



Board of County Commissioners Agenda Request

6A
Agenda Item #

Requested Meeting Date: May 23, 2023

Title of Item: Set Public Hearing Date - Partial Ditch Abandonment

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: John Welle		Department: Highway
Presenter (Name and Title): John Welle, Aitkin County Engineer		Estimated Time Needed: 5 minutes
Summary of Issue: <p>U.S. Steel submitted a petition for partial ditch abandonment of portions of State Ditch 86 and Fire Relief Commission Ditch B on December 29, 2022.</p> <p>After a site visit on May 3, 2023, the attached Engineer's Report was completed.</p> <p>As outlined in M.S. 103E.806 Subd. 3, the drainage authority shall set a time and location for a hearing on the petition.</p>		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Set public hearing date		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No Please Explain:		

Legally binding agreements must have County Attorney approval prior to submission.

Engineer's Report

U.S. Steel Petition for Partial Abandonment

Portions of State Ditch 86 and Fire Relief Commission Ditch B

A petition was received from U.S. Steel on December 29, 2022 requesting partial abandonment of four segments of public drainage ditch systems as follows:

1. Lateral 1 of State Ditch (SD) 86 located in Sections 3 and 4, Township 48 North, Range 24 West totaling approximately 1 mile in length
2. Lateral 2 of State Ditch (SD) 86 located in Sections 4 and 5, Township 48 North, Range 24 West totaling approximately 1 mile in length
3. Lateral 3 of State Ditch (SD) 86 located in Sections 5 and 6, Township 48 North, Range 24 West totaling approximately 1 mile in length
4. Designation unknown, County GIS map labeled as Fire Relief Commission (FRC) B located in Sections 33 and 34, Township 49 North, Range 25 West totaling approximately 0.5 mile in length

A site visit was conducted on May 3, 2023 with a representative of U.S. Steel to view the segments of ditch included in the petition for partial abandonment.

Segment 1: Lateral No. 1 State Ditch 86

Description: From the southwest corner of Section 3, Township 48 North, Range 24 West at its intersection with the main ditch of SD 86, then north approximately 1 mile to the northwest corner of Section 3, Township 48 North, Range 24 West.

Direction of Flow: The original gradient of this lateral was 0.02% toward the main ditch (south). However, during the site visit on May 3, 2023, there was a very subtle flow of water north to FRC-B as described in Segment 4 and continuing on to the main ditch of County Ditch 4.

Watershed Property Ownership: Due to the proximity of the main ditches of both SD 86 and CD 4, the watershed area of Lateral No. 1 of SD 86 is limited to portions of Section 3 and 4, Township 48 North, Range 24 West. With the exception of the southwest quarter of Section 4, which is publicly owned, these two sections of land are owned entirely by the petitioner.

Segment 2: Lateral No. 2 State Ditch 86

Description: From the southwest corner of Section 4, Township 48 North, Range 24 West at its intersection with the main ditch of SD 86, then north approximately 1 mile to the northwest corner of Section 4, Township 48 North, Range 24 West.

Direction of Flow: The original gradient of this lateral was 0.02% (south) toward the main ditch. The south half of this lateral has not been maintained as a ditch and is non-existent today. The

north half of this lateral has been maintained and altered to flow to the north to a system of private ditches that connect to the main ditch of CD 4.

Watershed Property Ownership: Due to the proximity of the main ditches of both SD 86 and CD 4, the watershed area of Lateral No. 2 of SD 86 is limited to portions of Section 4 and 5, Township 48 North, Range 24 West. The southwest quarter of Section 4 and the south half of Section 5 are publicly owned. All other land within Sections 4 and 5 are owned entirely by the petitioner.

Segment 3: Lateral No. 3 State Ditch 86

Description: From the southwest corner of Section 5, Township 48 North, Range 24 West at its intersection with the main ditch of SD 86, then north approximately 1 mile to the northwest corner of Section 5, Township 48 North, Range 24 West.

Direction of Flow: The original gradient of this lateral was 0.033% toward the main ditch (south). The south half of this lateral has not been maintained as a ditch and is non-existent today. The north half of this lateral has been maintained and altered to flow to the north to a system of private ditches that connect to the main ditch of CD 4.

