

RESOLUTION NO. 2026-10

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**FINDINGS AND ORDER GRANTING PETITION TO IMPOUND AND REROUTE DRAINAGE SYSTEM
WATERS WITH CONDITIONS**

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

Findings:

1. The Rice Creek Watershed District is the drainage authority for Ramsey County Ditches 2 and 5 ("RCD 2 and RCD 5").
2. By Resolution 2013-23, and as modified by subsequent Resolutions, the Board of Managers initiated the New Brighton/Saint Anthony/Roseville Basic Water Management Project within the watershed areas of RCDs 2, 3 and 5, assigning Project Number 2013-01.
3. Project 2013-01 is a long term, phased project to address water quality and quantity management, habitat protection and enhancement, and community sustainability within the project area.
4. On April 22, 2026, the Rice Creek Watershed District Board petitioned itself to impound and reroute drainage system waters at the upstream end of Ramsey County Ditch 2 ("RCD 2") and the downstream end of Ramsey County Ditch 5 ("RCD 5") related to the construction of a portion of the New Brighton/St. Anthony Village/Roseville Basic Water Management Project (#2013-01); specifically, the Jones Lake Restoration Project ("Petition").
5. Various project components have been established and constructed as part of the overall implementation of Project 2013-01.
6. The Petition is offered as a result of the Jones Lake Restoration portion of Project 2013-01 which will create new temporary flood storage to avoid adverse downstream flooding from the implementation of future projects.
7. Specifically, the future projects, also identified in the RCD 2 implementation plan, include increasing culvert capacity at CSAH 88 on RCD 5 and increasing storm sewer capacity on RCD 2 Branch 1 to Jones Lake. Both projects are upstream of Jones Lake and without the project, the conveyance improvements would create adverse downstream flooding conditions, making them infeasible. In addition, the Jones Lake Restoration

Project provides multiple benefits including water quality treatment and ecological restoration of the degraded water body.

8. On April 22, 2026, the Drainage Authority appointed Houston Engineering Inc., as the engineering firm to investigate the effect of the proposed installation pursuant to Minn. Stat. § 103E.227, subd. 3(a).
9. Engineer Chris Otterness filed a report of findings with the Drainage Authority dated July 14, 2026.
10. The Drainage Authority set a public hearing for August 24, 2026, for review of the engineer's report of findings and directed Drainage Authority staff to provide at least 10 days advance notice, by mail, of the time and location of the hearing to the Petitioners, political subdivisions, and owners of property likely to be affected by the proposed impound, reroute, and diversion.
11. At the August 24, 2026, hearing, Engineer Otterness presented the work proposed in the Petition and a summary of the findings and conclusions in his engineer's report.
12. Engineer Otterness determined that the proposed impounding and rerouting of drainage system waters will be of public and private benefit; will not impair the utility of the drainage system; and will not deprive affected landowners of their benefits.
13. The Jones Lake Restoration Project is situated at the upstream end of RCD 2 and the downstream end of RCD 5. The proposed impoundment and reroute will include excavation within Jones Lake (above and below the normal water level); modification of the existing lake outlet, construction of a sediment forebay, and construction of an access route to the project. To accomplish these project components will require modification of the RCD 2 and RCD 5 public drainage system.
14. The project includes modifying the current impoundment of RCD 2 that serves as the outlet for Jones Lake. The existing structure will be removed and replaced with a new structure approximately 400 feet downstream. The new structure will maintain normal water levels at current conditions but will have a higher top crest to impound flood flows at a higher elevation and increase the storage capacity in the lake. This impoundment affects portions of RCD 2 that are upstream of the dam. In addition, RCD 5 is located just upstream of RCD 2 (via Jones Lake) and is likewise hydraulically affected by the impoundment.
15. The project also includes realigning the portion of RCD 5 that is downstream (north) of Lakeview Point Drive (approximately 850 feet of ditch). The ditch bottom will be moved approximately 20 feet to the east from its current location to enable access from Lakeview Point Drive to the Jones Lake Restoration Project for construction and

maintenance. This will also make access easier for future maintenance of the public drainage system and decrease erosion in the channel.

16. In addition to flood reduction benefits, the proposed project also provides the opportunity to significantly reduce downstream sediment and nutrient delivery from Jones Lake via the dredging of accumulated organic material and the construction of a sediment forebay. Further, the project components also result in the ecological restoration of the historic lake habitat.
17. During the public hearing, the President called for comments from the public and all comments submitted were taken and made part of the record of proceedings on file with the Drainage Authority. No comments were made at the public hearing that cast substantive doubt on the findings in Engineer Otterness's report or raised any reason why the Drainage Authority should not proceed with approving the Petition.
18. All proposed modifications are within the property that is owned by the City of New Brighton, under a City easement, and/or within the RCD 2 and RCD 5 culvert under CSAH 88/1-35W interchange.
19. Based on the record of proceedings before it, the Drainage Authority finds that the proposed impound and reroute will be of public and private benefit by supporting future actions related to Project 2013-01; providing consistent access to RCD 5 at its outlet; creating sediment control at the RCD 5 outlet; improving downstream water quality, and increasing temporary storage of floodwaters, thereby decreasing the burden on the downstream public drainage system.
20. Based on the record of proceedings before it, the Drainage Authority finds that the proposed impoundment and reroute will not impair the utility of the RCD 2 and RCD 5 public drainage systems or deprive other landowners of its benefit.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for RCD 2 and RCD 5, hereby orders as follows:

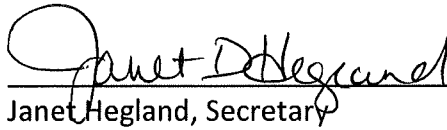
- A. That the Drainage Authority's Petition to impound and reroute drainage system waters is granted subject to all of the conditions stated in this Order.
- B. The District shall be responsible for all costs associated with the design and construction of the proposed impound & reroute of drainage system, including all permits, for the rerouted portions, all costs incurred to conduct these proceedings, and all costs incurred by the Drainage Authority.

- C. Following construction, the original drainage system records shall be modified to reflect reroute and impoundment locations as described in the project concept plans and engineer's report of findings.
- D. Following construction, the Drainage Authority shall have jurisdiction over and be responsible for repairs of the modified portions of the drainage system.

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

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

Upon vote, the President declared the Resolution passed.

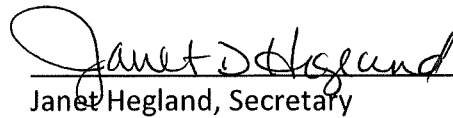

 Janet Hegland, Secretary

Dated: August 24, 2026

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I, Janet Hegland, 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, 2026.


 Janet Hegland, Secretary