



Board of County Commissioners Agenda Request

3A
Agenda Item #

Requested Meeting Date: September 23, 2014

Title of Item: Continuation - Public Hearing for Partial Ditch Abandonment

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft)	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input checked="" type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i>
Submitted by: Kirk Peysar		Department: Auditor's Office
Presenter (Name and Title): Kirk Peysar, County Auditor		Estimated Time Needed: 1 hour
Summary of Issue: Continuation of July 22, 2014 Public Hearing for Partial Ditch Abandonment.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion:		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		



U. S. Steel Corporation
Minnesota Ore Operations
P.O. Box 217
Keewatin, MN 55753

September 15, 2014

Mr. Kirk Peysar
Aitkin County Auditor
209 2nd Street NW
Aitkin, MN 5643-1292

Mr. John Welle
Aitkin County Engineer
209 2nd Street NW
Aitkin, MN 5643-1292

**RE: Revised Petition for Partial Ditch Abandonment of a Drainage System
within Sections 27, 28, 32, 33 and 34 of Workman Township (T.49N.-R.24W.)
Aitkin County, Minnesota**

Dear Messrs. Peysar and Welle:

United States Steel Corporation (U. S. Steel) is submitting this revision to the original petition for ditch abandonment submitted on March 31, 2014 and revised on June 18, 2014. In the original application, public ditches were proposed to be abandoned. However, at the July 22, 2014 Public Hearing regarding the project, there was much concern from the Aitkin County Board and private citizens regarding the effect to private property surrounding the project sight. U. S. Steel has re-evaluated its options and developed a plan that should alleviate these concerns. U. S. Steel contracted Barr Engineering to review ditches and ditch watersheds. The attached memo discusses the ditches that could be abandoned, culverts that would be added to maintain drainage to off-site private properties and private ditches that would be re-classified as public ditches.

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 tmmuck@uss.com

Sincerely,

A handwritten signature in cursive script that reads "Tracy M. Muck".

Tracy M. Muck
Minnesota Ore Operations
United States Steel Corporation

CC: J. Mark Wedel, Chairperson, Commissioner District 1
Laurie Westerlund, Commissioner District 2
Donald Niemi, Commissioner District 3
Brian Napstad, Commissioner District 4
Anne Marcotte, Vice Chairperson, Commissioner District 5
Nathan Burkett, County Administrator
Jim Ratz, County Attorney



Memorandum

To: Tracy Muck
From: Daniel Tix and Mark Jacobson
Subject: Public Ditch Abandonment Summary
Date: September 2, 2014
Project: U. S. Steel Palisade Wetland Mitigation Site

This memo summarizes our findings from a review of the ditches on United States Steel (U. S. Steel) Palisade Wetland Mitigation site (Site). The attached map (Figure 1) shows ditches that could be abandoned and eliminated without affecting neighboring landowners and summarizes the ownership, type, and proposed actions for each of the ditches on the Site. The proposed public ditch abandonment would continue to allow drainage from upstream properties through the public ditch system.

Watersheds for ditches located within and surrounding the Site are shown in Figure 2. This map differentiates the watersheds of the ditches to be abandoned from those that will be maintained. Watersheds in Figure 2 were drawn using LiDAR data. The LiDAR data is based on information from before modifications were made on the Site, so the on-site watersheds may have changed, but the off-site watersheds have not. A detailed view of each public ditch to be abandoned or altered is shown in Figure 3 (a through c) and includes the watershed of each. Figure 4 shows the ditch ownership and flow directions for the surrounding area.

We propose that the following public ditches be abandoned and filled to maximize wetland area on the Site without affecting drainage from adjacent private properties.

1. Formally abandon CD-4 – diagonal portion on the east side of the north half of Section 34 (Figure 3a)

This ditch does not actually exist so no specific action is required other than a formal request for legal abandonment. Such a request would eliminate potential future confusion or disputes of this ditch that is no longer present.

2. Abandon CD-4 (Segment A) – dividing the north and south half of Section 34 (Figure 3a)

The eastern approximately one-half mile of this segment of the ditch could be abandoned without affecting neighboring properties.