Watershed Property Ownership: Due to the proximity of the main ditches of both SD 86 and CD 4, the watershed area of Lateral No. 3 of SD 86 is limited to portions of Section 5 and 6, Township 48 North, Range 24 West. The south half of Section 5 and the south half of Section 6 are publicly owned. All other land within Sections 5 and 6 is owned entirely by the petitioner.

Segment 4. Designation unknown – Fire Relief Commission Ditch B

Description: From the west quarter corner of Section 34, Township 49 North, Range 25 West at its intersection with the main ditch of County Ditch 4, then south 0.5 mile to the southwest quarter of Section 34, Township 49 North, Range 25 West.

Direction of Flow: The original gradient of this ditch is unknown since there are no records available for FRC-B. During a site visit on May 3, 2023, there was a very subtle flow of water north to the main ditch of CD 4.

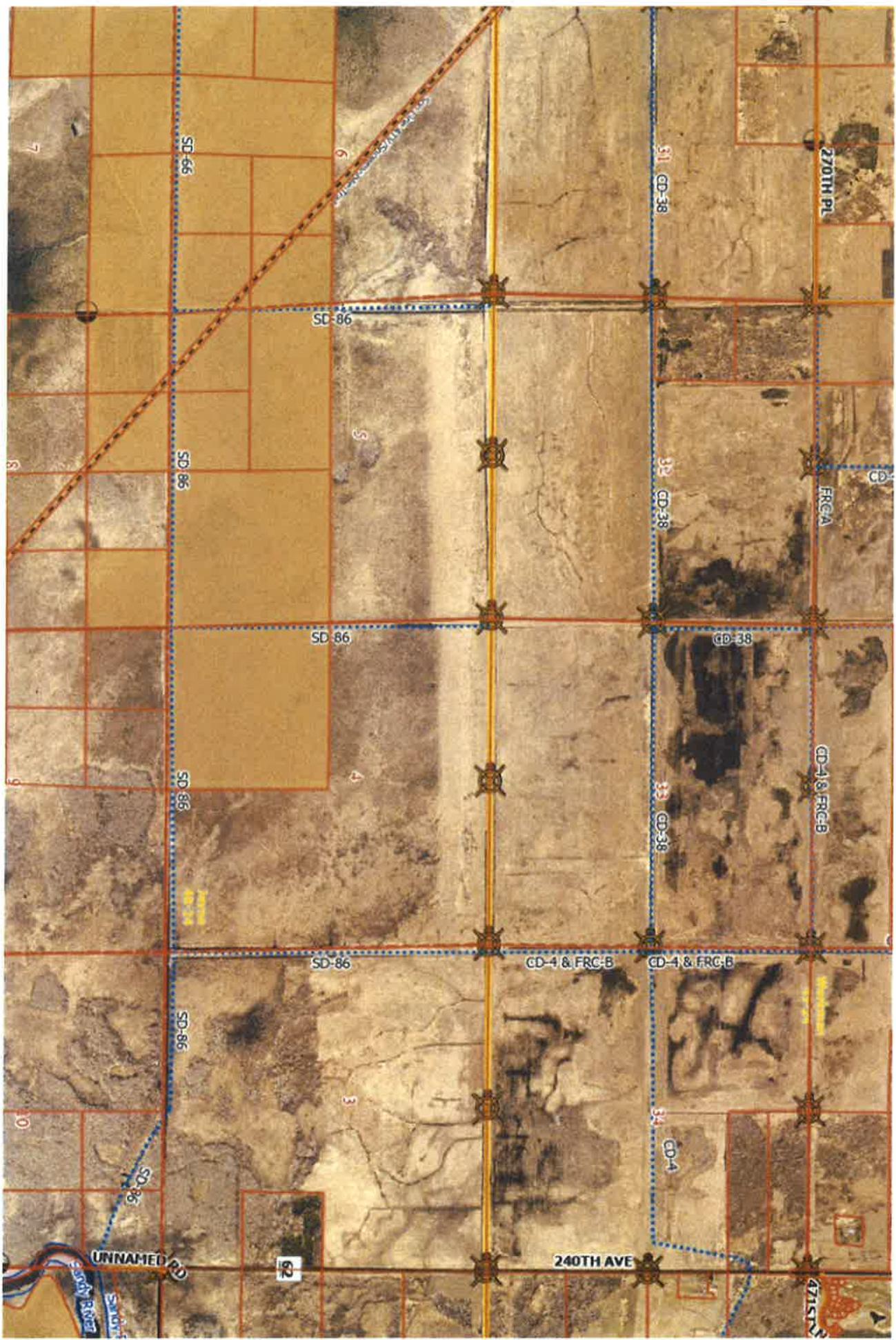
Watershed Property Ownership: Due to the proximity of the main ditch of CD 4, the watershed area of this ditch is limited to the south half of both Section 34 and 35, Township 49 North, Range 24 West, all of which is owned entirely by the petitioner.

