

**RESOLUTION NO. 09-03-01
COMFORT LAKE - FOREST LAKE WATERSHED DISTRICT
BOARD OF MANAGERS**

STORMWATER FACILITIES FUND POLICY

Manager Anderson offered the following resolution and moved its adoption, seconded by Manager Spence:

WHEREAS the Comfort Lake – Forest Lake Watershed District (“District”), a governmental subdivision with powers set forth in Minnesota Statutes Chapters 103B and 103D, is authorized to act to achieve the purposes set forth in those chapters for the protection, conservation and beneficial use of the waters and resources of the watershed; and

WHEREAS the Comfort Lake – Forest Lake Watershed District (“District”) has permitting requirements duly adopted pursuant to Minnesota Statutes Sections 103D.335 and 103D.341, and adopted District Rules on December 18, 2008, effective February 1, 2009; and

WHEREAS District Rule 2.0 includes runoff retention requirements to manage runoff volume from project sites to which it applies;

WHEREAS, in recognition that conditions in some areas of the watershed limit the capacity for onsite runoff volume management, District Rule 2.0 includes provisions that, under certain circumstances, allow contribution to a District fund to be used for the creation and maintenance of volume management facilities in place of providing these facilities as a part of the permitted activity;

THEREFORE BE IT RESOLVED that the Board of Managers:

1. Establishes the District’s Stormwater Impact Fund in accordance with District Rule 2.0;
2. Adopts Schedule D: Stormwater Impact Fund Contribution Schedule, attached;
3. Directs the District Administrator to maintain the Stormwater Impact Fund rate and related information on the District web site, and to make it available to the public on request; and
4. Periodically will review and, as appropriate, revise Schedule D: Stormwater Impact Fund Contribution Schedule based on an analysis of the costs of stormwater retention facility construction and maintenance.

Upon vote, the motion carried with four (4) ayes and zero (0) nays with one (1) absent as follows:

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Jackie A. Anderson	X		
Richard P. Damchik	X		
John T. Lynch	X		
Wayne S. Moe			X
Jon W. Spence	X		

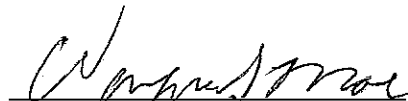
The Chair declared the resolution adopted.

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I, Wayne S. Moe, Secretary of the Comfort Lake - Forest Lake Watershed District Board of Managers, do hereby certify that I have compared the above resolution with the original thereof as the same appears on record and on file in the District's offices and find the same to be a true and correct copy thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day of March, 2009.

(SEAL)



 Wayne S. Moe, Secretary

Comfort Lake – Forest Lake Watershed District Rules Schedule D – Stormwater Impact Fund Contribution Schedule

Pursuant to Resolution 09-03-01, qualifying project applicants may contribute an amount for any unsatisfied portion of the volume retention requirement of District Rule 2.0 to the Stormwater Impact Fund as determined using the formula below:

$$(X \text{ ac-ft} * 43,560 \text{ ft}^2/\text{acre}) * (\$7.34913 \text{ \$/ft}^3 * 1.5) = \text{Stormwater Impact Fund Fee}$$

Where:

X	=required volume retention for the site
\$7.34913	= average cost per ft ³ of stormwater volume BMPs likely to be constructed based on soil and groundwater conditions within the District
1.5	= 50% multiplier for administrative, contingency, and maintenance costs associated with BMP construction

For example, if the amount of on-site retention needed to fulfill District Rule 2.0 is equal to 0.0833 ac-ft, then the resulting Stormwater Impact Fund Fee to meet the rule would be equal to $(0.0833 \text{ ac-ft} * 43,560 \text{ ft}^2/\text{acre}) * (\$7.34913 * 1.5) = \$40,000$