RESOLUTION NO. 2019-19
RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ORDERING the LOWER RICE CREEK STABILIZATION PROJECT
PURSUANT to MINNESOTA STATUTES §103B.251

Manager Bradley offered the following Resolution and moved its adoption, seconded by Manager Haake:

WHEREAS the Rice Creek Watershed District ("District") has adopted a water resource management plan (WRMP) in accordance with Minnesota Statutes §103B.231;

WHEREAS Lower Rice Creek, which extends from New Brighton to Fridley, Minnesota, is listed as impaired for fish and macroinvertebrates, and discharges into Locke Lake, in which the District engineer has documented sedimentation problems;

WHEREAS the impairments and sedimentation result in part from the instability of the creek channel and from streambed and channel erosion;

WHEREAS the WRMP designates Lower Rice Creek as a part of the District’s trunk drainage system and specifies that the maintenance and repair of the trunk drainage system is considered work of common benefit to the District and properly funded by the District’s ad valorem tax on real property throughout the watershed;

WHEREAS in 2018 the District engineer completed a Sediment Source Management Plan for Lower Rice Creek, which provides for work to stabilize the Lower Rice Creek channel, principally within that part of the Rice Creek corridor between State Highway 65 and State Highway 47 within the City of Fridley (the "Project"), and the WRMP capital improvement program includes the Project with a budget of $1.875 million for that purpose;

WHEREAS the District has received a Clean Water Fund grant from the Minnesota Board of Water and Soil Resources for the Project;

WHEREAS the Project work would be conducted on land owned by the City of Fridley and managed by Anoka County Parks and, in June 2019, the District, Anoka County, and the City of Fridley entered into an agreement affording the District the right to construct and maintain the Project on the City land;

WHEREAS in accordance with Minnesota Statutes § 103B.251, subdivision 3, the District duly provided notice of a public hearing to be held on June 26, 2019, regarding the establishment and ordering of the Project, which notice advised of an estimated Project cost of $718,410.00 to be funded by a combination of Clean Water Fund grant money and the District’s ad valorem property tax levy;
WHEREAS the Board has considered the findings and recommendations of the District administrator and engineer and the public comment offered, and finds that the Project is feasible, will be conducive to public health and promote the general welfare, and is in compliance with Minnesota Statutes §§103B.205 to 103B.255 and the WRMP adopted pursuant to §103B.231;

THEREFORE BE IT RESOLVED that pursuant to Minnesota Statutes § 103B.251 and the WRMP, the Project is ordered and established as the Lower Rice Creek Stabilization Project.

The question was on the adoption of the resolution and there were 5 yea's and 0 nays as follows:

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Upon vote, the Chair declared the Resolution passed.

Michael Bradley, Secretary

Dated: June 26, 2019

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I, Michael Bradley, Secretary of the Rice 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 the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF I have set my hand this 26th day of June, 2019.

Michael Bradley, Secretary