

A light blue map of the Comfort Lake Watershed District is centered on the page. The map shows the irregular boundaries of the watershed. Overlaid on the map is a dark blue horizontal bar with white text. Above the bar, the words 'COMFORT LAKE' are written in black, bold, sans-serif capital letters. Below the bar, the words 'FOREST LAKE' are written in the same style. The bar itself contains the words '- WATERSHED DISTRICT -' in white, sans-serif capital letters.

COMFORT LAKE

- WATERSHED DISTRICT -

FOREST LAKE

*Protecting Your Water Resources*

PERMIT GUIDANCE  
AND  
INFORMATION HANDBOOK

INFORMATION IN THIS HANDBOOK SUMMARIZES THE WATERSHED DISTRICT RULES. THE SPECIFIC TERMS OF THE RULES WILL GOVERN DISTRICT REVIEW OF PERMIT APPLICATIONS. THE HANDBOOK WILL BE PERIODICALLY UPDATED

September 2016

# PERMIT PROCESS GUIDANCE

## **WHEN IS A PERMIT REQUIRED?**

A permit is required from the District when one or more of the following conditions are met:

### **Rule 2.0 - Stormwater Management**

Residential subdivisions of three (3) lots within one thousand (1000) feet of a public water and four (4) lots elsewhere. Non-residential and multi-residential creating or disturbing impervious > one (1) acre or five (5) percent of site within one thousand (1000) feet of a public water or > 1 acre or twenty-five (25) percent of site elsewhere. All existing impervious on non-residential or multi-residential will be subject to stormwater management standards if above applies, except for road and other linear projects where only net new surface will be considered (mill and overlay of hard surface is not considered a new surface).

### **Rule 3.0 – Erosion Control**

Sites disturbing one quarter (¼) acre or more within one thousand (1000) feet of a public water and 1 acre or more elsewhere. Sites moving more than two hundred (200) cubic yards of material.

### **Rule 4.0 – Lake, Stream, Wetland Buffers**

Land adjacent to a water resource that is subdivided into two (2) or more lots or that is subject to land disturbance for which a rezoning or land use variance for impervious surface percentage or structure setback from water resource has been approved on or after February 1, 2009.

### **Rule 6.0- Watercourse and Basin Crossing**

Any roadway, utility, water control structure, or associated structure that disturbs the bed or bank of a watercourse or waterbasin.

### **Rule 7.0 – Floodplain and Drainage Alterations**

Any project proposing filling below the 100-year flood elevation of a waterbody or wetland in a municipality that does not have a state-approved floodplain ordinance. Any project proposing redirection of flows.

## **WHERE CAN I GET AN APPLICATION FORM?**

The application form can be found on the District website [www.cflwd.org](http://www.cflwd.org) or at the District office that is located at 44 Lake Street South, Suite A Forest Lake, MN. An application can also be found in the appendix of this document.

## **WHAT DOES THE APPLICATION CONSIST OF?**

The following should be submitted with the District's standard permit application form:

- Application fee and field inspection fee deposit
- Location map
- Required exhibits as noted in each Rule that applies to the project

Please note that all plans shall be submitted as one full size set, one 11" x 17" and also in electronic pdf and shapefiles for flowage and drainage easements.



Financial assurances need to be paid before the permit is issued. Financial assurance payments are not needed to make an application. Upon satisfactory completion of the project under the terms of the issued permit all unused financial assurance will be returned to the permittee.

## **WHAT IS THE APPLICATION TIMELINE?**

An applicant should not expect the District to act on an application unless a **complete permit** application package is filed with the District **at least thirty (30) calendar days** prior to the scheduled meeting date of the Board of Managers. Late submittals will be scheduled to a subsequent meeting date. To allow time to resolve questions and make necessary revisions, the District recommends that the applicant seek District input starting at the project's conceptual stage.

The Board of Managers holds its regular monthly meeting on the fourth Thursday of each month, at 6:30 pm, to discuss and act on permit applications. The meetings are held at the Forest Lake City Hall located at 1408 Lake Street South, Forest Lake, MN. The meeting date, time, and location may occasionally change due to conflicts or holidays; therefore it is important to verify with District staff the date, time and location of a specific meeting or check the District's website at [www.clflwd.org](http://www.clflwd.org).

Permits for Rule 3.0, Erosion Control alone may be issued administratively and do not necessarily require approval by the Board of Managers. Applicants should ask District staff if this applies to their permit application.

