

# Rule 1: Administrative Procedures

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## ***Required Submittals and Exhibits***

The VBWD requires submittals for all projects within the VBWD that require a VBWD permit. The submittals must accompany the permit application and must show how the project conforms to the requirements in these Rules and Regulations and the VBWD Watershed Management Plan.

**Electronic submittal of all documents and models is strongly encouraged.**

The following submittals and exhibits must be submitted for all projects within the VBWD that require a VBWD permit:

1. **A completed and signed permit application form.**
2. **Evidence of ownership for the project site.**
3. **The required permit application fee (see Rule 11).**
4. **Grading Plan/Mapping Exhibits:**

Electronic copies of the plans should be submitted. If electronic copies are not submitted, one 11-inch by 17-inch copy (and two full-sized copies if originals are larger than 11 inches by 17 inches) of the plans shall be submitted. The plans shall be prepared by a registered professional engineer and shall include the following:

- A. Property lines and delineation of lands under ownership of the applicant.
- B. Delineation of the subwatersheds contributing runoff from off-site, proposed and existing on-site subwatersheds, and flow directions/patterns.
- C. Location, alignment, and elevation of proposed and existing stormwater facilities.
- D. Delineation of existing on-site wetlands, shoreland and/or floodplain areas (including any buffers).
- E. Existing and proposed normal water elevations and the critical (the highest) water level produced from the 100-year 24-hour storms, the 100-year 10-day snowmelt event, or the VBWD simplified method for landlocked basins or an approved alternative for all on-site wetlands, ponds, depressions, lakes, streams and creeks (see Rule 5).
- F. Ordinary High Water (OHW) elevations and datum, as determined by the DNR (if applicable).
- G. Existing and proposed site contour elevations related to NAVD 1988 datum (preferred) or NGVD, 1929. Datum must be noted on exhibits.
- H. Drainage easements covering land adjacent to ponding areas, wetlands, and waterways up to their 100-year flood levels and covering all ditches and storm

sewers. Access easements to these drainage easements and to other stormwater management facilities shall also be shown.

- I. Minimum building elevation for each lot.
- J. Identification of downstream water body.

**5. Hydrologic/Hydraulic Design Exhibits:**

Electronic files of the following shall be submitted. If an electronic copy is not submitted, one paper copy shall be submitted. The calculations shall be prepared by a registered professional engineer.

- A. All hydrologic and hydraulic computations completed to design the proposed stormwater management facilities shall be submitted. Model summaries must be submitted. The summaries shall include a map that corresponds to the drainage areas in the model and all other information used to develop the model.
- B. A table (or tables) must be submitted showing the following:
  - i. A listing of all points where runoff leaves the site and the existing and proposed stormwater runoff rates and volumes.
  - ii. A listing of the normal water levels under existing and proposed conditions and the water levels produced from the storm and runoff events listed above for all on-site wetlands, ponds, depressions, lakes, streams, and creeks.
- C. A completed VBWD stormwater volume reduction checklist (see Rule 2 and Appendix A).

**6. Erosion Control and Sedimentation Prevention Exhibits (see Rule 3):**

- A. Electronic copies shall be submitted. If electronic copies cannot be submitted, one 11-inch by 17-inch copy (and two full-sized plans if originals are larger than 11-inches by 17-inches) which show how waterborne sediment will be prevented from leaving the site during and after construction to prevent sedimentation of downstream water bodies. The plans shall include a construction sequencing schedule.
- B. A copy of the Stormwater Pollution Prevention Plan (SWPPP), prepared by a qualified individual, which conforms to the MPCA's NPDES Construction Stormwater Permit requirements. The NPDES permit requirements cover both temporary and permanent erosion prevention and sediment control measures, and apply to all construction projects that disturb one or more acres of land. The SWPPP must conform to the special requirements for "Special Waters" (Valley Creek and the St. Croix River), when applicable. The SWPPP shall also show how erosion will be prevented during construction on individual building sites. Any applicable local standards shall be incorporated into the plan.

7. **Construction plans for all proposed stormwater management facilities.** Construction specifications must be provided upon request.
8. **A maintenance agreement in the format of Appendix B,** as revised and updated by the VBWD Attorney.
9. **Four copies of the Wetland Delineation Report,** which also must include a summary of the MnRAM evaluation (Minnesota Routine Assessment Method for Evaluating Wetland Functions, Version 3.0 or updated versions), and classification determination according to VBWD's wetland management classification system (see Rule 4).
10. **Five copies of Part 1 of the Combined Wetland Permit Application (CWPA)** for all projects proposing to alter wetlands, which may not require wetland replacement (see Rule 4).
11. **Five copies of the Wetland Replacement Plan, including Parts 1 and 2 of the CWPA,** for all projects requiring wetland replacement (see Rule 4).
12. **Draft Declaration of Covenants** that lists the VBWD-required minimum floor elevations.
13. **Other exhibits required by or to show conformance to these Rules and Regulations.**

### ***Permit Application Process***

1. The VBWD Engineer must receive from the applicant a complete permit application, all necessary supporting documents, and the permit application fee 14 calendar days prior to a meeting at which application is to be considered. Supporting documentation must include the deed of ownership for the project site. If the permit applicant does not yet own the property, a preliminary VBWD permit can issued, but will not be effective until the VBWD receives the proof that the permit applicant owns the property.
2. The VBWD Engineer will review each permit request with respect to VBWD policies and criteria.
3. The VBWD Engineer will notify the applicant concerning
  - A. Applicable VBWD criteria and policies.
  - B. Additional required information where necessary with copies to the appropriate community and other concerned agencies
4. The VBWD Engineer will place the development proposal on the agenda when all the required information is received and all VBWD policies are met or a variance is requested and supporting written documentation is submitted. The Engineer will then submit a written report to the Managers at least two (2) days prior to the Managers meeting.

5. The issuance or denial of a permit shall be based on the policies contained in the Watershed Management Plan and these Rules and Regulations.
6. The Managers will act on a complete permit application within 60 days of receipt or as required by the Rules of the Wetland Conservation Act.
7. The granting of a VBWD permit in no way purports to permit acts which may be prohibited by other governmental agencies.
8. The required surety (see Rule 14) must be submitted prior to the commencement of any permitted activities.

### ***Enforcement and Severability***

1. The VBWD may exercise all powers conferred upon it by Minnesota Statutes, Chapter 103, in enforcing these Rules and Regulations.
2. If for any reason a section or subdivision of these Rules and Regulations should be held invalid, such decision shall not affect the validity of the remaining Rules and Regulations.
3. These Rules and Regulations shall conform to Minnesota law and if inconsistent therewith, the latter shall govern and these Rules and Regulations are amended accordingly.

### ***Appellate Procedure and Review***

1. Any person aggrieved by enforcement of these Rules and Regulations or by any Order of the VBWD may appeal there from in accordance with the appellate procedure and review as provided in Minnesota Statutes Chapter 103D.

### ***Amendment Procedure***

1. Any person may petition the Managers for the purpose of amending or changing these Rules and Regulations.
2. The Managers may initiate changes or amendments to these Rules and Regulations.
3. All changes and amendments to these Rules and Regulations, whether initiated by the Managers or by any other person, will require a majority vote of the Managers.