

APPLICATION FOR MINNESOTA WETLAND CONSERVATION ACT (WCA) DECISIONS AND PROCEDURE REQUIREMENTS

The \$75.00 LRRWMO initial application fee and the appropriate escrow deposits (determined in accordance with Attachment W3) must accompany this permit application for any Wetland Conservation Act (WCA) decisions. These are separate and in addition to permit and escrow fees for Grading, Stormwater Management, and Erosion/Sediment Control permit application, if applicable.

Permits are to be processed at the same time as the site plan, preliminary plat or other city land use or building application submitted to the city in which the work or project is located.

Wetland permit processing takes longer than other permit processing. The permit application and supporting documentation should be submitted to the LRRWMO AT LEAST 60 DAYS PRIOR TO THE REGULARLY SCHEDULED MONTHLY LRRWMO MEETING AT WHICH A DECISION IS REQUESTED. A PERMIT NUMBER WILL NOT BE ASSIGNED UNTIL CITY AUTHORIZATION IS RECEIVED.

Project Name: _____

Address/Location: _____

Project Description/Purpose: _____

Name of Applicant (Site Owner or Property Owner)	Applicant's Contact	Organization Name
Address	Address	
City, State, Zip	City, State, Zip	
Phone	Fax	
Email	Email	

Submittal Requirements

Complete applications are to be submitted as per LRRWMO attachments W1 (Permit Requirements), W2 (Office Procedure), and W3 (Fees, Deposit, and Sureties for Wetland Conservation Act) included with this application. Projects may also require a LRRWMO Grading, Stormwater Management, and Erosion/Sediment Control Permit (separate application and fee/escrow amounts)

PROJECT SUBMITTALS (check all that apply):

<input type="checkbox"/> WETLAND BOUNDARY DELINEATION AND TYPE CONCURRENCE <input type="checkbox"/> REQUEST FOR NO LOSS OR EXEMPTION UNDER THE WETLAND CONSERVATION ACT (WCA) <input type="checkbox"/> WETLAND REPLACEMENT PLAN AND/OR SEQUENCING <input type="checkbox"/> WETLAND BANKING PLAN <input type="checkbox"/> OTHER
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START OF
PROJECT: _____

EST. COMPLETION
DATE: _____

APPROVAL
DATE: _____

By signing this Permit Application, the undersigned consents and agrees on behalf of the Applicant that:

1. The permit application fee is non-refundable. Escrow deposits will be held by the LRRWMO until the project has been completed and all conditions of issuance of the permit are satisfied. The Applicant is responsible for all expenses incurred by the LRRWMO in the processing, administration and enforcement of the permit application and permit. The escrow deposit will be used to reimburse the LRRWMO for all expenses incurred by the LRRWMO in processing, administering and enforcing the permit application and permit, including engineering, legal and other consultant costs. If such expenses exceed the escrow deposit, the LRRWMO will bill the Applicant or Permittee for such excess amount and payment will be due within twenty (20) days of mailing the invoice. Timely payment of such invoices is a condition of all permits and work may be stopped on the project for failure to make payments when due.
2. The undersigned, its agents, principal, assigns and/or representatives (hereinafter "Permittee") shall abide by all the standard conditions and special terms and conditions of the LRRWMO.
3. Any work that violates the terms of the permit may result in the LRRWMO or the City in which the work is being done immediately causing the work on the project relating to the permit to cease and desist. All work on the project shall cease until the permit conditions are met and approved by the LRRWMO and/or the City in which the work is being done.
4. The Permittee agrees to be bound by the terms of the LRRWMO permit requirements, final permit, standard conditions, and special conditions required by the LRRWMO for approval of the permit. The undersigned has the authority to bind the permit holder, the owner of the property and/or any entity performing work on the property pursuant to the terms of LRRWMO permit, and shall be responsible for complying with terms of the LRRWMO permit.

"I certify that I have thoroughly read and understand the above information."

Signature of property owner or designated Agent (no agent without a letter of authority)	Date	Signature of applicant if different from property owner	Date
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Print Signer's name	Print Signer's name
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Application Acknowledged by City:

Name of City Official	City	Date
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SIGNATURE OF LRRWMO CHAIRMAN: ** _____

****NOTE: Subject to conditions as designated in the WCA Notice of Decision as recommended by the Technical Evaluation Panel and Barr Engineering (see attached)**

PERMIT IS NOT VALID IF PROJECT HAS NOT STARTED WITHIN ONE YEAR FROM DATE OF APPROVAL

LRRWMO Attachment W1**PERMIT REQUIREMENTS**

APPLICATION DEADLINE: Third Thursday of the month for consideration at the following regularly scheduled monthly LRRWMO board meeting on third Thursday of month.

REQUIRED SUBMITTALS:

1. Completed Permit Application Form (attached)
2. \$75 LRRWMO initial application fee plus an escrow deposit determined in accordance with Attachment W3 for any Wetland Conservation Act (WCA) decisions.
3. Wetland Permitting Information
 - a. The permit applicant is responsible for ensuring wetland applications are in complete compliance with the Wetland Conservation Act of 1991 and applicable documentation is provided as listed on the Minnesota Board of Water and Soil Resources (BWSR) website:

<http://www.bwsr.state.mn.us/>.