## **WHAT ABOUT INCOMPLETE APPLICATIONS?**

A permit application will not be processed for consideration by the Board of Managers until the information required in the Rules has been provided and the application has been determined by District staff to be complete. If an application is deemed incomplete, the applicant will be notified via a letter and a full review will not begin until the required exhibits are received. Once the application is complete, District staff and engineer will review the package for compliance with District Rules. Comments will be provided to the applicant after that review.

## **WHAT ARE THE ACTIONS THAT CAN BE TAKEN BY THE BOARD OF MANAGERS ON MY PERMIT APPLICATION?**

District staff will make a recommendation to the Board. The Board may deny, approve, approve with conditions, or table action on a permit application. The Board shall act within sixty (60) days of receipt of a completed application and complete set of required exhibits unless the time for District action is extended in accordance with legal procedures. **No application is considered complete unless all required items listed in each applicable rule are submitted in the form acceptable to the District.** The District will provide written notice to applicant of any missing items needed to complete the application, within fifteen (15) business days from receipt of application. If an application is approved with conditions, the applicant must fulfill those conditions within 60 days. A permit expires one year from the date the permit is issued unless the permit states otherwise or the permit is suspended or revoked. To renew or transfer a permit, the permittee must submit a written request to the District prior to the permit expiration date, stating the reason for the renewal or transfer. The Board, in its discretion, may grant a permit for a duration longer than one year if a request to do so is included in the duly-noticed application.

If the District has issued a permit and the property for which the permit is active is sold, the active permit needs to be transferred when the property changes hands.

## **RULE 2.0: STORMWATER MANAGEMENT GUIDANCE**

**Rule will address:** Landcover (e.g. impervious) that increases the rate & volume of runoff and the transport of nutrients to water bodies.

**Why?** Increases in runoff rate & volume result in flooding, stream and gully erosion, and changes in wetland hydroperiod. Increased transport of nutrients and other pollutants to water bodies degrades water quality and use of the water body.

**Standard:** No increase in 2-, 10-, or 100-year runoff rate or 2-year runoff volume over pre-development (meadow) condition. No increase in bounce or duration of inundation in wetlands. Fifty (50) percent decrease in total phosphorus transport offsite below existing unless site is undeveloped.

**Standard Applies to:** Residential subdivisions of three (3) lots within one thousand (1000) feet of a public water and four (4) lots elsewhere. Non-residential and multi-residential creating or disturbing impervious > one (1) acre or five (5) percent of site within one thousand (1000) feet of a public water or > one (1) acre or twenty-five (25) percent of site elsewhere. If the standard applies to a property, all existing impervious on non-residential or multi-residential must meet the standard, unless the project is a road or other linear project.

### **WHAT AM I REQUIRED TO DO FOR STORMWATER MANAGEMENT?**

Primarily, applicants must do three things for stormwater management on their site:

- 1) Rate Control - Runoff rates shall not exceed existing runoff rates for the 2-year, 10-year, and 100-year critical storm events.
- 2) Volume Reduction - Stormwater runoff volume reduction shall be achieved onsite in the amount equivalent to a 2-year storm event over pre-development (meadow) conditions.
- 3) Water Quality - Developments must incorporate effective non-point source pollution reduction BMPs to achieve fifty (50) percent decrease in total phosphorus transport offsite from existing conditions on sites with agricultural activity and not increase phosphorus loading from existing on all other sites.

### **WHAT ARE THE CURRENT DEFINITIONS OF A 2-, 10-, AND 100 YEAR EVENT?**

Chapter 2, Section 4.1.1, page 67 of the *Minnesota Stormwater Manual* currently lists the precipitation amount for a 2-year event over 24-hours as 2.8 inches in the Twin Cities Metropolitan Area. The rainfall amounts for a 10-year and 100-year event over a 24-hour period are 4.2 and 6.0 inches, respectively. Due to potential climate changes, these numbers can change over time as more data become available.

### **WHAT IF I AM NOT ABLE TO INFILTRATE ON MY SITE?**

If conditions exist on your site and you submit documentation, you may follow the alternative compliance sequencing steps in order to determine the best way to meet the volume reduction standard.

## WHAT IS ALTERNATIVE COMPLIANCE SEQUENCING?

The alternative compliance sequencing process includes three steps that must be followed in order to meet the volume reduction standard. The sequencing steps to be followed in order are:

- 1) First, the applicant shall comply or partially comply with the volume reduction standard to the fullest extent practicable on-site through alternative volume reduction methods approved by the District.
- 2) Second, for the remaining volume reduction required to fully meet the standard, the applicant shall comply with the volume reduction standard at an offsite location or through the use of qualified volume banking credits.
- 3) Third, as a last alternative, the applicant shall pay into the District's Stormwater Impact Fund to cover the cost of implementing volume reduction within the subwatershed where the project impact is to occur.

