RESOLUTION NO. 2019-18

RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

RESOLUTION ORDERING THE BALD EAGLE LAKE IRON-ENHANCED SAND FILTER PROJECT PURSUANT TO MINNESOTA STATUTES §103B.251 AND APPROVING PROJECT AGREEMENT

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

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

WHEREAS Bald Eagle Lake, located in Anoka, Ramsey and Washington Counties, is threatened by excessive phosphorus loading and subject to a Total Maximum Daily Load (TMDL) requiring reductions in phosphorus from internal and external sources;

WHEREAS the District has prepared a Bald Eagle Lake TMDL implementation plan that identifies capital improvements, including utilization of publicly-owned open spaces for phosphorus-reduction best management practices, and the implementation plan has been approved by the Minnesota Pollution Control Agency and is incorporated into the capital improvement program of the WRMP.

WHEREAS the District submitted a Clean Water Fund grant application to the Board of Water and Soil Resources ("BWSR") for the Bald Eagle Lake Iron-Enhanced Sand Filter Project, consisting of an automatically-controlled lift station to divert Ramsey County Ditch 11 (RCD 11) runoff into an iron-enhanced sand filter system for treatment, and operation and maintenance of those facilities by the District for a period of 25 years ("Project"), pursuant to which the District has been subsequently awarded a grant in the amount of $392,000 for the Project;

WHEREAS White Bear Township (Township) owns property through which Ramsey County Ditch 11 (RCD 11) flows prior to discharging into Bald Eagle Lake and the Township has agreed to allow the District to construct, operate and maintain the Project on its property;

WHEREAS in accordance with Minnesota Statutes § 103B.251, subdivision 3, the District held a duly noticed public hearing on ordering of the Project on June 26, 2019, at the Shoreview City Council Chambers, at which time all interested parties had the opportunity to speak for and against the Project;

WHEREAS the District engineer has evaluated the technical design needs and feasibility of the Project, and its cost-effectiveness, in a technical memorandum dated August 21, 2018, and the engineer's views have been fully considered by the Board;
WHEREAS the Board finds that the Project, as constructed in accordance with the terms and responsibilities of the project agreement attached hereto, 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.

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

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Upon vote, the Chair declared the Resolution passed.

Michael J. 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 hereunto set my hand this 26th day of June, 2019.

Michael J. Bradley, Secretary