Watershed

The watershed for this ditch is located entirely within Section 34, west of County Road (CR) 62, and within U. S. Steel property (Figure 3a). None of the watershed area located east of CR 62

To: Tracy Muck
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drains into CD-4 (Figure 2). Therefore, the only property benefitting from CD-4, Segment A, is U. S. Steel property and the drainage from CD-4 is no longer needed due to a change in land use.

Flow

CD-4, Segment A, is a headwater ditch that begins near the east edge of the Site and flows west. There are no culverts or other ditches entering the ditch within this segment. CD-4 flows into CD-38 along the western edge of Section 34 and continues to flow west through Section 33 (Figure 1). The abandonment of CD-4, Segment A would not alter the current drainage off of CR 62. However, the right-of-way (ROW) ditches along the west side of CR 62 could be connected to allow southward drainage for that section of the road (Figure 1).

Farm road

The farm road that is parallel to CD-4, Segment A would be removed so that the northern and southern portions of Section 34 could become connected hydrologically. The road along the north side of the remaining segment of CD-4, in the western half of Section 34, would remain.

Remaining segments of CD-4

The western half of CD-4 through the middle of Section 34 would remain so that it could intercept flow from the north-south private ditch which begins in Section 27 to the north (Figure 2). This would maintain drainage for the adjacent properties to the north.

3. Abandon CD-4/FRC-B (Segment B) north side of Section 33 (Figure 3b)

We would abandon this full one-mile ditch segment. (Figure 3b)

Watershed

The watershed draining to CD-4/FRC B, Segment B, includes the northeast corner of Section 33, entirely within U. S. Steel property (Figure 3b). There are no other ditches that flow into this ditch segment. Therefore, the only property benefitting from CD-4, Segment B is U. S. Steel property, and the drainage from CD-4, Segment B, is no longer needed due to a change in land use.

Flow

CD-4, Segment B, is a headwater ditch that begins in the northeast corner of Section 33 and flows west. At the northwest corner of Section 33, this segment meets CD-38 along the west side of Section 33 and flows south (Figure 1).

Farm road

The farm road parallel to CD-4, Segment B would also be removed so that the northern portion of Section 33 and the southern portion of Section 28 could become connected hydrologically.

4. Move CD-4/FRC-B (Segment C) southern half, west side of Section 34 (Figure 3c)

Between Sections 33 and 34, CD-4/FRC-B, Segment C runs along the east side of a farm road with a private ditch on the west side of the road. The southern half of CD-4/FRC-B would be relocated to the

To: Tracy Muck
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other side of the road (Figure 3c). The new ditch would be cleaned out to ensure positive drainage. A culvert or open ditch connection will be added to connect SD-86 into the new public ditch.

Watershed

The watershed draining through CD-4/FRC-B Segment C is predominantly composed of U. S. Steel property, but does include approximately 14 acres of private property in Section 3 (T48N; R24W) (Figure 3c). However, the relocation of CD-4, Segment C will maintain drainage for that small area of private property.

Flow

CD-4/FRC-B, Segment C flows north, beginning from SD-86, and discharges into CD-4 (Figure 1). That drainage pattern will be maintained by moving the ditch approximately 100 feet west to the other side of the road and providing a connection for SD-86, into the existing private ditch.

Farm roads

None of the farm roads in this area would be altered. However, overflow structures or culverts may be constructed across the roads along the south or west sides of Section 34 to provide an outlet for water in the southern half of Section 34.