See Rule 2.0 of the District Rules for more information.

## WHAT ARE SOME EXAMPLES OF ALTERNATIVE VOLUME REDUCTION BMPs?

Infiltration of stormwater is often the first choice for applicants to achieve volume reduction on their site. But there are other techniques to reduce volume that do not rely solely on infiltration. They are good alternatives whether or not you are able to infiltrate. Below is a list of possible alternative volume reduction BMPs. This list is not meant to be all inclusive but only an idea of other alternatives. All of these techniques *can* be found in the *Minnesota Stormwater Manual*.

- Bioretention (raingardens with underdrains)
- Infiltration Basins
- Vegetative Swales
- Rain Barrels
- Cisterns
- Green Roofs/Roof Gardens
- Low Impact Design (LID) techniques to reduce and/or disconnect impervious surfaces

## WHERE DO I FIND DESIGN GUIDANCE FOR STORMWATER BMPS?

The *Minnesota Stormwater Manual* is a new, state of the art manual for stormwater BMP design, construction, and maintenance guidance. A wealth of information is available for developers and engineers planning and designing a development site. Specifically, Chapter 12 and Appendix D provide detailed information on many different types of stormwater management BMPs including CADD details. Chapter 12 and Appendix D are available from the District if requested. A copy of the entire Minnesota Stormwater Manual can be found on the Minnesota Pollution Control Agency's website at [http://stormwater.pca.state.mn.us/index.php/Main\\_Page](http://stormwater.pca.state.mn.us/index.php/Main_Page) or from the District office. A link to the Manual can also be found from the District website.

## HOW DO I DETERMINE IF THE PRETREATMENT I AM PROVIDING IS ADEQUATE?

Infiltration BMPs require varying degrees of pretreatment of stormwater runoff in order to remove solids to maintain the long-term viability of the infiltration areas. Because the degree needed for pretreatment depends largely on the BMP used and the area draining to the BMP, one standard cannot be written to cover all situations and BMPs. District staff will use the MN Stormwater

Manual for guidance in determining if pretreatment is adequate on a case by case basis. Guidance on pretreatment can be found in Chapter 12 of the MN Stormwater Manual.

## **HOW DO I DETERMINE IF BANKING CREDITS ARE AVAILABLE FOR MY SITE?**

Excess volume reduction achieved onsite may be placed into a bank to be used on subsequent projects that are unable to meet the volume reduction standard onsite. The District will administer the bank including keeping a list of all qualified banking credits available. The credits will be listed by drainage area and sub-watershed. When possible, banking credits must come from the same sub-watershed as the project site.

The applicant will be responsible for contacting the seller of volume reduction credits and arranging the sale. The District will require a form to be filled out by both the buyer and seller to certify the sale. The whole process is similar to the use of wetland credits for wetland replacement.

## **WHAT IS REQUIRED FOR LONG TERM MAINTENANCE?**

All stormwater management BMPs need to be maintained to assure that the structures and facilities function as originally designed. Rule 2.0 requires that a maintenance agreement be executed between the District and the responsible party and also be recorded with the property. The executed agreement in a recordable format needs to be recorded against the property deed with the County before issuance of a permit. Stormwater BMPs on public developments will be covered with a single Memorandum of Agreement that covers all facilities within the political subdivision's jurisdiction.

## **RULE 3.0 : EROSION CONTROL GUIDANCE**

**Rule will address:** Land alteration with the potential to cause erosion.

**Why?** Erosion transports sediment to areas where it is more easily transported to water bodies. Sediment carries nutrients that degrade water quality and sediment itself decreases water clarity.

**Standard:** Develop an erosion control plan for the site.

**Standard applies to:** Sites disturbing one quarter ( $\frac{1}{4}$ ) acre or more within one thousand (1000) feet of a public water and one (1) acre or more elsewhere. Sites moving more than two hundred (200) cubic yards of material.

The District requires an applicant to submit an erosion and sediment control plan and comply with the following criteria:

- 1) Erosion and sediment control plans shall comply with the standards of the Minnesota Pollution Control Agency's NPDES General Construction Permit except where more specific requirements are required.
- 2) Natural site topography and soil conditions shall be used to control runoff and reduce erosion and sedimentation.

