RESOLUTION 2016-17

RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

LOCAL GOVERNMENT UNIT FOR IMPLEMENTATION OF THE WETLAND CONSERVATION ACT

RESOLUTION APPROVING IMPACT SEQUENCING AND APPROVING REPLACEMENT PLAN FOR IMPACTS TO WETLAND RELATED TO THE REPAIR OF ANOKA COUNTY DITCH 46

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

FINDINGS

1. The Rice Creek Watershed District (RCWD) has ordered the repair of Anoka County Ditch (ACD) 46.

2. Prior to ordering the repair, as part of planning and comparing repair alternatives, RCWD identified wetlands likely to be impacted by the repair.

3. RCWD evaluated repair alternatives for the purpose of designing and ordering a repair that would avoid and minimize wetland impacts.

4. The repair, as ordered, will impact a small amount of wetlands subject to the wetland replacement requirements of the Wetland Conservation Act (WCA).

5. In preparation for the overall repair of ACD 46, the RCWD delineated wetlands within the project area (RCWD 16-069R). The wetland delineation was noticed for comment on 5/26/2016 and the comment period closed on 6/30/2016 with no formal comments being received.

6. The Technical Evaluation Panel (TEP) performed a site visit on 6/14/2016, and issued its decision concurring in the delineation on 6/24/2016.

7. Based on the selected repair alternative, RCWD prepared a wetland replacement plan for the project (RCWD 16-073). The wetland replacement plan was noticed for comment on 7/18/2016 and the comment period closed on 8/8/2016 with no official comments being received.

8. As part of its review of the wetland replacement plan, RCWD considered the impacts to all wetlands related to the drainage system repair. The engineer’s report for the repair addressed wetland impacts and identified, by applying the van Schilfgaarde equation to determine the lateral effect of the ditch, the extent of hydrologic impact. The engineer’s report and wetland replacement plan demonstrate that additional wetland impacts are...
either exempt from the wetland replacement requirements or result in no loss of wetland function and value.

9. The repair of ACD 46, as ordered by RCWD, conforms to the determined as-constructed or subsequently improved condition (ACSIC) of the ditch and meets the statutory definition of repair in statutes section 103E.701.

THEREFORE, based upon the review of the project record and the proceedings of its Technical Evaluation Panel, the Rice Creek Watershed District Board of Managers, LGU for implementation of the Wetland Conservation Act, makes the following:

ORDER

A. The Board of Managers hereby determines that the replacement plan application associated with the repair of Anoka County Ditch 46 is adequate and that wetland impacts associated with the repair of Anoka County Ditch 46 are adequately and appropriately sequenced to ensure avoidance and minimization of wetland impacts while still accomplishing the necessary repair of the drainage system.

B. The Board of Managers further determines that the Replacement Plan Application addresses all wetland impacts requiring replacement and that any remaining wetland impacts are either exempt from replacement requirements or result in no loss of wetland function and value.

C. The Board of Managers approves the Replacement Plan Application for the maintenance of Anoka County Ditch 46.

D. The Board of Managers further directs staff to issue a Wetland Conservation Act Notice of Decision for replacement application on repair of Anoka County Ditch 46.

The question was on the adoption of the Resolution and there were 5 yeas and 0 nays as follows:

<table>
<thead>
<tr>
<th></th>
<th>Yea</th>
<th>Nay</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>WALLER</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>HAAKE</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>BRADLEY</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>WAGAMON</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>PREINER</td>
<td>☒</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

Upon vote, the Chair declared Resolution 2016-17 **passed**.

Michael Bradley, Secretary

Dated: August 24, 2016
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 hereunto set my hand this 24th day of August, 2016.

Michael Bradley, Secretary