

Prior Lake-Spring Lake Watershed District
2006 Permit Fee Deposit and Permit Security Requirements

It is the policy of the Prior Lake-Spring Lake Watershed District (PLSLWD) Board of Managers to require applicants to pay the costs of administering and reviewing permit applications and inspecting approved activities (Rule K, paragraph 1), and to provide security (Rule L, paragraph 1) to assure compliance with the District’s Rules. To implement these policy and rule requirements, the PLSLWD requires that permit applicants provide the following:

1. A Permit Fee Deposit to cover the costs of application review, inspections and compliance efforts.
2. Permit Security to ensure compliance with the District’s Rules.

The Permit Fee Deposit is due at the time that the permit application is submitted to the PLSLWD. The Permit Security is due prior to permit issuance. The following paragraphs provide further detail on the amounts and requirements for the Permit Fee Deposit and Permit Security.

Permit Fee Deposit

The Permit Fee Deposit includes a \$10.00 application fee and an amount held in escrow to be used for the actual costs of permit review, field inspections, monitoring and related expenses. The amount of the Permit Fee Deposit is set by the PLSLWD Board on an annual basis. Fees will not be charged to the federal government, the State of Minnesota or a political subdivision.

PLSLWD staff will meet with a potential permittee for a pre-application consultation at no charge. Beyond the initial meeting, the PLSLWD will track the actual costs of the permit application review (including engineering and legal costs) and charge those costs against the Permit Fee Deposit. When an application is approved by the PLSLWD Board, any review costs not covered by the initial deposit will be billed to the applicant. The Permit Fee Deposit must be replenished to the deposit amount before the permit will be issued, to cover the District’s actual costs to monitor compliance and address non-compliance with its Rules. If at any time during the project the Permit Fee Deposit falls below 25% of the original amount, the permittee must replenish the deposit to the original balance.

Once the PLSLWD Board determines that the permitted activity has been completed in accordance with the permit and the PLSLWD Rules, the PLSLWD will return any unused portion of the Permit Fee Deposit to the applicant, minus the \$10 application fee. The PLSLWD does not pay interest on escrow deposits. Any costs incurred by the PLSLWD greater than the Permit Fee Deposit balance will be billed to the applicant or deducted from the Permit Security. The permit fee deposit will vary as outlined below. Fees are cumulative based on each applicable category.

Permit Types

Permit Fee Deposit (2005)

a) Grading or Alteration: Activities/Grading less than 1 acre	\$500
1.0 - 4.99 acres	\$1,000
5.0 - 19.9 acres	\$1,500
20 or more acres	\$2,000
b) Projects with Wetland or Floodplain Areas	\$1,000
c) Bridge or Culvert Crossing of a Waterbody or Ditch	\$1,500 (per crossing)
d) Drainage Alterations	\$1,500

Permit Security

The PLSLWD Rules require cash security or an irrevocable renewable letter of credit to ensure completion of the permitted activity in accordance with the permit and the rules of the District. The Permit Security is due prior to permit issuance.

Requirements for Cash Security -- Security provided as a cash deposit will be held in escrow by the District until final completion of the project. The PLSLWD may draw on the security to correct any default by the permittee under the permit or the PLSLWD Rules, or to pay for any outstanding actual costs incurred by the District for permit review, field inspections, monitoring or related expenses. Once the PLSLWD Board determines that the permitted activity has been completed in accordance with the permit and the PLSLWD Rules, the PLSLWD will return any unused portion of the Permit Security to the applicant. The PLSLWD does not pay interest on escrow deposits.

Requirements for Letters of Credit -- Security provided in the format of a letter of credit must be issued for a minimum term of one year, with an expiration/renewal date of January 1. Security with a shorter term may be deposited with the PLSLWD provided that it is replaced at least 30 days before its expiration. The PLSLWD shall be authorized to draw against the letter of credit after any default by the permittee under the permit or the PLSLWD Rules, if the permittee fails to replace any security at least 30 days before its expiration, or to pay for any outstanding actual costs incurred by the PLSLWD for permit review, field inspections, monitoring or related expenses. It is acceptable to the PLSLWD if a permittee provides a single letter of credit to meet both the PLSLWD's and a municipality's security requirements, provided that the PLSLWD is explicitly authorized to draw on the letter of credit, for the reasons outlined above, independent of the municipality.

The Permit Security will vary as outlined below. Security is cumulative based on each applicable category.

Activity	Amount of Security
1. Site development/grading	\$1,000/acre
2. Construction of a public ditch or waterbody crossing, including a crossing of the Prior Lake Outlet Channel	<ul style="list-style-type: none"> • \$2,000 for single-lane crossing • \$5,000 for 2 or more lanes
3. Construction activity or grading within 100 feet of the Prior Lake Outlet Channel or any public ditch	<ul style="list-style-type: none"> • \$3,000 for a parallel distance less than 500 feet. • \$5,000 for a parallel distance of 500 feet or greater
4. Stormwater management facilities (ponds, outlets, infiltration basins, environmental manholes, rain gardens, etc.)*	125% of estimated construction costs

*Not required if provided to the municipality and proof of receipt is provided to the District.