- 3) Construction activity shall be phased when possible to minimize disturbed areas subject to erosion at any one time.
- 4) All construction waste shall be properly managed and disposed of so it will not have an adverse impact on water quality.
- 5) All controls required at the beginning of the project shall be installed before commencing the land disturbing activity and shall not be removed without District approval or until the District has issued a certificate of completion. Applicants may phase installation of erosion and sediment controls provided the phasing plan is included in the approved erosion and sediment control plan.
- 6) The permittee shall be responsible for proper operation and maintenance of all controls until the site has undergone final stabilization and has received an approved certificate of completion.

### **ARE THERE MANUALS AVAILABLE FOR CHOOSING EROSION AND SEDIMENT CONTROL BMPS OR DESIGN OF PLANS?**

The Minnesota Pollution Control Agency (MPCA) manual titled, "Protecting Water Quality in Urban Areas" is a good tool for choosing best management practices and design guidance. The manual can be found on the MPCA website at <https://www.pca.state.mn.us/water/stormwater-best-management-practices-manual> or at the District office.

### **RULE 4.0: LAKE, STREAM, AND WETLAND BUFFER**

**Rule will address:** Establishment and preservation of vegetation along water resources.

**Why?** Vegetated shorelines and streambanks reduce erosion, filter pollutants, and protect wildlife and aquatic habitat.

**Standard:** Establishment or preservation of a native vegetation buffer with a width ranging between twenty-five (25) and one hundred (100) feet depending on the quality and use of the resource.

**Standard applies to:** Land adjacent to a water resource that is subdivided or subject to a new use that requires municipal rezoning, special use permit or variance for impervious surface percentage or structure setback

### **WHAT TYPE OF ACCESS TO A WATERBODY IS ALLOWED THROUGH A BUFFER?**

Access to a waterbody or wetland for a lawful private or public use of the resource may be created and maintained. All access surfaces within the buffer zone must be pervious and permanent vegetative disturbance shall be limited to that necessary for access in light of the nature and extent of the permitted use. No facility, other than a footpath or streambank/shoreline stabilization or a facility accessory to a permitted use of the waterbody or wetland and required by its nature to be adjacent to the water, may be located within the buffer zone. The access areas are further defined in the District's Rules.

### **HOW LONG DO THE BUFFER STANDARDS APPLY?**

Protection of buffer areas described in this Rule are to be maintained indefinitely.

## **WHAT TYPE OF VEGETATION IS NEEDED IN A BUFFER?**

Buffer strips shall be planted with a site appropriate native seed mix as specified by the Minnesota Board of Water and Soil Resources (BWSR), Minnesota Department of Transportation (MnDOT), Natural Resource Conservation Service (NRCS) or local Soil and Water Conservation District (SWCD), with the exception of a one-time planting with an annual nurse or cover crop such as oats or rye. Native trees and shrubs may be added to supplement ground cover.

## **ARE THERE BUFFER WIDTH REQUIREMENTS THAT NEED TO BE MET?**

Yes. Please reference 4.3 of the District's Rules for more information on the buffer width requirements that must be met.

## **RULE 6.0 WATERCOURSE AND BASIN CROSSING**

**Rule will address:** Disturbances to water bodies for road and utility crossings.

**Why?** Activity in waterbodies directly impacts the water body. Road crossings have the potential to alter drainage, navigation, and fish and wildlife movement.

**Standard:** Proposed projects must demonstrate a public benefit, retain hydraulic capacity, retain navigational capacity, not degrade water quality, proposed the minimal impact solution, and preserve fish and wildlife passage.

**Standard applies to:** Any road or utility projects that disturb the bed of a water body.

## **RULE 7.0 FLOODPLAIN AND DRAINAGE ALTERATIONS**

**Rule will address:** Fill and alterations in floodplains and redirection of flow across drainage boundaries.

**Why?** Filling in a floodplain reduces the volume of water that can be stored during a large rainfall event and increases the propensity to flood adjacent properties. Redirecting flow across drainage boundaries adds new runoff to an area and can increase flooding.

**Standard:** No decrease in 100-year flood storage volume of lakes, wetlands, streams and landlocked basins. Lowest floor elevation two (2) feet above 100-year flood elevation. No redirection of flows unless can demonstrate no negative upstream or downstream impact.

**Standard applies to:** Any project proposing filling below the 100-year flood elevation of a waterbody or wetland in a municipality that does not have a state-approved floodplain ordinance. Any project proposing redirection of flows.

## **WHAT IS REQUIRED IF I WANT TO FILL OR BUILD IN A FLOODPLAIN?**

Absolutely no placement of fill within the 100-year floodplain is allowed unless compensatory storage is provided. Compensatory storage must be provided within the affected floodplain. Compensatory storage shall result in the creation of floodplain storage to fully offset the loss of

storage.