John Welle
John Welle

Digitally signed by John Welle
Date: 2023.05.17:20:11:00 -05:00

5-17-23
Date





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31 CD-38
32 CD-38
33 CD-38
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270TH PL
FRC-A
CD-4 & FRC-B
CD-4 & FRC-B
CD-4 & FRC-B
CD-4

UNNAMED
SUNNY RIVER
SUNNY RIVER

62
240TH AVE
471ST



U. S. Steel Corporation
Minnesota Ore Operations
P.O. Box 417
Mt. Iron, MN 55768

December 29, 2022
Mr. Kirk Peysar
Aitkin County Auditor
Mr. John Welle
Aitkin County Engineer
307 2nd St NW, Room 121
Aitkin, MN 56431

RE: Petition for Partial Ditch Abandonment of a Drainage System within Sections 3, 4, 5, and 33 of Workman Township (T.49N.-R.24W.) Aitkin County, Minnesota

Dear Mr. Peysar and Mr. Welle,

United States Steel Corporation – Minnesota Ore Operations (U. S. Steel) is submitting this petition for ditch abandonment at the locations referenced above pursuant to Minnesota Statute 103E.806, "Partial Abandonment of a Drainage System." Per Minnesota Statutes 2010 103E.806, this petition is being filed with the Aitkin County Auditor.

This ditch abandonment request is a part of U. S. Steel's Palisade 4 wetland mitigation project site (P4 Site), through which, many miles of private and public ditches flow (Figure 1). The P4 Site encompasses approximately 2,050 acres owned by U. S. Steel. Northern portions of the ditches on the P4 Site generally flow west and north into County Ditch 38 (CD-38), which conveys water to the west (Figure 1). County Ditch CD-38 lies between the P4 Site and the Palisade Site (an existing wetland bank site) to the north and flows through the middle of Sections 32 and 33. Southwestern portions of the P4 Site generally drain to the south into Public Ditch SD-86 on the southern edge of Sections 3 and 4 that flows west. The proposed public ditch abandonments described below include segments of public ditches that benefit only U. S. Steel property. The plan to abandon private ditches includes provisions to maintain drainage from all adjacent private property.

Please review the ditch map (Figure 1) showing what U. S. Steel believes to be the original Ditch Authority's ditching system. The map also shows private ditches that have been altered, and re-piped resulting in the present-day conditions.

U. S. Steel is requesting permission to abandon the following ditch segments, which are further described in the attached supporting documents:

Section 33:

The segment of public ditch CD-4 and FRC-B along the east side of the SE quadrant

Section 3:

The segment of public ditch SD-86 along the west side of the section

Section 4:

The segment of public ditch SD-86 along the west side of the NW quadrant

Section 5:

The segment of public ditch SD-86 along the west side of the NW quadrant

Please note that County Ditch CD-38, which runs along the north edge of the south half of Sections 33 and 34, will remain open and functioning for neighboring properties to the north and east. Public ditch SD-86 adjacent to other private landowners along the south project boundary will also remain open and maintain drainage from their properties.

