

Below is a list of the proposed revisions to the CCWD District Rules and an explanation of the need for the revision.

Rule Section	Proposed Revision	Justification
2.1	Added the following language: “The applicant must coordinate with any other local, State, or Federal agencies to determine if other permits are required for the activity. Application approval may be contingent upon compliance with applicable State and Federal regulations, including obtaining necessary permits.”	The current rules have no language specifying that applicants are responsible for obtaining all other required permits. There are several specific instances, particularly in Wetland Conservation Act administration, that the District is not allowed to provide approval for certain activities until other permits have been obtained. This language codifies current practice.
2.7.2	Reference to Application Fees have been removed.	A separate application fee has been removed from the District’s fee schedule. The fee schedule change was made to avoid confusion and simplify the administrative process. This reference has been removed to align with this change.
2.9	“...or other assigned individual,” has been added to the list of people who can sign a permit for issuance.	This language was added to allow the District Administrator to assign another individual to sign permits in their absence if the District Engineer and the President of the Board are unavailable.
2.12.2	• The requirement that the infiltration rate must not exceed 8.3 in/hr in post construction testing has been removed. • Language has been added clarifying that mitigation <i>may</i> be needed if the infiltration rate is above 8.3 in/hr.	• The current requirement was created based on interpretation of an MPCA standard. The MPCA has since clarified that the 8.3 in/hr maximum is intended for design purposes and not for post-construction testing. • Adding language that mitigation may be needed if the infiltration rate is above 8.3 in/hr allows professional judgement based on the measured rate and actual site conditions.

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3.3.1.1	The SCS Curve Number method has been added to modeling requirements.	This addition is based on several applications that did not use the SCS Curve Number method. Other methods do not provide all the information needed to evaluate whether a site meets the District's requirements.
3.3.1.1, 3.3.2.2, 3.4.1, 3.4.3, 6.4.1	For all references to Atlas 14 and the NAVD 88 datum, "or most current" has been added.	This allows the District to have up to date rules when updates are released without needing to amend the rules immediately.
3.3.3.2.a	Language has been removed and rearranged to clarify that all pretreatment methods for infiltration and filtration require 80% TSS removal.	The current rule could be interpreted to mean that only manufactured treatment devices used as pretreatment require 80% TSS removal and other methods do not, which is not the intent of the requirement. This rewording clarifies current practice.
3.3.3.2.c	Language regarding submittal of soils information has been removed.	This information has been removed from this location to avoid redundancy with 3.4.3.
3.3.3.2.d	Language has been added encouraging pre-construction infiltration testing to inform design of BMPs.	District staff have seen many infiltration basins constructed with in-situ soils that have exceedingly fast infiltration rates. Post-construction mitigation may be avoided in some cases if infiltration testing was used to inform design.
3.3.4.2	Language has been added to clarify the in-kind standard.	There has been past confusion regarding the meaning of the in-kind treatment standard. Language has been added to clarify its meaning.
3.3.5.1	- Clarifying language has been added to the standards for wetland bounce and inundation. - Discharge rate has been removed from the table.	The current rule is often interpreted as an upper limit, but the intent is for the discharges to wetlands to be neither above nor below the set standard. It is also often interpreted as applying only to off-site wetlands, but the

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		rule applies to all on-site and adjacent wetlands. Discharge rate was removed because it is addressed elsewhere and does not have the same effect on wetlands as it does on conveyance systems.
3.3.6	- Requirements for landlocked basins and low floor freeboard have been combined. - The low floor requirement has been changed to “2 feet above the 100-year high water level <i>and</i> 1 foot above the emergency overflow” instead of “2 feet above the 100-year high water level <i>or</i> 1 foot above the emergency overflow.” - Provisions for the use of alternate calculation methods if vertical separation cannot be achieved have been added. - The term “building” has been removed. “New development” has been changed to “activity that may impact new or existing habitable structures.”	- These requirements have been combined to simplify the standards. “Or” has been changed to “and” because the intent of the current standard is for the higher elevation to apply. This change makes that clearer. - The use of the alternate calculation method has been allowed in past applications, so adding language as such is intended to codify current practice. “Buildings” was removed because the term is too broad for this application. - The current rule language limits the low floor requirements to new development, which does not capture all necessary scenarios. The new language clarifies that existing building low floors also need to be protected.
3.4.2	A water quality model has been added to the required documentation within stormwater calculations.	A water quality model to verify TSS removal at each point of discharge is often missing from submitted stormwater reports. This was added to help avoid future incomplete submittals.

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3.4.3	• The first sentence was simplified. • A sentence was added stating that soils information must be from within the last 5 years. • A recommendation has been added for the elevation of seasonally saturated soils to be identified within the soils report.	• Current language states that a soils report is required if the proposed BMP depends on the hydrologic properties of soils. The simplification removes this language and requires a soils report regardless of the proposed BMP. This is because infiltration is always required unless it is infeasible, and infeasibility is typically shown in a soils report. • Applicants have submitted very old soil borings with applications. This was added to help avoid future incomplete submittals. • The recommendation was added because the elevation of seasonally saturated soils is used to set groundwater separation from the bottom of infiltration BMPs.
3.4.4	A contaminated soils checklist or Phase 1 ESA has been added to the list of required documentation if infiltration is proposed.	This has been added to ensure that due diligence is being done regarding soil and groundwater contamination.
4.3.1.c	The 24-hour stabilization timeline for highly erodible soils has been removed.	Agency partners have indicated that 24 hours is an unreasonable timeline to fully stabilize a site.
4.3.1.c	Clarifying language has been added to the stabilization requirements.	Added language clarifies and aligns the rule with the MPCA standard.
4.3.3 & .4	Language has been added requiring the prepared erosion and sediment control plan to be followed and on-site BMPs to be maintained until final stabilization.	The current rule does not include a requirement to follow the erosion and sediment control plan; it only specifies that the plan must be prepared. This addition requires that the plan be followed as intended.

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8.2.2	An exemption for linear projects and grading-only projects has been added to the buffer rule.	This was added because the buffer rule was not intended to apply to these types of projects, only non public linear projects creating impervious surface.
Appendix A	• Definitions that no longer appear within the rules have been removed. • The definition of “inundation period” has been revised. • The definition of “seasonally saturated soils” has been revised • A definition for “site” has been added.	Additions, removals, and revisions were made for consistency and clarity.
Appendix C	The level 2 design criteria for wet ponds have been added.	These criteria were added for easy reference and accessibility for applicants.