**WHAT IS THE DEFINITION OF FLOODPLAIN?**

Floodplain is the area adjoining a watercourse or natural or man-made water body, including the area around lakes, marshes and lowlands, that is inundated during a 100-year flood.

**ARE THERE FREEBOARD REQUIREMENTS THAT NEED TO BE MET?**

Yes. Please reference 7.3 of the District's Rules for more information on the freeboard requirements that must be met.

**LIST OF ATTACHMENTS IN APPENDIX**

- ▶ **PERMIT APPLICATION**
- ▶ **PERMIT APPLICATION EXHIBIT CHECKLIST**
- ▶ **REQUEST FOR VARIANCE FORM**



44 Lake Street South, Suite A, Forest Lake, MN 55025

Phone 651.395.5850 Fax 651.395.5851 www.clflwd.org

## PERMIT APPLICATION

Return Application to:

**Comfort Lake – Forest Lake Watershed District**  
44 Lake Street South, Suite A  
Forest Lake, MN 55025  
Phone: (651) 395-5850  
Fax: (651) 395-5851  
Email: [Emily.Schmitz@clflwd.org](mailto:Emily.Schmitz@clflwd.org)

**TO BE COMPLETED BY DISTRICT:**

PERMIT NUMBER \_\_\_\_\_

AMNT RECD. (E + F) \_\_\_\_\_ DATE \_\_\_\_\_

RECD. FROM \_\_\_\_\_

DATE APPLICATION RECD. \_\_\_\_\_

DATE OF EXTENSION \_\_\_\_\_

DATE PERMIT APPROVED \_\_\_\_\_

**A** Name of Project: \_\_\_\_\_ Date: \_\_\_\_\_  
Purpose/Description of Project: \_\_\_\_\_  
Location of Project (street address, if known): \_\_\_\_\_  
City or Township: \_\_\_\_\_  
Legal description: Section: \_\_\_\_\_ 1/4 Section: \_\_\_\_\_ Township: \_\_\_\_\_ N. Range: \_\_\_\_\_ W

**B** Total Size of Project Site: \_\_\_\_\_ Amount of New Impervious Surface Proposed for Project: \_\_\_\_\_  
Resulting Total Percent of Impervious for Whole Site: \_\_\_\_\_ Acreage to be Graded: \_\_\_\_\_

**C** Name of Authorized Agent: \_\_\_\_\_  
Representing: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_  
Day Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
SIGNATURE OF, OR ON BEHALF OF AUTHORIZED AGENT: \_\_\_\_\_  
Print Signers Name and, if in representative capacity, Title: \_\_\_\_\_

**D** Name of Property Owner : \_\_\_\_\_  
Owner's Street Address: \_\_\_\_\_  
Owner's City: \_\_\_\_\_ Owner's Zip: \_\_\_\_\_ Owner's Email: \_\_\_\_\_  
Owner's Telephone: \_\_\_\_\_ Owner's Fax: \_\_\_\_\_  
I authorize the above signed party, if any, to act as my agent and otherwise represent me in all communications with the CLFLWD concerning this application.  
SIGNATURE OF OWNER SIGNATURE (REQUIRED): \_\_\_\_\_  
Print Signers Name and, if in representative capacity, Title: \_\_\_\_\_



## PERMIT APPLICATION

### Permit and Field Inspection Fee Deposit

E

**Permit Application for Approval of:**  
(check all that apply)

Permit Application Fee  
 Application Fee (nonrefundable) \$ 10 \_\_\_\_\_

**Field Inspection Fee Deposit (CLFLWD cost of inspection, analysis, and compliance monitoring)**

Rule 2.0 Stormwater Management:  
 Rule 2.2a - Land Development-Subdivision of 3 lots Within 1,000 feet of a public water and 4 lots elsewhere \$2,000 \_\_\_\_\_  
 Additional lots greater than above standard \$100/additional lot \_\_\_\_\_  
 Rule 2.2b-d – All other stormwater rule applications \$3,000 \_\_\_\_\_

Rule 3.0 Erosion Control:  
 Activities/Grading less than 1 acre \$1,000 \_\_\_\_\_  
 1.0 - 4.99 acres \$1,250 \_\_\_\_\_  
 5.0 - 19.9 acres \$1,500 \_\_\_\_\_  
 20 or more acre \$2,000 \_\_\_\_\_

Rule 4.0 Lake, Stream, and Wetland Buffer Requirements \$1,500 \_\_\_\_\_  
 Rule 6.0 Stream and Lake Crossings \$1,500 \_\_\_\_\_  
 Rule 7.0 Floodplain and Drainage Alterations \$ 500 \_\_\_\_\_

