

RESOLUTION NO. 2026-09

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**FINDINGS AND ORDER ACCEPTING PETITION AND
DIRECTING APPOINTMENT OF AN ENGINEER**

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

FINDINGS

1. The Rice Creek Watershed District (RCWD) Board of Managers (Board) is the Drainage Authority for Anoka County Ditch 46 (ACD 46).
2. Lake Drive Properties, L.P. (co-Petitioner) and Jake Jensen (co-Petitioner), have petitioned the Board to partially abandon the upstream portion of Branch 5 of ACD 46.
3. The request is made to accommodate the restoration of the wetland within the property owned by Lake Drive Properties, L.P., for the purpose of developing a wetland bank (Potomac Wetland Bank) on the property. A wetland bank application has been through agency review, and partial abandonment of the upstream end of Branch 5 of ACD 46 is one of the requirements before the application can be approved.
4. The Potomac Wetland Bank project is located in Rice Creek Watershed District, and the project proposes to restore historic wetland areas within the project site by abandoning and impounding waters over approximately 2,250 feet of ACD 46, Branch 5 at its most upstream end. Technical details of the project can be found in the Petition.
5. The Drainage Authority's action on the Petition is governed by Minnesota Statutes, sections 103E.806 (partial abandonment) and 103E.227 (impoundment of drainage system waters).
6. Upon review, the Petition appears complete and the bond appears sufficient under the drainage code.

Therefore, the Board makes the following:

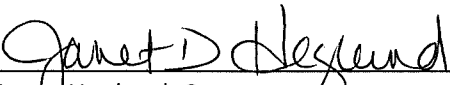
ORDER

- A. The Board of Managers accepts the Petition and appoints Chris Otterness, P.E., and Houston Engineering, Inc. to investigate the effect of the proposed action under the standards found in sections 103E.806 and 103E.227 and file a report of findings.
- B. The Engineer is directed to include in its investigation an assessment of effects from the proposed action to private property which may require Petitioners to acquire flowage or other easements related to the diversion of drainage system waters and an assessment of the impact of the proposed action on the function and integrity of the remainder of the ACD 46 system.
- C. This order is not an approval of the proposed action, nor does it modify the drainage system or abandon any portion thereof. Subsequent proceedings on the Petition will occur consistent with the requirements of Minnesota Statutes, sections 103E.806 and 103E.227.

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

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
BRADLEY	☒	☐	☐	☐
WALLER	☒	☐	☐	☐
ROBERTSON	☒	☐	☐	☐
WEINANDT	☒	☐	☐	☐
HEGLAND	☒	☐	☐	☐

Upon vote, the President declared the Findings and Order passed.

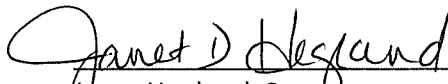

Janet Hegland, Secretary

Dated: August 12, 2026

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I, Janet Hegland, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above Findings and Order 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 12th day of August, 2026.


Janet Hegland, Secretary