RESOLUTION NO. 2016-09

RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS,
DRAINAGE AUTHORITY FOR RAMSEY COUNTY DITCH 2

GRANTING PETITION OF THE CITY OF NEW BRIGHTON FOR
IMPOUNDMENT OF DRAINAGE WATERS ON RAMSEY COUNTY DITCH 2

Manager Haake offered the following Resolution and moved its adoption, seconded by
Manager Nagamori.

WHEREAS, the Board of Managers of the Rice Creek Watershed District (the District) is the Drainage
Authority for Ramsey County Ditch (RCD) 2 under Minnesota Statutes Chapter 103E;

WHEREAS, on February 26, 2016, the Board received a petition from the City of New Brighton to
reconstruct an outlet control structure and impound waters on RCD 2 in conjunction with certain
ecological and flood control improvements to the Hansen Park pond within the City;

WHEREAS, by Resolution 2016-06, the Board accepted the petition under Minnesota Statutes Chapter
103E.227 and appointed Houston Engineering to prepare a report assessing the impact of the proposed
action;

WHEREAS, Houston Engineering completed its work and filed a report with the Board on March 15,
2016;

WHEREAS, Houston Engineering concluded that the proposed structure and resulting impoundment will
not impair the utility of the drainage system or deprive affected landowners of its benefit;

WHEREAS, the DNR submitted its advisory opinion on the work proposed under the petition on April 19,
2016, indicating the engineer’s report for the work is adequate and noting the permits necessary for the
work;

WHEREAS, the Board noticed and held a hearing on the petition at its regular meeting on April 27, 2016;

WHEREAS, a public comment portion of the hearing was opened and members of the public were
invited to present concerns regarding the proposed actions;

WHEREAS, during the public hearing no members of the public provided comment.

WHEREAS, based on the proceedings, the engineer’s report and other evidence presented the Board
finds:

a. The water surface elevations and peak discharge on RCD 2 upstream and downstream of the
   proposed structure are not impacted by the construction;

b. The proposed structure, as a component of the Hansen Park component of the District’s
   Basic Water Management Project 2013-01, will not result in an adverse environmental impact;
c. The proposed structure and resulting impoundment will not impair the utility of the drainage system or deprive affected landowners of its benefit.

THEREFORE, BE IT RESOLVED that the Board of Managers directs the following actions:

1. The petition of the City of New Brighton for the reconstruction of an outlet control structure and resulting impoundment of waters on RCD 2 in the Hansen Park pond, as indicated in the petition and engineer's report, is GRANTED.

2. The cost of proceedings is to be charged to Basic Water Management Project 2013-01.

3. The drainage system record shall be amended to reflect the reconstructed structure and ditch grade.

4. The drainage system modification, as petitioned, may be made upon release of this order and provided that all required permits, necessary rights-of-way and easements, if any, have been obtained.

The question was on the adoption of the resolution and there were 4 yea and 0 nay as follows:

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Upon vote, the President declared the Resolution **passed**.

Michael Bradley, Secretary

Dated: April 27, 2016

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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 hereunto set my hand this 27th day of April, 2016.

Michael Bradley, Secretary