**TOTAL PERMIT and FIELD INSPECTION FEE DEPOSIT** \_\_\_\_\_

**FIELD INSPECTION FEE DEPOSIT WILL BE CUMULATIVE FOR EACH APPLICABLE CATEGORY.** When a project is approved by the CLFLWD Board, the deposit must be replenished to the deposit amount by the applicant before the permit will be issued, to cover actual costs incurred to monitor compliance and address non-compliance with the CLFLWD Rules. **ANY COSTS INCURRED BY THE CLFLWD GREATER THAN THE DEPOSIT BALANCE WILL BE BILLED TO THE APPLICANT.** Any unused portion of the deposit balance will be returned to the applicant when the Board determines that the work has been completed under the permit.

### Performance Financial Assurance Deposit

F

**Additional Project Information (required)**

The CLFLWD Board will determine a performance financial assurance amount in addition to the Permit and Field Inspection Fee Deposit. The amount of the financial assurance will be based on the following criteria.

Total Area of Disturbed Land Surface as a Result of This Project (acres) \_\_\_\_\_

Estimated Construction Cost of Stormwater Management Facilities (includes ponds, pipes, etc.) \$ \_\_\_\_\_

Call (651) 395-5850 if assistance in completing this form is required. Please attach drawings, plans and other data as outlined in the Comfort Lake – Forest Lake Watershed District’s *Permit Guidance and Information Handbook* or District Rules available upon request or on the District website at [www.clflwd.org](http://www.clflwd.org). Mail or deliver this form along with the appropriate Fee Deposit and the appropriate type and number of exhibits to the above address. Applying for this permit from CLFLWD does not excuse you from the need to obtain any permits that may be required from other governmental agencies.

Mike Kinney  
Administrator/M.S./CCA  
651.395.5855  
Michael.Kinney@clflwd.org



44 Lake Street South Suite A  
Forest Lake, MN 55025

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## All Applications

- Signed permit application
- Permit fee and permit review deposit paid

## For a Stormwater Management Permit

Projects proposing residential subdivision or development of three (3) or more lots within one thousand (1000) feet of a public water and residential subdivision or development of four (4) or more lots elsewhere OR non-residential or multi-residential development creating or disturbing impervious surface that, in the aggregate, exceeds one acre or five percent of a site (whichever is less) within one thousand (1000) feet of a public water and non-residential or multi-residential development creating or disturbing impervious surface that, in the aggregate, exceeds one (1) acre or twenty-five (25) percent of a site (whichever is less) elsewhere.

- Property lines and delineation of lands under applicant's ownership;
- For existing and proposed conditions, topography showing all off-site and on-site subwatersheds contributing to surface flows onto or from the site;
- The location, alignment and elevation of proposed and existing stormwater facilities;
- Delineation of existing on-site wetland, shoreland, drain tiling and floodplain areas as defined in the current FEMA study, as well as the most current appropriate studies undertaken by the District ;
- Existing and proposed normal and 100-year water elevations on site;
- Existing and proposed site contour elevations at two-foot intervals, related to NGVD, 1929 datum;
- Elevation of the OHWL of each public water on the site, if determined by the Minnesota Department of Natural Resources and of any legally established buffer associated with the public water;
- Construction plans and specifications for all proposed facilities including construction sequence;
- A maintenance schedule for all proposed facilities;
- Stormwater runoff rate analyses for the 2-, 5-, 10-, and 100-year critical events and runoff volume for the 2-year critical event under pre-settlement and proposed conditions, using Appendix 2.2 to simulate infiltration losses in designed practices;
- All hydrologic, water quality, and hydraulic computations completed to design the proposed facilities, including a demonstration of conformance to standards in 2.4.1 (c) in the site aggregate;
- Delineation of any flowage and drainage easements and other property interests dedicated to stormwater management purposes, including, but not limited to, viable and current county or judicial ditches;
- Documentation as to the status of a National Pollutant Discharge Elimination System stormwater permit for the project from the Minnesota Pollution Control Agency and provide the Storm Water Pollution Prevention Plan (SWPPP) as it becomes available;
- Geotechnical information including soil maps, borings, site-specific recommendations, and other information necessary to evaluate the proposed stormwater management design;
- Wetland function and value assessment for all impacted wetlands pursuant to Minnesota Routine Assessment Method (MnRAM) 3.2 or other method approved by the District; and
- All exhibits shall be submitted in an electronic format as well as in hard copy. Exhibits for flowage and drainage easements shall be submitted as shapefiles.