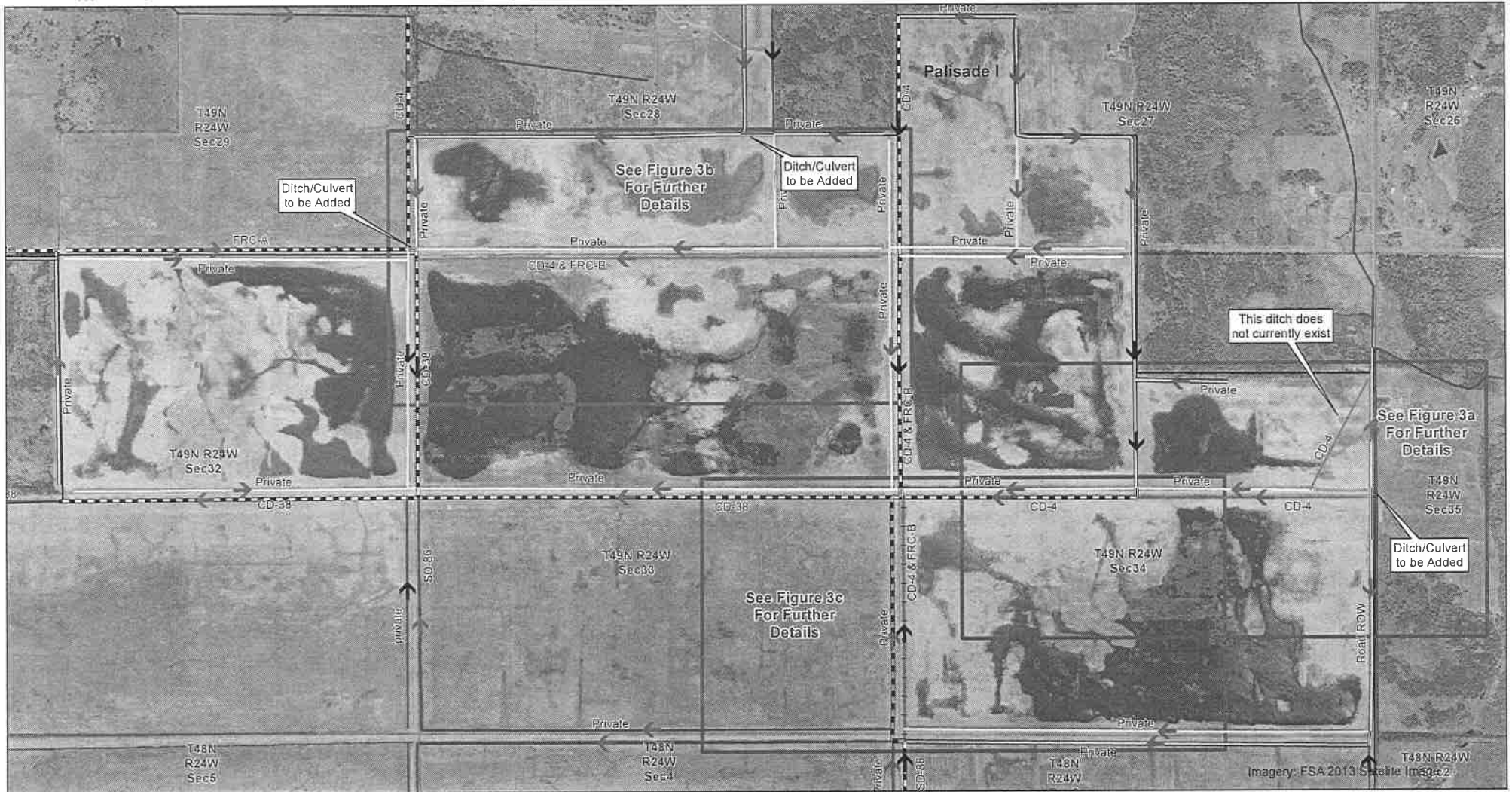
Private ditches

Figure 1 also shows proposed modifications to private ditches, all located on U. S. Steel property. The elimination of private ditches will include several new connections to ensure that drainage is maintained from adjacent private properties where the private ditches flow through U. S. Steel property.

- With the abandonment of the private ditch along the south side of the north part of Section 34, a culvert will be constructed to connect the private drainage from Section 27 into CD-4 (Figure 1), thereby maintaining drainage from the private properties.
- With the abandonment of the private ditch along the south side of Section 34, a culvert will be constructed from the CR 62 west ROW ditch connecting into the private ditch along the north side of Section 3, T48N, R24W (Figure 1).
- For abandonment of the private ditches located in the southern one-quarter of Section 28, T49N, R24W, three culvert or ditch connections will be constructed to maintain drainage for the properties located to the north (Figure 1).

Conclusions

The proposed public ditch abandonments described above 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 and CR 62. The resulting ditch system is shown in Figure 5, which will ensure the retention of drainage benefits for all adjacent private property.



