

**STATE OF MINNESOTA
JOINT DRAINAGE AUTHORITY OF JACKSON AND NOBLES COUNTIES
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E
FOR THE IMPROVEMENT OF JACKSON AND NOBLES COUNTIES JUDICIAL DITCH 13 (PHASE 2)**

**AGENDA FOR THE FINAL HEARING ON THE MATTER OF THE PETITION OF RAHN FARMS II, LLC,
FOR THE IMPROVEMENT OF JACKSON AND NOBLES COUNTIES JUDICIAL DITCH 13 (PHASE 2)**

June 23, 2023 at 10:00 a.m.

- I. Opening of Final Hearing/Board Introduction – *Phil Nasby, Board Chair*
- II. Purpose of the Final Hearing – *John Kolb, Rinke Noonan*
- III. Record of Notice Requirements – *County Staff*
- IV. Engineer’s Final Report – *Jacob Rischmiller, ISG*
- V. DNR Final Advisory Report – *DNR Representative (if none present, Kolb will read report into the record)*
- VI. Viewers’ Report – *Viewer*
- VII. Petitioners’ Comments – *Petitioner or attorney*
- VIII. Public Comment and Questions – *Phil Nasby, Board Chair*
Please state your name, address, and description of your property for the record.
- IX. Board Deliberations, Action – *Phil Nasby, Board Chair*
 - a. Drainage System Improvement (legal requirements of the drainage code)
 1. The Engineer’s Report and Viewers’ Reports have been made and other proceedings have been completed under Chapter 103E.
 2. The Reports made or amended are complete and correct.
 3. The damages and benefits have been properly determined.
 4. The estimated benefits are greater than the total estimated costs, including damages.
 5. The proposed drainage project will be of public utility and benefit and will promote the public health. Give proper consideration to conservation of soil, water, wetlands, forests, wild animals, and related natural resources, and to other public interests affected, together with other material matters as provided

by law in determining whether the project will be of public utility, benefit, or welfare.

6. The proposed drainage project is practicable, considering the following:
 - a) private and public benefits and costs of the proposed drainage project;
 - b) alternative measures, including measures identified in applicable state-approved and locally adopted water management plans, to:
 - i. conserve, allocate, and use drainage waters for agriculture, stream flow augmentation, or other beneficial uses;
 - ii. reduce downstream peak flows and flooding;
 - iii. provide adequate drainage system capacity;
 - iv. reduce erosion and sedimentation; and
 - v. protect or improve water quality;
 - c) the present and anticipated land use within the drainage project or system, including compatibility of the project with local land use plans;
 - d) current and potential flooding characteristics of property in the drainage project or system and downstream for 5-, 10-, 25-, and 50-year flood events, including adequacy of the outlet for the drainage project;
 - e) the effects of the proposed drainage project on wetlands;
 - f) the effects of the proposed drainage project on water quality;
 - g) the effects of the proposed drainage project on fish and wildlife resources;
 - h) the effects of the proposed drainage project on shallow groundwater availability, distribution, and use; and
 - i) the overall environmental impact of all the above criteria.

7. The outlet is adequate.

b. Separable maintenance determination

1. Portion to be improved in need of maintenance
2. Cost to repair existing system
3. Notice given