



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, August 15, 2018

Agenda Item

Item 6. C. - Directing the Final Hearing in the Proceedings to Modify the 9-foot Channel Permanent Disposal Sites

Prepared By

Linda Loomis, Administrator

Summary

This item was added in order to be able to call a public hearing for the District's 9-foot Channel permanent disposal sites management project. In 2015, the District began the process to make dredge disposal management a permanent capital project of the LMRWD. In preparation for this the District had an estimate prepared estimating the probable cost of managing dredge disposal. The District has also had prepared a Special Benefit Study Pertaining to the Maintenance of the 9-Foot River Channel.

The board is asked to adopt Resolution 18-11 DIRECTING THE FINAL HEARING IN PROCEEDINGS TO MODIFY THE NINE FOOT CHANNEL PERMANENT DISPOSAL SITES ACQUISITION AND DEVELOPMENT BASIC WATER MANAGEMENT PROJECT.

Resolution 18-11 sets a public hearing for the September meeting of the Board of Managers. Staff will make the required notifications.

Attachments

Resolution 18-11 - DIRECTING THE FINAL HEARING IN PROCEEDINGS TO MODIFY THE NINE FOOT CHANNEL PERMANENT DISPOSAL SITES ACQUISITION AND DEVELOPMENT BASIC WATER MANAGEMENT PROJECT

Recommended Action

Motion to adopt Resolution 18-11

Manager _____ introduced the following resolution and moved its adoption:

LOWER MINNESOTA RIVER WATERSHED DISTRICT

RESOLUTION 18-11

RESOLUTION DIRECTING THE FINAL HEARING IN PROCEEDINGS TO MODIFY THE NINE FOOT CHANNEL PERMANENT DISPOSAL SITES ACQUISITION AND DEVELOPMENT BASIC WATER MANAGEMENT PROJECT

WHEREAS, by resolution 15-12, the Board of Managers of the Lower Minnesota River Watershed District initiated proceedings under Statutes section 103D.605 to modify the previously established Nine Foot Channel Permanent Disposal Sites Acquisition and Development Basic Water Management Project; and

WHEREAS, the Board has complied with the requirements of statutes chapters 103B and 103D related to development of the project; and

WHEREAS, the Board has delivered the project plan to the Board of Water and Soil Resources and Department of Natural Resources and has received advisory comments as required by statutes; and

WHEREAS, the Board has completed a benefits analysis related to the proposed project and is otherwise prepared to hold a final hearing on the proposed project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Managers of the Lower Minnesota River Watershed District as follows:

1. The Board shall hold its final hearing on the establishment of the project and adoption of project benefits at 7:00 a.m./p.m. on Monday, September 17, 2018, at the Scott County Law Enforcement Center, 301 Fuller Street, Shakopee, MN.
2. The Administrator shall provide notice as follows:
 - a. by publication before the date of the hearing in a legal newspaper, published in the counties where property is to be improved by the proposed project. The last publication must occur between 30 days and ten days before the project hearing.
 - b. by mail, at least ten days before the project hearing, to the Department of Natural Resources, Board of Water and Soil Resources, municipalities entirely or partly within the project area and owners of property recommended as directly benefitted by the project.

3. Notice shall be in the form as attached hereto in exhibit A.

Adopted by the Board of Managers of the Lower Minnesota River Watershed District
this 15th day of August, 2018

Jesse Hartmann, President

ATTEST:

David L. Raby, Secretary

The motion for the adoption of the foregoing resolution was seconded by Manager _____
and upon a vote being taken thereon, the following voted in favor thereof: Frey, Hartmann,
Raby; and the following voted against the same: None. Whereupon said resolution was
declared passed and adopted, this 15th day of August, 2018 signed by the Vice President and
his signature attested by the Secretary.

STATE OF MINNESOTA
 LOWER MINNESOTA RIVER WATERSHED DISTRICT BOARD OF MANAGERS

The matter of the Nine Foot Channel
 Permanent Disposal Sites Acquisition and
 Development Basic Water Management
 Project

Notice of Hearing

PLEASE TAKE NOTICE, the Board of Managers of the Lower Minnesota River Watershed District pursuant to statutes chapter 103D, shall hold a public hearing on the establishment of modifications to the Nine Foot Channel Permanent Disposal Sites Acquisition and Development Basic Water Management Project. The hearing shall be held at 7:00 p.m. on Monday, September 17, 2018, at the Scott County Law Enforcement Center, 301 Fuller Street South, Shakopee, MN.

The project continues a previously established Capital Improvement of the District, in cooperation with the United States Government, to acquire sites for the disposal of dredge material related to the maintenance of a nine-foot navigational channel on the lower portion of the Minnesota River and to manage the disposal of the dredge material.

Anticipated annual cost of the project is \$80,000 to be paid by a combination of one or more of the following: property tax to all properties within the District; assessment to properties benefitted directly by the project.

Owners of properties and properties identified as potentially benefitted in the appraiser's recommendation are:

Description	Owner	Address	County	PID
Cargill West Elevator	Cargill, Inc.	12100 Dakota Avenue Savage, MN	Scott	26-908018-0; 26-908020-0
Cenex Harvest States Elevator	CHS, Inc.	6200 W. Highway 13 Savage, MN	Scott	26-909025-0
Riverland Ag Elevator	River Land Ag Corp.	12100 Yosemite Avenue Savage, MN	Scott	26-050002-1; 26-050003-1
Superior Minerals	Superior Minerals Co.	12051 Yosemite Ave S Savage, MN	Scott	26-067003-1; 26-067004-1

Description	Owner	Address	County	PID
Acell	Acell, LLC	12051 Yosemite Ave S Savage, MN	Scott	26-067003-0; 26-067002-0; 26-067001-0
Mosaic Crop Nutrition	GNS III (US), LLC	12120 Lynn Avenue South Savage, MN	Scott	26-375002-0
Cargill East Elevator Scott County Site	Cargill, Inc.	12115 Lynn Ave S Savage, MN	Scott	26-375001-0; 26-283001-0
Cargill East Elevator Dakota County Site	Cargill, Inc.	12115 Lynn Ave S Savage, MN	Dakota	02-03210-30-020; 02-02910-50-030; 02-03210-45-020; 02-03210-63-020
U.S. Salt, Inc.	Port Marilyn, LLC	1020 Black Dog Road Burnsville, MN	Dakota	02-02800-01-013; 02-02800-01-012
BLSI Fleeting Site	Burnsville Sanitary Landfill, Inc.			02-15275-00-010
Kraemer Fleeting Sites	Kraemer Mining & Minerals, Inc.			02-02910-86-010; 02-02910-76-010; 02-02800-51-011
McGown Site 1	Freeway Transfer, Inc.			02-156000-00-030
McGown Site 2	Quarry Property, LLC			02-156000-02-020
Upper River Services Fleeting Sites	City of Bloomington		Hennepin	31-027-24-21-0001; 31-027-24-12-0003; 31-027-24-12-0002; 31-027-24-11-0001; 30-027-24-44-0001; 29-027-24-33-0001

Copies of the Dredge Material Disposal and Management Plan and the appraiser's benefits recommendation are available for inspection by contacting the Watershed District Administrator, Linda Loomis, at (612) 306-5802, or by email to naiadconsulting@gmail.com.

All parties interested in the proposed project may appear at the final hearing to present objections, and to show why an order should not be made by the managers confirming the reports of the engineer, adopting the appraiser's recommendation of benefits, and ordering the establishment and construction or implementation of the project

Dated: August 15, 2018

Board Vice President