- Ditch Flow Direction
- Private Ditch to Remain
- Public Ditch to be Abandoned
- Public Ditch to Remain
- Public Ditch - Abandon and Replace
- Other ditches - Off-site
- Add Ditch/Culvert
- Detailed Figure Extents
- Convert to Public
- U.S. Steel Property Boundary
- Private Ditch to be Abandoned

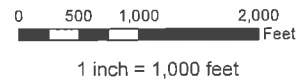


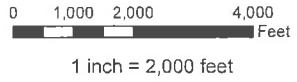
Figure 1
PROPOSED DITCH MODIFICATIONS
 Public Ditch Abandonment Summary
 Palisade Wetland Mitigation
 U. S. Steel

Imagery: FSA 2013 Satellite Imagery



Imagery: Microsoft, 2011

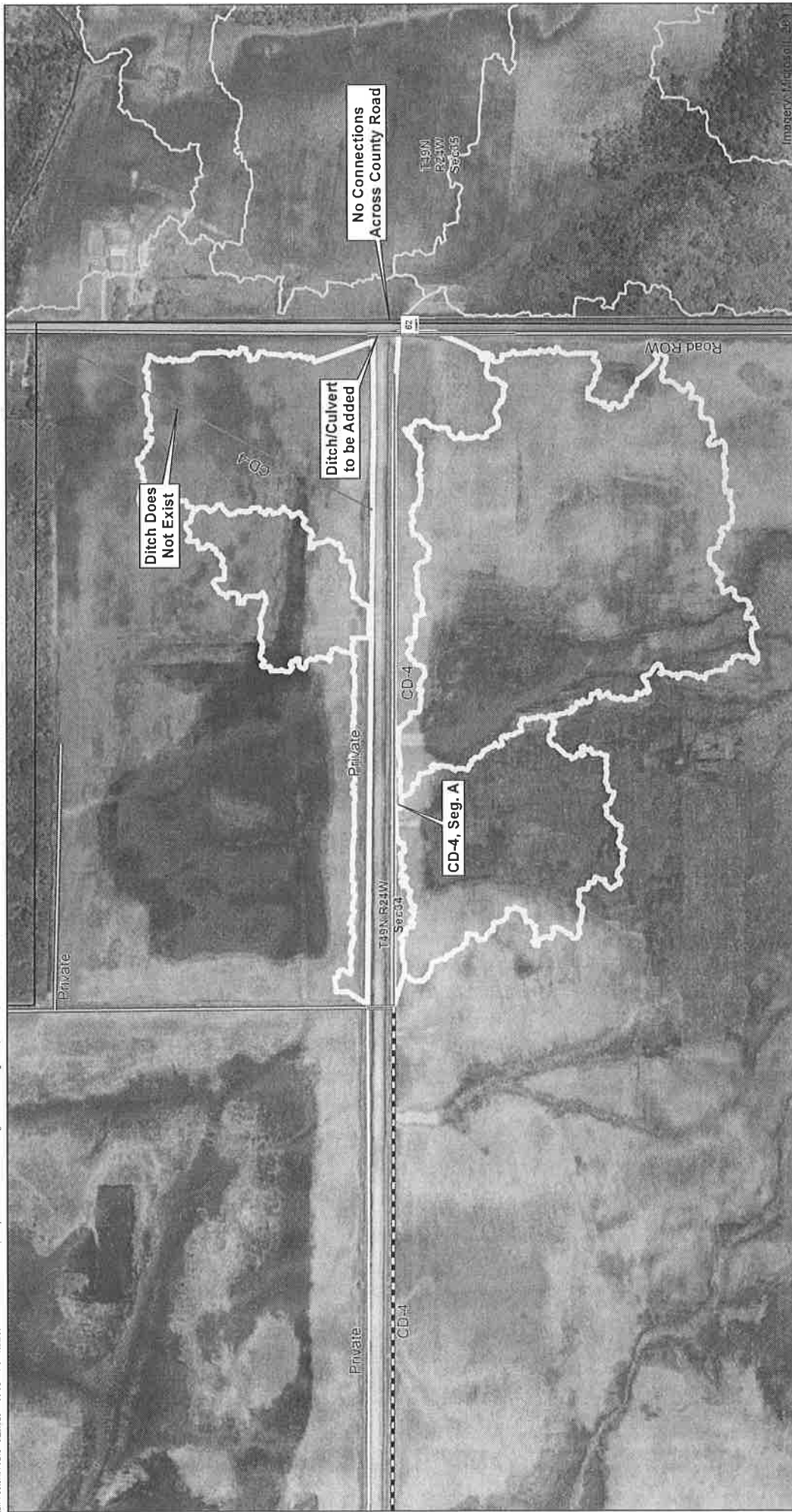
- Public Ditch to be Abandoned
- Other ditches - Off-site
- Public Ditch - Abandon and Replace
- Flow Paths (Pre-construction)
- Add Ditch/Culvert
- Watershed to Presposed Abandoned Ditches
- Convert to Public
- Watershed to Proposed Abandoned Ditches
- Private Ditch to be Abandoned
- Flows To Public Ditch To Be Abandoned
- Private Ditch to Remain
- Offsite Drainage Areas - Flow Away From Site
- Public Ditch to Remain
- U.S. Steel Property Boundary