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### Board of Managers

Jackie A. Anderson—President      Jon W. Spence—Vice President  
Wayne S. Moe—Secretary      Stephen W. Schmaltz—Treasurer      Jackie McNamara—Assistant Treasurer

Mike Kinney  
Administrator/M.S./CCA  
651.395.5855  
Michael.Kinney@clflwd.org



44 Lake Street South Suite A  
Forest Lake, MN 55025

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## For an Erosion Control Permit

Projects proposing any grading, filling, or other lands disturbing activities which involve movement of more than two hundred (200) cubic yards of earth or erodible material OR surface disturbance or removal of vegetative cover on one quarter acre (1/4) or more of land within one thousand (1000) feet of a public water or one acre or more of disturbance elsewhere.

- Property lines and delineation of lands under applicant's ownership;
- Existing and proposed site contour elevations at two-foot intervals, related to NGVD, 1929 datum;
- Documentation as to the status of a National Pollutant Discharge Elimination System stormwater permit for the project from the Minnesota Pollution Control Agency and provide the Storm Water Pollution Prevention Plan (SWPPP) as it becomes available; and
- An erosion and sediment control plan consistent with the standards of 3.3 and 3.4.

## For a Lake, Stream, and Wetland Buffer Permit

Projects with land adjacent to (within the buffer zone of) any General Development Lake, Recreational Development Lake, Natural Environment Lake, a tributary of said lakes or a wetland within the watershed that has been subdivided on or after [the date of rule adoption]; OR subject to a new primary use for which a necessary rezoning, special use permit or variance for impervious surface percentage or structure setback has been approved on or after [the date of rule adoption].

- Property lines and delineation of lands under applicant's ownership;
- Delineation of existing on-site wetland, shoreland, and floodplain areas;
- Elevation of the OHWL of each public water on the site, if determined by the Minnesota Department of Natural Resources and of any legally established buffer associated with the public water;
- Existing and proposed site contour elevations at two-foot intervals, related to NGVD, 1929 datum;
- Wetland function and value assessment for all wetlands subject to buffer pursuant to Minnesota Routine Assessment Method (MnRAM) 3.2 (including groundwater function) or other method approved by the District;
- Site plan indicating location of applicable buffer zone;
- Survey of existing buffer vegetation in accordance with section 4.5.2 and
- Buffer Planting Plan in accordance with section 4.5.3.

## For a Shoreline & Streambank Alteration Permit:

Projects proposing construction or installation of a shoreline or streambank stabilization partially or wholly below the ordinary high water mark of a waterbody if a Minnesota Department of Natural Resources public waters work general permit covering shoreline and streambank alterations is in effect and the general permit excuses property owners from the DNR individual permit requirement if they hold a District permit.

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### **Bioengineering projects**

- Site plan showing property lines, delineation of lands under ownership of the applicant; delineation of the existing shoreline; delineation of wetland within the project area; existing contour elevations (if available); and locations and lineal footage of the proposed bioengineering treatment;
- Site plan prepared by a professional engineer, landscape architect registered in the State of Minnesota, or other qualified professional experienced in the field of shoreline and stream restoration detailing the proposed bioengineering treatment, drawn to scale, with the horizontal and vertical scales noted on the drawing. The detail should show the finished slope, distance lakeward of the bioengineering treatment, ordinary high water level elevation and material specifications; and
- Detailed planting plan using native vegetation.

### **Rip Rap projects**

- Site plan showing property lines, delineation of lands under ownership of the applicant; delineation of the existing shoreline; delineation of wetland within the project area; existing contour elevations (if available); and locations and lineal footage of the proposed rip rap treatment;
- Cross-section detailing the proposed rip rap, drawn to scale, with the horizontal and vertical scales noted on the drawing. The detail should show the finished rip rap slope, transitional layer design and placement, distance lakeward of the rip rap placement, ordinary high water level elevation and material specifications;
- Description of the underlying soil materials that will support the rip rap and, if the underlying soils will not support the rip rap, the recommendations of a qualified soils engineer;
- Gradation, average diameter, quality and type of rip rap material to be used (normally, a Class III gradation is sufficient);
- Gradation, quality and type of filter blanket material to be used (normally, Type I gradation is sufficient);
- Manufacturer's material specifications for proposed geotextile fabric(s);
- Detailed planting plan for native vegetation planting element of the project; and
- Narrative and supporting documentation assessing the feasibility of bioengineering for the site.

