

Resolution 23-011
Riley-Purgatory-Bluff Creek Watershed District
Board of Managers

Permit Fee Schedule Update

Manager Pedersen offered the following resolution and moved its adoption, seconded by Manager Crafton.

WHEREAS the Riley-Purgatory-Bluff Creek Watershed District has duly adopted rules and permitting requirements, pursuant to Minnesota Statutes sections 103D.335 and 103D.341;

WHEREAS RPBCWD incurs substantial costs to administer its permitting program, including costs of services by consultants, analysis of proposed activities, inspection of permitted projects and compliance assurance;

WHEREAS Minnesota Statutes section 103D.345, subdivisions 2 and 3, provide that a watershed district may charge inspection fees to private applicants to cover actual costs related to the permitting of projects conducted within its jurisdiction, including the cost of staff and consultant services; to cover actual costs related to a field inspection, including investigation of the area affected by the proposed activity, analysis of the proposed activity, services of a consultant and any required subsequent monitoring of the proposed activity; and, further, that costs of monitoring an activity authorized by permit may be charged and collected as necessary after issuance of the permit;

WHEREAS RPBCWD Rule L – Permit Fees requires applicants to pay permit fees in accordance with a written schedule maintained and revised from time to time by resolution of the RPBCWD Board of Managers to ensure that RPBCWD’s actual costs of administering and enforcing private-project permits are recovered from permittees;

WHEREAS RPBCWD maintains written policies to ensure that permit costs are borne by parties seeking and working under permits rather than watershed taxpayers, and to ensure consistency and clarity in permit processing for the benefit of those subject to RPBCWD permit requirements; and

WHEREAS RPBCWD review and analysis of the costs of administering permit applications has prompted a slight revision of the RPBCWD permit fees to ensure that RPBCWD does not collect more funds than necessary for applications triggering only the RPBCWD erosion- and sediment-control requirements, and the managers find that revision of the permit fee schedule is necessary to adhere to the principles and goals outlined here and in RPBCWD Rule L – Permit Fees.

NOW THEREFORE BE IT RESOLVED that the RPBCWD Board of Managers adopts the attached Permit Fee Deposit & Rate Schedule, effective for all private-property applications completed on or after January 4, 2023, and establishes RPBCWD policy stated in the schedule.

NOW THEREFORE BE IT FURTHER RESOLVED that the RPBCWD Board of Managers directs the administrator to ensure that the current Permit Fee Deposit & Rate Schedule is readily available online and in the district office; and

NOW THEREFORE BE IT FINALLY RESOLVED that the RPBCWD Board of Managers will continue to periodically review and, if necessary and warranted, revise the Permit Fee Deposit & Rate Schedule based on analysis of permitting costs incurred for private projects.

The question was on the adoption of the resolution and there were 4 yeas and 1 nay as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Crafton	X			
Duevel	X			
Koch		X		
Pedersen	X			
Ziegler	X			

Upon vote, the chair declared the resolution adopted.

Dated: January 4, 2023.

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I, Dorothy Pedersen, secretary of the Riley-Purgatory-Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with RPBCWD and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 20th day of January, 2023.



Dorothy Pedersen, Secretary