*Watersheds delineated using MN DNR LiDAR collected spring, 2012 (Pre-construction)



Figure 2
WATERSHED AREAS TO PROPOSED DITCH MODIFICATIONS
 Public Ditch Abandonment Summary
 Palisade Wetland Mitigation
 U. S. Steel



- Other ditches - Off-site
- Public Ditch to be Abandoned
- Add Ditch/Culvert
- Private Ditch to be Abandoned
- Private Ditch to Remain
- Public Ditch to Remain
- Offsite Drainage Areas - Flows Away From Site
- Estimated U.S. Steel Property
- Areas Draining to CD-4, Seg. A
- Preconstruction Elevation (masl)
High : 376.134
Low : 372.086

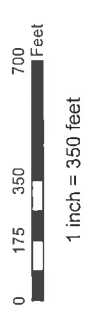


Figure 3a
CD-4 SEGMENT A

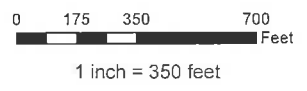
Public Ditch Abandonment Summary
Palisade Wetland Mitigation
U. S. Steel

*Watersheds delineated using MN DNR LIDAR collected spring, 2012 (Pre-construction)



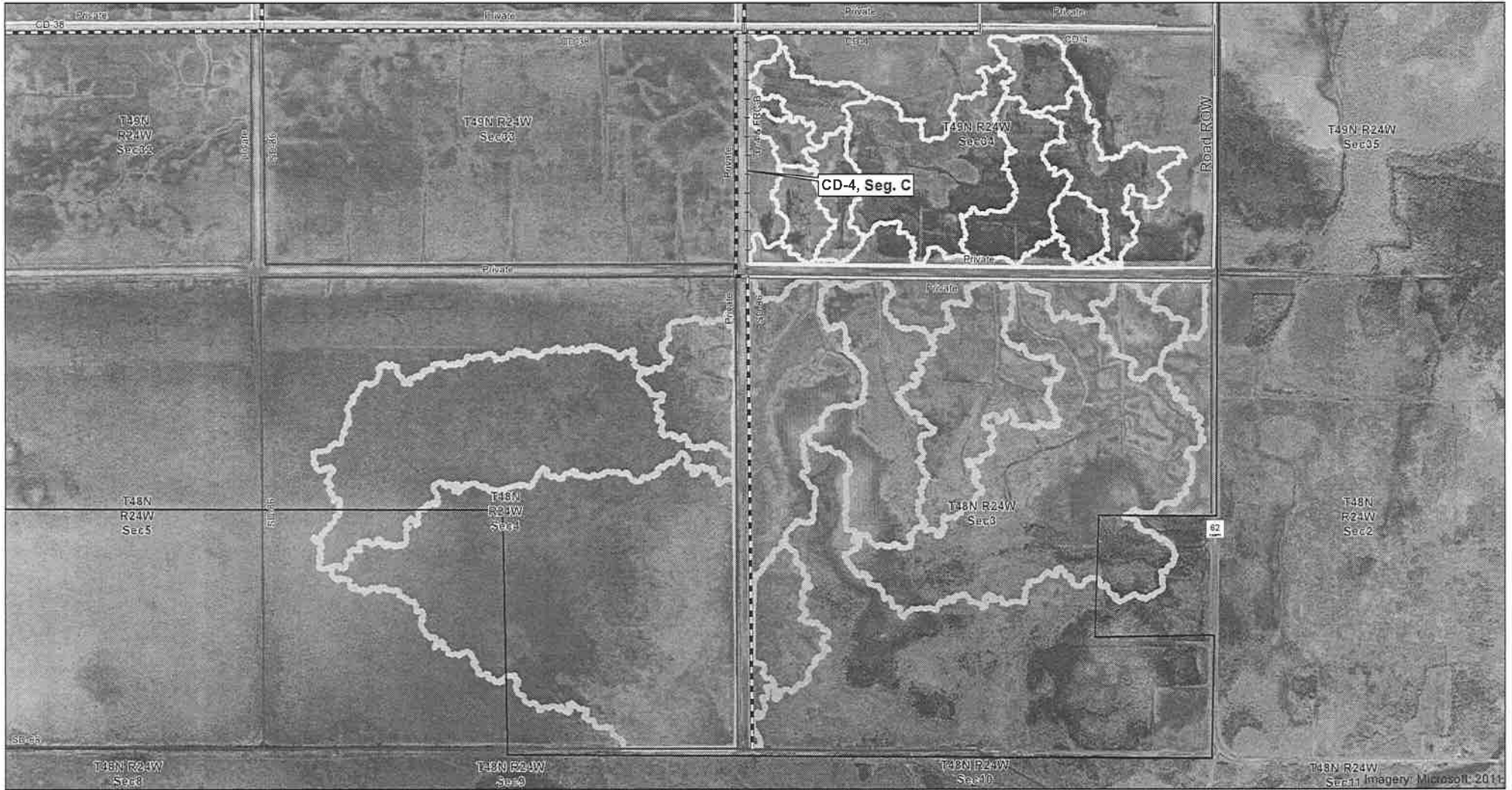
Imagery: Microsoft 2011

- Other ditches - Off-site
- Public Ditch to be Abandoned
- === Add Ditch/Culvert
- Private Ditch to be Abandoned
- === Private Ditch to Remain
- Public Ditch to Remain
- ▭ Estimated U.S. Steel Property
- ▭ Areas Draining to CD-4, Seg. B
- Preconstruction Elevation (masl)**
- ▬ 376
- ▬ 372

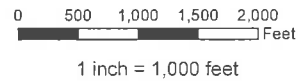


*Watersheds delineated using MN DNR LIDAR collected spring, 2012 (Pre-construction)

Figure 3b
 CD-4 SEGMENT B
 Public Ditch Abandonment Summary
 Palisade Wetland Mitigation
 U. S. Steel



- Public Ditch to be Abandoned
- Public Ditch - Abandon and Replace
- Add Ditch/Culvert
- Convert to Public
- Private Ditch to be Abandoned
- Private Ditch to Remain
- Public Ditch to Remain
- Other ditches - Off-site
- Estimated U.S. Steel Property
- Abnd_Ditch**
- Yes
- Areas Flowing to Preserved Ditch

