

Rules and Regulations  
Of  
Bear Valley Watershed District

I. Introduction:

The following rules and regulations of the Bear Valley Watershed District and any subsequent rules and regulations supplementary there to are adopted to effectuate the purpose of M.S. Chapter 112 and the authority of the managers therein prescribed and to thereby implement and make more specific the law administered by them. It is the intention of the managers that no person shall be deprived of divested of any previously established beneficial use or right by any rule or regulation of the district without due process of law and that all rules and regulations of the district shall be construed according to said intention; and by the rules and regulations to assist in the orderly use and conservation of the waters of the district. If any rule or regulation is inconsistent with the provisions of M.S. Chapter 112 or other applicable law, the provisions of said Chapter 112 or other applicable law shall govern.

II. Rules and Regulations:

1. Surface water shall not be artificially removed from upper land to and across lower land without adequate provision being made on the lower land for its passage, nor shall the natural flow of surface water be artificially obstructed so as to cause an overflow onto the property of others.
2. Water inlets, culvert openings, and bridge approaches shall have adequate should and bank protection in order to minimize land and soil erosion.

Plans and specifications relating to the matters covered by this paragraph shall be submitted to the managers for their consideration and approval prior to construction and installation of any of the foregoing works.

3. In the interest of sanitation and public health and to prevent pollution to the waters of the district, all septic tanks and drain fields, which outlet directly or indirectly into the waters of the district shall be constructed and maintained in accordance with the rules and recommendations of the State Board of Health and the Minnesota Pollution Control Agency as modified by the appropriate zoning ordinance of Goodhue and Wabasha Counties. No septic tank or other waste disposal facility shall outlet directly into any lake, watercourse, or public or private drainage system.
4. No reservoir for the impoundment of water may be constructed, removed, or abandoned without a permit from the managers, nor shall any dam be constructed to impound water without a permit from the managers.
5. No bridge or culvert and no drain from the disposal of storm waters, public or private, shall be constructed, reconstructed, laid or maintained in, to, or across any streams or public or private drain unless it has an adequate waterway opening. No bridge, culvert, or drain for the disposal of storm water shall be constructed, reconstructed, or laid without the approval of the managers as to its location, dimensions of the waterway opening, its base elevation and a permit for the installation thereof from the managers. Plans and specifications for a bridge, culvert, or drain for the disposal of storm water shall be submitted to the managers when an application for a permit is filed.
6. To prevent obstruction to flood waters a permit shall be required from the managers for the construction of any building within the flood plain of Bear Valley. All plans for the construction of any building of any kind within the flood plain shall be submitted to the managers for their approval when an application for the permit is made.
7. In the interest of sanitation and public health and to prevent pollution of the waters of the district, no owner of land, their agent or tenant, and no municipality or community, incorporated or unincorporated, and no other entity or group of persons

shall dispose of any waste, human, animal, or industrial by casting such waste directly or indirectly into any lake or stream, public or private drainage system, or road ditch within the district, and thereby pollute the waters of the district. In addition to the foregoing, the applicable rules and regulations of the State Board of Health and of the Minnesota Pollution Control Agency as modified by the appropriate zoning ordinance of Goodhue and Wabasha Counties are, by reference there to herein, hereby adopted as rules and regulations of the district within limits of the statutory granted to the managers.

8. In order to preserve the same for beneficial use;
  - (a) No person, partnership, association, private or public corporation, shall change or diminish the course, current or cross-section of any public waters within the watershed district without a permit from the Commissioner of Natural Resources as provided by M.S. sec., 105.42 and a permit from the Watershed District.
  - (b) No person, partnership, association, private or public corporation, shall alter, change, enlarge, diminish, straighten, deepen or otherwise dig in or interfere with the beds, banks, and shores of any stream or watercourse within the watershed district without a permit from the Managers of the Watershed District.
  
9. In the interest of sanitation and public health, and to assist in regulating and conserving the flow of streams and watercourses in the district, no person, partnership, association, private or public corporation, shall abandon, deposit or dispose of any waste, litter, garbage, junk, or debris from any source of whatsoever composition, natural or artificial, directly or indirectly, into the waters of the streams of the district, not to deposit and abandon the same in such a place and manner that it is capable of entering or being cast into said waters by any natural or artificial means.
  
10. All applications for a permit shall be substantially in the following form: