

Drainage Permit Information

Minnehaha County

Getting A Drainage Permit

This Planning Information Bulletin (PIB) is designed to help you through the drainage permit process when you want to construct, install, repair, replace, or improve any drain in Minnehaha County.

Routine Maintenance

\$25.00

- Vested Drains
 - clean out to original depth and repair or replacement of tile line
 - Notification shall be sent by certified/return receipt required mail a minimum of 10 days prior to start of the project and receipts submitted to the Planning Office prior to issuance of a permit.
- Non-Vested Drains (man made)
 - clean out of 2 foot maximum, or to original depth, whichever is less
 - Notification shall be sent by certified/return receipt required mail a minimum of 10 days prior to start of the project and receipts submitted to the Planning Office prior to issuance of a permit.
- Natural Drainage Ways
 - clean out of 2 foot maximum, or to original depth, whichever is less
 - Notification shall be sent by certified/return receipt required mail a minimum of 10 days prior to start of the project and receipts submitted to the Planning Office prior to issuance of a permit.
- Intermittent Streams
 - A drainage project which outlets directly into an intermittent stream, provided that the intermittent stream is within 1 mile of a named stream, and that the intermittent stream is directly connected to the named stream as defined by the most recently published USGS 7.5 minute topographic maps.
 - Notification shall be sent by certified/return receipt required mail a minimum of 10 days prior to start of the project and receipts submitted to the Planning Office prior to issuance of a permit.

Drainage Permit

\$50.00

Any tile line or drainage ditch not meeting the definition of routine maintenance is considered to be new drainage or a major repair and requires a drainage permit. This includes the installation of any new tile where none existed previously, any increase in size or length of an existing tile, the construction of any drainage ditch, or the cleaning out of a natural drainage way to depth greater than two feet.

Planning Department staff may issue drainage permits if all of the following conditions are met:

1. The application form is completed and has both the property owner and the contractor's signatures
2. There are no wetlands being drained as defined by the Natural Resources and Conservation Service (NRCS)
3. The drainage is not of inter-county or state significance (flow from drainage does not cross county or state line)
4. The permit application fee of \$50 is included with the permit application, and either
 - Waivers have been obtained from the downstream property owners for a minimum of a 1/2 mile downstream from the drainage outlet point, or
 - The drainage system outlets directly into the main channel of one of the 16 officially-named streams in Minnehaha County.

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Application Site and Time Frame

Application for a drainage permit is made at the Planning & Zoning Office, 3rd floor of the County Administration Building, at 415 N. Dakota Ave. in Sioux Falls. If the required information is provided, the process should take approximately 15 minutes.

Drainage Permits Not Required

Building permits are not required for the following:

- Repair, replacement, or improvement of any drain if the work requires less than 1 cubic yard of dirt to be removed or if less than 20 feet of drain is to be repaired or replaced.
- Construction or installation of a surface or closed drain is located within a watershed area of twenty acres or less.

General Requirements for Obtaining a Drainage Permit

The following items must be submitted when applying for a general drainage permit:

- Name, Address, Phone Number, and Signature of Parcel Owner and Contractor
- Legal Description of Parcel
- Detailed Site Plan of Proposed Work
- Any Other Information Requested By the Office of Planning & Zoning

Staff issued drainage permits become effective 5 working days following the day the permit is issued. The permit shall expire and become void if the authorized construction is not commenced within 1095 days (3 years) of the effective date of the permit. **The contractor, installer, or landowner shall provide the planning department, the GPS data for installed tile or an as-built map for the tile within 180 days from final date of installation.**

If staff is unable to issue the drainage permit, a permit application may be submitted for a hearing by the Drainage Board (Minnehaha County Commission). Applications to be heard by the commission must include the following:

1. A completed permit application form with both property owner and contractor signatures,
2. An NRCS wetland determination of the applicable area,
3. And a permit application fee of \$100.

Staff will set a hearing date before the commission and will notify the applicant and any downstream property owners within a minimum one-mile below the outlet of the hearing date and time. The applicant must be present for the permit hearing. Any individual may appeal the decision of the Drainage Board to Circuit Court.

Minnehaha County Planning & Zoning
415 N. Dakota Ave.
Sioux Falls, SD 57104
Tel: 605-367-4204
Fax: 605-367-7413
www.minnehahacounty.org