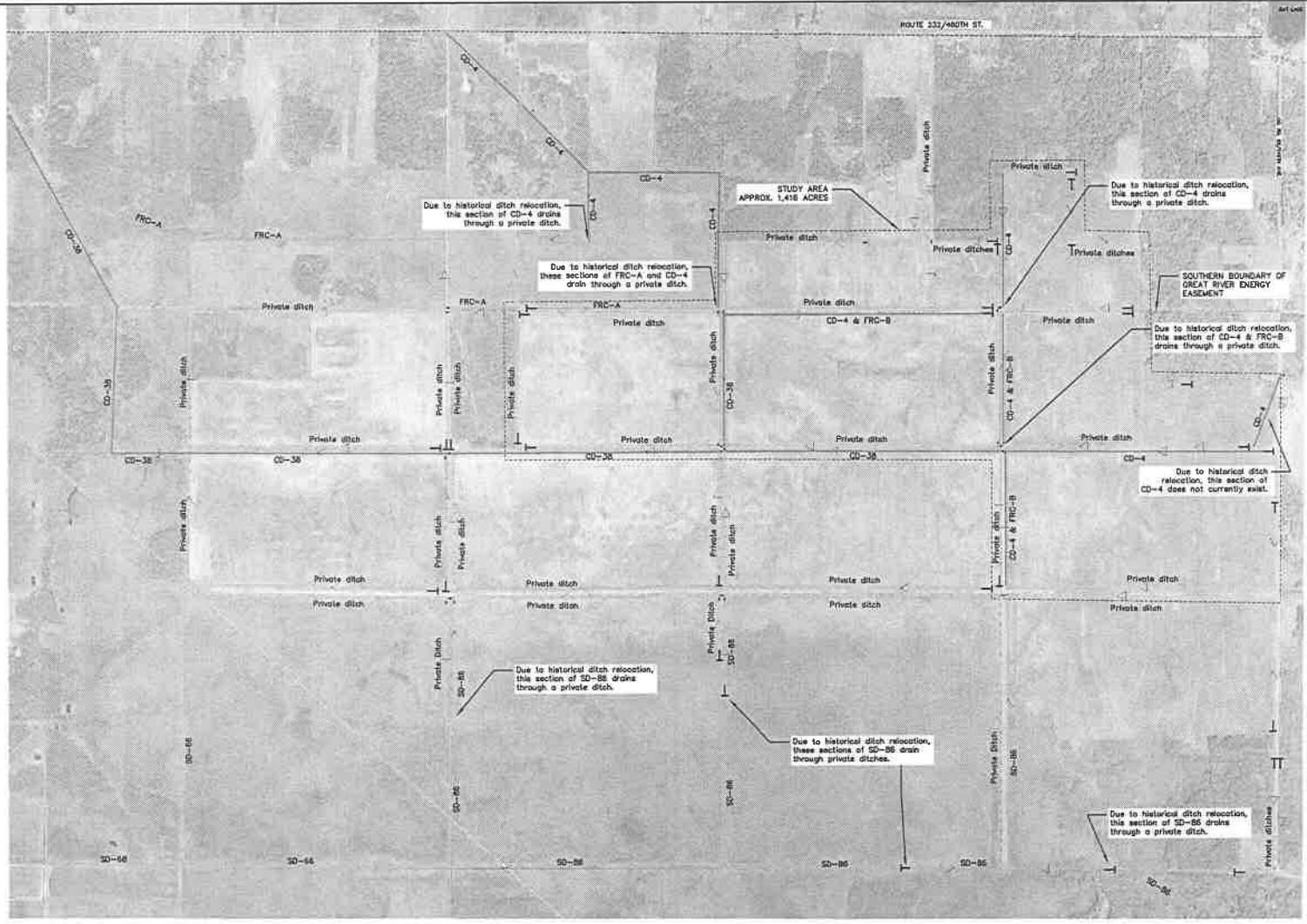


*Watersheds delineated using MN DNR LIDAR collected spring, 2012 (Pre-construction)

Figure 3c

CD-4 SEGMENT C

Public Ditch Abandonment Summary
Palisade Wetland Mitigation
U. S. Steel



- LEGEND:**
- COUNTY-REGULATED DITCH
 - STATE-REGULATED DITCH
 - PRIVATE UNREGULATED DITCH
 - FIRE RELIEF COMMISSION DITCH FRC-A
 - CULVERT
 - TERMINUS
 - DITCH FLOW DIRECTION



U. S. STEEL CORPORATION ATKIN COUNTY, MINNESOTA PALISADE WETLAND MITIGATION PROJECT 2013 DITCH CLASSIFICATION MAP FIGURE 4									
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Contract No.									
Sheet No.	1								
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- Ditch flow direction
- U.S. Steel Property Boundary
- Other ditches - Off-site
- New Ditches/Culverts
- Public Ditches
- Private Ditch to Remain

0 500 1,000 2,000 3,000 4,000 Feet
1 inch = 2,000 feet



Figure 5
DITCHES TO REMAIN
Public Ditch Abandonment Summary
Palisade Wetland Mitigation
U. S. Steel