Coon Creek Watershed District

RULES  Version Date 3/9/09

12.0 EASEMENTS

12.1 Ditch Easements

The applicant must dedicate easements on all new plats and developments where required as follows:

1. A 200 foot easement (100’ either side of centerline) will be required on Coon Creek from the Mississippi River to Lexington Ave. (C.S.A.H. #17)
2. A 200 foot easement (100’ either side of centerline) on Sand Creek from Coon Creek to Central Ave. (T.H. #65)
3. A 100 foot easement (50’ either side of centerline) on designated county ditches within the watershed, including Coon Creek and Sand Creek upstream of the sections identified in 1 & 2 of this section.

12.2 Maintenance Easements

The applicant must ensure access to all stormwater treatment practices at the site for the purpose of inspection and repair by securing all the maintenance easements needed on a permanent basis. These easements will be recorded with the plan and will remain in effect even with transfer of title to the property.

12.3 Replacement Wetland Restrictions and Covenants

An applicant seeking approval of a replacement plan or bank plan under the Wetland Conservation Act, as amended, must record with the county recorder/registrar a declaration of restrictions and covenants for the replacement wetland, as required under the Wetland Conservation Act's implementing Rules, Chapter 8420, as amended. The Declarant must pay all costs associated with recording the Declaration, and provide proof of recording to the District.

The restrictions and covenants shall be unlimited in duration.

Within the designated replacement wetland area the applicant and property owner shall:

1. Establish and maintain, at the applicant’s expense, permanent vegetative cover, including any necessary planting or replanting thereof, and other conservation practices in accordance with the replacement plan and the intent of the Wetland Conservation Act, as amended.
2. Not produce agricultural crops on areas specified as wetland
3. Not graze livestock on the areas specified as wetland
4. Not place materials, substances or other objects, nor erect or construct any type of structure, temporary or permanent, except as specified in the replacement plan.
5. At, applicants expense, be responsible for weed control by complying with noxious weed control laws and emergency control of pests necessary to protect the public health.
6. Comply with any other requirements or restrictions specified in this rule, local ordinance or state rule including but not limited to haying, mowing, timber management and other vegetative alterations that do not enhance or would degrade the ecological functions or the wetland.