TO APPLY FOR A PERMIT

▶ **Submit an application** - use MCWD's online permitting portal at www.minnehahacreek.org/permits to apply for a permit. Once you submit your application, staff will review it within **15 business days** to determine if the required information has been provided. If your application is incomplete, staff will let you know what additional materials are needed and review will continue after those items are received.

▶ **Engineer review** - some projects (see table below) require submittals from engineers or specialized professionals. Those projects also require a review by MCWD's engineer. Fees may apply.

▶ **Public notice period** - some projects (see table below) require that public notices are mailed to landowners within 600 feet of the project site. Comments are accepted from the public for **14 calendar days** following the public notice date. During that time, individuals may request the Board of Managers consider the permit if they have concerns about the project.

Postage fees to mail the public notices will apply and will be added to the permit's total fees, calculated at the end of the permit review.

▶ **Record a declaration** - some projects (see table below) require recording a "maintenance declaration" with your county. Staff will prepare the necessary paperwork and will walk you through the process.

▶ **Submit financial assurance** - some projects (see back) require you to provide a pre-determined amount of money to be refunded when permit requirements are met.

| Rule | Engineer Review | Public Notice | Declaration |
|-------------------------|-----------------|---------------|-------------|
| Stormwater Management | X | X | X |
| Waterbody Crossing | X | X | X |
| Wetland Protection | | X | X |
| Floodplain Alteration | X | X | |
| Dredging | X | X | |
| Shoreline Stabilization | | X | |
| Erosion Control | | | |

QUESTIONS

For more information: www.minnehahacreek.org/permits

Permitting Department
permitting@minnehahacreek.org
 952-641-4532



MINNEHAHA CREEK
WATERSHED DISTRICT

MCWD PERMIT RULES

| Rule | Purpose | When a Permit is Required | Regulations at a Glance |
|---|--|--|---|
| Erosion Control | Prevents sediment from leaving construction sites to protect water quality, wildlife habitat, and the recreational benefits of lakes, streams, and wetlands. | 5,000 square feet of disturbance (exposure of soil), or 50 cubic yards of excavation, fill, or stockpiling of soil | Construction sites must use perimeter control and stabilize exposed soils to prevent sediment from running off the site. |
| Floodplain Alteration | Prevents flooding by requiring the same amount of fill that is added to a floodplain is removed from another part of the floodplain. | Changes to the land below the 100-year high water elevation of a waterbody | Any change below the 100-year high water elevation must not decrease flood storage. |
| Wetland Protection & Wetland Conservation Act | Protects wetlands, which improve water quality, prevent flooding, and provide wildlife habitat. | Impacts to wetlands or development on properties with wetlands on site | Wetland buffers are required when new construction increases impervious surfaces, or when the stormwater management or waterbody crossings rule is triggered (see below). Any draining, filling, or excavating of wetlands must be replaced at a ratio of 2:1. A wetland delineation is required when applying for a permit. |
| Dredging | Protects water quality and prevents excess disturbance of the lake bottom. | Dredging the bottoms, banks, or shores of any public water or public water wetland | Dredging projects must be the least invasive solution to meet a specific need. Dredging may be undertaken to remove accumulated sediment from existing channels or to maintain legal rights of navigational access. |
| Shoreline Stabilization | Ensures the stability of shorelines and streambanks and encourages the use of plants, which filter polluted runoff, provide wildlife habitat, and prevent erosion. | Any changes to a shoreline or streambank below the ordinary high water level (OHW) elevation | Shoreline stabilization methods must be determined based on a calculation of how susceptible a shoreline or streambank is to erosion (erosion intensity). Low erosion intensity areas may only be stabilized with plants, while medium intensity areas may be stabilized with bioengineering (a combination of plants and hard armoring, like riprap). High intensity areas may be stabilized with hard armoring. |
| Waterbody Crossings (bridges, boardwalks, culverts, utilities, etc.) | Ensures bridges, boardwalks, culverts, and other structures do not negatively impact flood risk, navigation, and wildlife habitat. | Placing structures within the bed or bank of a waterbody, or boring underneath a waterbody | Waterbody crossings must be the least invasive solution and must retain current flood elevations upstream and downstream, navigational access, and wildlife passage. Crossings involving public waters must have a public benefit. |
| Stormwater Management | Promotes the capture and absorption of rainfall to protect lakes, streams, and wetlands from polluted runoff. | Creating new or replacing existing impervious surfaces on properties other than single-family homes; subdivisions of three or more buildable lots may require a permit | Depending on the size of the site, the amount of disturbance, and the change in impervious area, water quality, volume, and rate controls may be required for new impervious surfaces or all impervious surfaces on site. |

For more detailed information, the full regulatory rules can be found at www.minnehahacreek.org/permits/regulations, or contact the Permitting Department at 952-641-4532.