

RESOLUTION NO. 2026-03

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**FINDINGS AND ORDER GRANTING PETITION, TRANSFERRING A PORTION OF ANOKA COUNTY
DITCH 55 PURSUANT TO MINNESOTA STATUTES §103E.812; AND ADOPTING CONDITIONS**

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

FINDINGS

1. The Rice Creek Watershed District Board of Managers (Board) is the Drainage Authority for Anoka County Ditch 55 (ACD 55).
2. The Board received the petition of the City of Lino Lakes (City) to transfer to the City, as water management authority, a portion of ACD 55 located within the City.
3. The petition requests transfer of approximately 4,600 feet of buried 8" and 10" tile – Branch 8 of ACD 55 – from the NE quarter of the NE quarter of Section 24, Township 31, Range 22, Anoka County, MN, to the terminus of Branch 8 on the west side of Interstate Highway 35E where it discharges to the Main Trunk of ACD 55 .
4. There are no portions of ACD 55 lying upstream of the proposed transfer under the jurisdiction of the Board.
5. By resolution 2026-01, the Board accepted the petition and appointed Houston Engineering, Inc., to review the proposed transfer.
6. Upon receipt of the engineer's report, the Board noticed and held a hearing on the petition pursuant to Minnesota Statutes section 103E.812.
7. The Board held the public hearing on February 25, 2026, reviewed the engineer's report and solicited comment from the public.
8. Members of the public attended the hearing and asked questions or made comments regarding the redetermination of benefits.
9. The Board, or its staff responded to questions and comments as appropriate during the hearing. The Board noted and considered all comments as part of these proceedings.
10. No specific objections were made to the proposed transfer.
11. No comments or other evidence was received calling into question the City's ability to capably manage storm, surface, or flood-waters along the drainage system or within the benefited

area of the drainage system, including management practices or modifications to the drainage system that facilitate development, municipal storm water management, flood damage reduction and water quality protection.

12. The City has adopted a local water management plan that is consistent with the District's Comprehensive Watershed Management Plan (CWMP) and addresses the City's use of its existing authorities to manage storm, surface, or flood-waters, including management practices and official controls that facilitate municipal storm water management, flood damage reduction and water quality protection.
13. The City has demonstrated its competence as a water management authority and has demonstrated its commitment both to the Board's water management objectives and standards as detailed in its CWMP and to working with the Board to address water management challenges within the City and sub-watershed area draining to ACD 55.
14. The Board, having reviewed the petition, the engineer's report and the evidence in the proceedings, finds that the portion of ACD 55 petitioned to be transferred to the City will be competently managed by the City as part of its municipal stormwater system.

Therefore, the RCWD Board of Managers makes the following:

ORDER

- A. The Board of Managers hereby grants the City's petition and transfers Branch 8 of ACD 55 to the City of Lino Lakes as Water Management Authority, subject to the following conditions and provisions of statutes section 103E.812:
 - a. Following an accounting of the costs in these proceedings being presented to the City, the City shall pay to the District such costs as required by statutes section 103E.812, subd. 6.
 - b. In any action to modify the transferred portion of ACD 55 to meet the City's water management or other objectives, the City shall preserve an adequate and efficient outlet for properties draining to the transferred portion of the system as required by statutes section 103E.812, subd. 7(a).
 - c. Though the present action does not result in any loss of drainage benefit, the City shall compensate any owner of property benefitted by the transferred portion of ACD 55 for the loss or impairment of any drainage rights occurring after transfer of the drainage system as required by statutes section 103E.812, subd. 7(c).
 - d. Unless otherwise approved by subsequent action of the Board, the City's stormwater discharges to ACD 55 from the watershed area currently served by Branch 8 shall be limited to the capacity limitations currently provided by Branch 8 (a 10" tile outlet).

The question was on the adoption of the Resolution and there were 4 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEGLAND	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ROBERTSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEINANDT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution passed.

Jessica Robertson
 Jessica Robertson, Secretary *Pro-tem*

Dated: February 25, 2026

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I, Jessica Robertson, Secretary *Pro-tem* 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 25th day of February, 2026.

Jessica Robertson
 Jessica Robertson, Secretary *Pro-tem*