### **Sandblanket projects**

- Site plan showing property lines, delineation of the work area, existing elevation contours of the adjacent upland area, delineation of wetland within the project area, ordinary high water elevation, and regional flood elevation (if available). All elevations must be reduced to NGVD (1929 datum); and
- Profile, cross-sections and/or topographic contours showing existing and proposed elevations and proposed side slopes in the work area. (Topographic contours should be at intervals not greater than one (1) foot).

### **Streambank Stabilization projects**

- Site plan prepared by a professional engineer or a landscape architect registered in the State of Minnesota and experienced in the field of stream restoration showing property lines; the ordinary high water (OHW) elevation and floodplain elevation; existing streambank and contour elevations;

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#### Board of Managers

Jackie A. Anderson—President      Jon W. Spence—Vice President  
Wayne S. Moe—Secretary      Stephen W. Schmaltz—Treasurer      Jackie McNamara—Assistant Treasurer

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- Stream cross-section(s) depicting entire floodprone width; detailing channel dimensions, such as bankfull stage and the dimension and placement of the proposed stabilization/restoration measure(s). A longitudinal profile depicting the thalweg and top of bank; detailing the dimension and placement of the proposed stabilization/restoration measure(s);
  - Material specifications including plant species and whether species are rooted, seed or cutting;
  - Stream classification and design calculations and documentation; and
  - Detail of proposed site-specific erosion and sediment control practices.

### **For a Watercourse and Basin Crossing Permit:**

Projects proposing any use of the beds of any waterbody within the District for the placement of roads, highways and utilities.

- Construction plans and specifications;
- Analysis prepared by a professional engineer or qualified hydrologist showing the effect of the project on hydraulic capacity and water quality;
- An erosion control and restoration plan; and
- Copy of permit application to Department of Natural Resources, Army Corps of Engineers, and Wetland Conservation Act LGU, if required based on proposed activities.

### **For a Floodplain and Drainage Alteration Permit**

Projects proposing any alteration or filling of land below the 100-year flood elevation of any wetland, public water, stormwater management basin, or landlocked subwatershed unless a permit is received from the appropriate local government unit in accordance with a state-approved floodplain management ordinance. Projects proposing artificial redirection of flow across drainage boundaries or obstruction of the natural flow of surface water.

- Site Plan indicating location of 100-year flood elevation of any wetland, public water, stormwater management basin, or landlocked subwatershed on or directly adjacent to the property;
- Site Plan and supporting calculations indicating location and volume of any floodplain impact and mitigation;
- Site Plan indicating lowest floor elevations of all proposed structures; and
- Analysis of impact of alterations to surface flow on upstream and downstream landowners, flood risk, basin or channel stability, groundwater hydrology, stream baseflow, water quality or aquatic or riparian habitat.

### **For a Wetland Management Permit**

Permit required from Wetland Conservation Act (WCA) Local Government Unit (LGU), not from CLFLWD.

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## **Request for Variance and Statement of Hardship**

The Board of Managers may hear requests for variances from the literal provisions of these rules in instances where their strict enforcement would cause undue hardship because of circumstances unique to the property under consideration. The Board of Managers may grant variances where it is demonstrated that such action will be keeping with the spirit and intent of these rules. An applicant granted a variance from full compliance with a requirement of the rules would be required to meet the requirement to the degree feasible short of full compliance.

In order to grant a variance, the Board of Managers shall determine that:

- the special conditions which apply to the structure or land in question do not apply generally to other land or structures in the District
- the granting of such variance will not merely serve as a convenience to the applicant,
- the variance will not impair or be contrary to the intent of these rules.

A hardship cannot be created by the landowner, the landowner's agent or representative, or a contractor, and must be unique to the property. Economic hardships are not grounds for issuing a variance.

A variance shall become void one year after it is granted if not used.

A violation of any condition set forth in a variance shall be a violation of the District rules and shall automatically terminate the variance.

**Date**

**Permit #**

**Applicant**

**Address**

**Telephone number**

**Property ID number**

**CLFLWD Rule** (circle applicable rule(s)):

- **2.0 (Stormwater Management)**
- **3.0 (Erosion Control)**
- **4.0 (Lake, Stream, and Wetland Buffers)**
- **5.0 (Shoreland & Streambank Alterations)**
- **6.0 (Watercourse and Basin Crossing)**
- **7.0 Floodplain and Drainage Alterations).**

**Description of project:**

**Requirements of rule(s):**

**Requested Variance:**

**Statement of Hardship (include any mitigating circumstances):**

**How do you propose to meet the requirements of the applicable CLFLWD rules?**

**Applicant name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant signature:** \_\_\_\_\_

**Staff Recommendation** (For staff use only) Approve