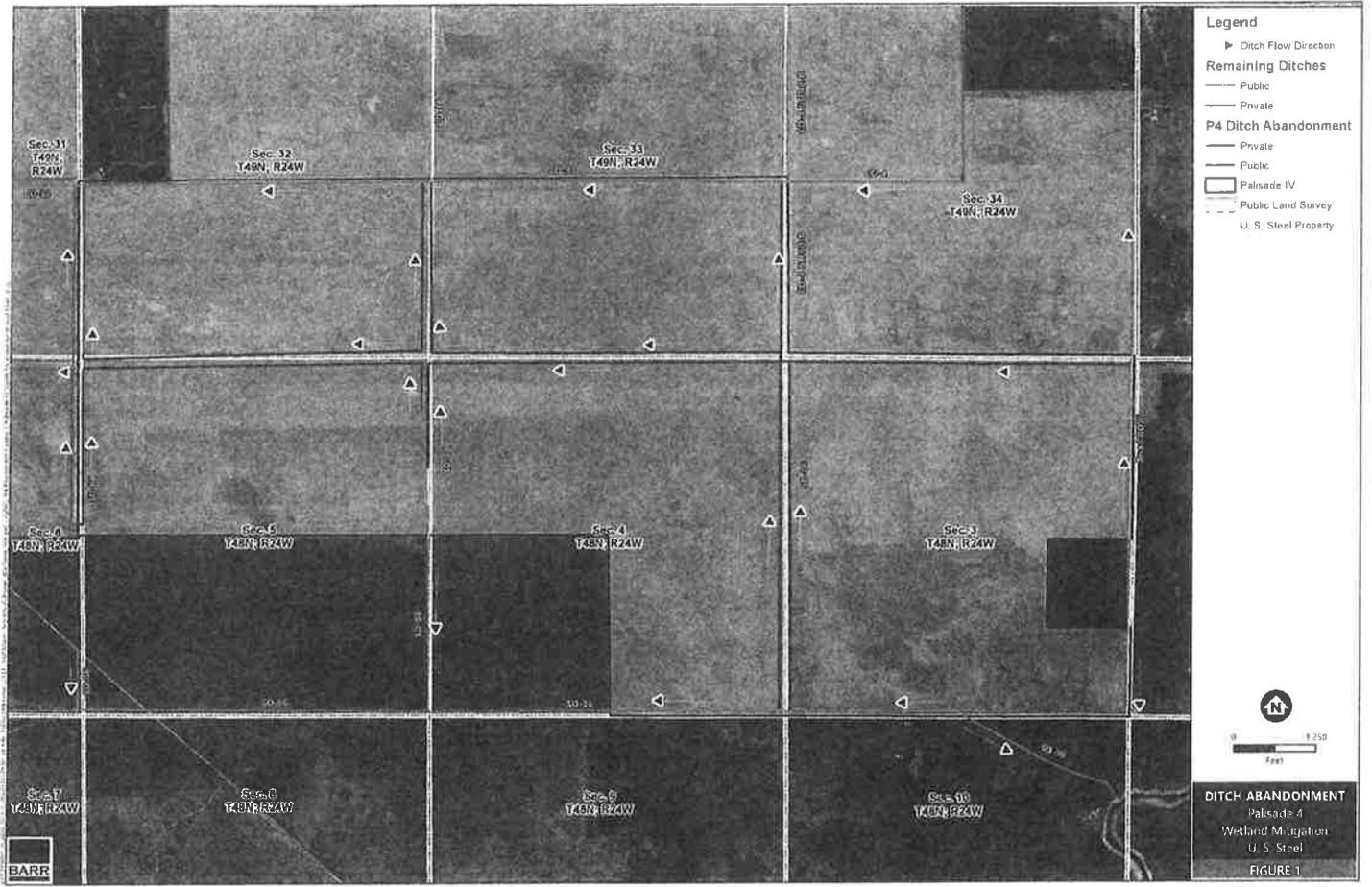
Should there be any questions about this submittal or if you require additional information, please contact me at (218) 778-8672 or via email at byjones@uss.com.

Sincerely,

A handwritten signature in cursive script that reads "Bethany Jones".

Bethany Jones
Minnesota Ore Operations
United States Steel Corporation

CC: Bryan Yagle, U. S. Army Corps of Engineers
Colleen Sullivan, MN DNR
Chrissy Bartovich, U. S. Steel



BARR