RESOLUTON NO. 2015-04

RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

FINDINGS AND ORDER INITIATING REPAIR PROCEEDINGS FOR ANOKA COUNTY DITCH 46

Manager _______Wall er________ offered the following Resolution and moved its adoption, seconded by Manager _______Wagam on________:

FINDINGS

1. The Rice Creek Watershed District (RCWD) is the Drainage Authority for Anoka County Ditch 46 (ACD 46).

2. In 2009 the Board of Managers initiated actions to perform a historical and technical analysis for the system. Concurrently, the Board directed its engineer to prepare an analysis of options to repair the drainage system. The historical and technical analysis is contained in the Engineer’s Historical Profile Memorandum of ACD 46 dated March 19, 2009 and in a Historical Review Addendum dated September 17, 2014. The analysis of repair options is contained in a document entitled “Anoka County Ditch 46 Repair Report” dated February 17, 2010.

3. During both analyses, the Board determined that the drainage systems records were incomplete and directed correction of the drainage system record. The drainage system records correction is complete.

4. Several owners of land benefitted by the drainage system have inquired with the Drainage Authority regarding property development and the level of expected service of ACD 46 as an outlet for beneficial drainage.

5. Based on the engineering analysis and other inspection of the drainage system, the Board determines that the drainage system is in need of major repair in order to make the drainage system efficient and to restore the drainage system as nearly as practicable to the same hydraulic capacity as originally constructed and subsequently improved.

6. The Board has amended its Watershed Management Plan to include the repair of ACD 46 as a capital improvement and to include the drainage area of ACD 46 in a Water Management District for the purpose collecting Water Management District charges to pay the cost of restoring the basic drainage function of the drainage system.
7. The Board has received concurrence from the City of Columbus, pursuant to statutes section 103D.621, subd. 4, to exercise alternative powers found in statutes chapters 103B and 103D to repair and manage the drainage system.

Therefore, the RCWD Board of Managers makes the following:

ORDER

A. The Board of Managers hereby directs its engineer to prepare an updated report for the repair of ACD 46, to include a recommended scope of repair and option that is consistent with the Board's current drainage system repair policy and with the Board’s Watershed Management Plan and associated rules and resource management plans.

B. The Board of Managers further directs its engineer to prepare an allocation of costs for the recommended scope of repair and option, consistent with the Board's current policies, that allocates costs between those necessary to restore the basic drainage function of the system and those necessary to achieve compliance with water quality, ecological or other environmental standards or objectives set by the Board.

C. The Board of Managers directs its administrator and staff to prepare the basis and justification of Water Management District charges, based on land characteristics and runoff coefficients within the contributing drainage area of the drainage system.

D. The Board of Managers further directs its administrator and staff to begin coordination with the required local, state and federal regulatory entities to ensure timely identification of regulatory issues and regulatory approvals for the proposed drainage system repair.

E. The Board of Managers further directs its administrator and staff, upon receipt of the engineer's updated repair report, the cost allocation and the Water Management District, to set a date, time and location for an informational meeting on repair of ACD 46. Following the informational meeting, the Board shall set a date for a hearing on the repair and the establishment of the Water Management District charge.

F. The Board of Managers directs its administrator to coordinate and take all subsequent actions necessary for preparation of the repair in a manner consistent and compliant with existing law. The Board reserves to itself, however, all subsequent actions required by law to proceed upon Board approval.
The question was on the adoption of the Findings and Order and there were 3 yeas and 0 nays as follows:

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Upon vote, the Chair declared the Findings and Order 2015-04 passed.

I, John Waller, Acting Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Findings and Order with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 11th day of February, 2015.

John Waller, Acting Secretary

Dated: February 11, 2015