Permit applicants shall refer to the BWSR website for sample application forms and check lists. These forms will be used for reviewing wetland applications. Failure to provide a complete application will result in delays in permit review.

- b. When working near DNR public waters, applicants shall submit information indicating the OHW (ordinary high water) level and the wetland boundary according to the WCA of 1991. Availability of OHW information is available from the MDNR Area Hydrologist. When working in DNR Public Waters, an online Minnesota DNR Permitting and Reporting System (MPARS) application may also be required by the DNR.

SUBMITTAL NOTES:

- Permit applicants shall submit the attached Joint Application Form for Activities Affecting Water Resources in Minnesota (Attachment W4).
- Failure to fully follow the application requirements of the Wetland Conservation Act will result in delays in permit review.
- Applicants can expect a 60-day review period provided all applicable materials have been submitted and reviews are completed within the growing season, if applicable.

LRRWMO Attachment W2

OFFICE PROCEDURE

Procedure to Accept LRRWMO Permit:

1. Complete LRRWMO Permit Application for Minnesota Wetland Conservation Act (WCA) Decisions and Procedure Requirements form. **Requires signature of acknowledgement from City official prior to submittal to LRRWMO. For appropriate City contact information refer to the LRRWMO website at www.lrrwmo.org**

NOTE: See "PROJECT SUBMITTALS" section of Application

2. Submit Application, \$75 initial application fee plus an escrow deposit* in accordance with LRRWMO Attachment W3 for Wetland Conservation Act applications, as applicable, payable to the Lower Rum River WMO, and one (1) set of plan submittals (hard copy) to:

*Shayna Forster
Finance Department
City of Anoka
2015 First Street N.
Anoka, MN 55303
763-576-2773*

(This set of plans is for LRRWMO file copy) *escrow deposits: *The LRRWMO costs related to the project will be charged to permit escrow fund. Funds remaining in the permit escrow account when the project is closed will be returned to the applicant.*

3. Forward electronic copy of Application and associated submittals to:

*Karen Wold
Barr Engineering Co.
kwold@barr.com*

Wetland permit decisions are usually made within 60 days from receipt of a complete application.

Procedure to Request Return of Permit Fund Balance:

1. When project reaches status of 100% completion (as contained in Quarterly Report), the respective City prepares a written request to LRRWMO for return of escrow deposit balance with copy to Anoka's Finance Department. The request must be submitted prior to the third Thursday of each month to meet the next month regular meeting agenda deadline.

LRRWMO ATTACHMENT W3

Fees, Deposit and Sureties for Wetland Conservation Act (WCA) Applications
Updated *April 2011*

FEES

Activity	Fee
Initial WCA Application Fee	\$75
Office and Field Review of Wetland Boundary Delineation or Type Determination (Applicant is responsible for submitting a complete Wetland Delineation Report, according to BWSR guidance).	Evaluation Area < 10 acres and less than 3 wetlands being evaluated \$1,000 <i>Escrow</i>
	Evaluation Area < 100 acres and < 6 wetlands being evaluated \$1,500 <i>Escrow</i>
	Evaluation Area =/> 100 acres and/or =/> 6 wetlands being evaluated \$2,000 <i>Escrow</i>
Review of WCA exemptions and No Loss requests.	\$1,000 <i>Escrow</i>
Review of Wetland Replacement Plans (needed for all projects requiring replacement for wetland impacts).	\$1,000 <i>Escrow</i> plus \$100/acre of wetland plus \$5,000/acre of wetland impact plus \$5,000 for mitigation monitoring review
Creating a Wetland Bank	\$15,000

Note: escrow amounts are cumulative if more than activity is being reviewed.

Cash Surety Deposit for Performance

For Wetland Replacement Plans:

The Permittee or owner shall provide a cash surety (**or an automatically renewable Letter of Credit from a bank approved by the Treasurer of the LRRWMO**) in an amount determined by the LRRWMO, so that, if needed, a third party has the funds to create, manage, and monitor the wetland replacement area should the applicant fail to comply with the required creation of the wetland mitigation site. If the Letter of Credit is not honored by the issuer, the LRRWMO may choose litigation to obtain the necessary funds or to obtain a court order to require the permittee or owner to create the wetland mitigation area. The LRRWMO will determine a cash surety (**or letter of credit**) amount in addition to the permit application fee and escrow deposit.

Proposed WCA LRRWMO Surety Amount

Activity	Performance Surety Amount
Wetland Replacement	\$1 per sq. ft. of mitigation with a minimum of \$5,000 unless a higher or lower amount is deemed necessary by the LRRWMO.

- The permit application, fee escrow deposit and cash surety deposit may be in one check payable to the Lower Rum River Watershed Management Organization.
- Only actual work done by the LRRWMO or its consultants will be charged against the escrow deposit or performance security.
- The performance surety may be waived if approved wetland banking credits are purchased for fulfilling the required mitigation provisions of the permit.

Placeholder for:

Attachment W4

Joint Application Form for Activities Affecting Water Resources in Minnesota
(11 page)

