



# Board of County Commissioners Agenda Request



**Requested Meeting Date:**  
**Title of Item:**

REGULAR AGENDA  CONSENT AGENDA  INFORMATION ONLY	<b>Action Requested:</b>  Approve/Deny Motion  Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<b>Direction Requested</b>  Discussion Item  Hold Public Hearing*
<b>Submitted by:</b>		<b>Department:</b>
<b>Presenter (Name and Title):</b>		<b>Estimated Time Needed:</b>
<b>Summary of Issue:</b>		
<b>Alternatives, Options, Effects on Others/Comments:</b>		
<b>Recommended Action/Motion:</b>		
<b>Financial Impact:</b> <i>Is there a cost associated with this request?</i> Yes                      No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> Yes                      No <i>Please Explain:</i>		

# Revised Engineer's Report

## U.S. Steel Petition for Partial Abandonment

### Portions of State Ditch 86 and Fire Relief Commission Ditch B

(revisions shown in red)

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 24 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 it's 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. **The flow of water in Lateral No. 1 likely changes from flowing both to the north and to the south, depending on local hydrologic conditions at the time.**

**Watershed Property Ownership:** Due to the proximity of the main ditches of both SD 86 and CD 4, the **original designed** 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. **However, when this lateral flows to the north as indicated above, the watershed is potentially expanded to include property located in Sections 7, 8, and 9. Abandonment of this lateral could therefore affect the drainage of lands in Sections 7, 8 and 9 at times when the ditch flows to the north.**

## **Segment 2: Lateral No. 2 State Ditch 86**

**Description:** From the southwest corner of Section 4, Township 48 North, Range 24 West at it's 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 **original designed** 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. **With alterations to this lateral to cause it to flow to the north, the watershed area is still contained to portions of Section 4 and 5**

## **Segment 3: Lateral No. 3 State Ditch 86**

**Description:** From the southwest corner of Section 5, Township 48 North, Range 24 West at it's 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 **original designed** 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. **With alterations to this lateral to cause it to flow to the north, the watershed area is still contained to portions of Section 5 and 6.**

## **Segment 4. Designation unknown – Fire Relief Commission Ditch B**

**Description:** From the west quarter corner of Section 34, Township 49 North, Range 24 West at it's 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 24 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 original designed 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. However, this ditch also provides an outlet for the private ditch on the north side of Section 3 that likely, at times, provides a drainage outlet for the County Highway 62 road ditches. Abandoning this lateral would therefore potentially affect the ability of the private ditch on the north side of Section 3 to provide a drainage outlet for County Highway 62.

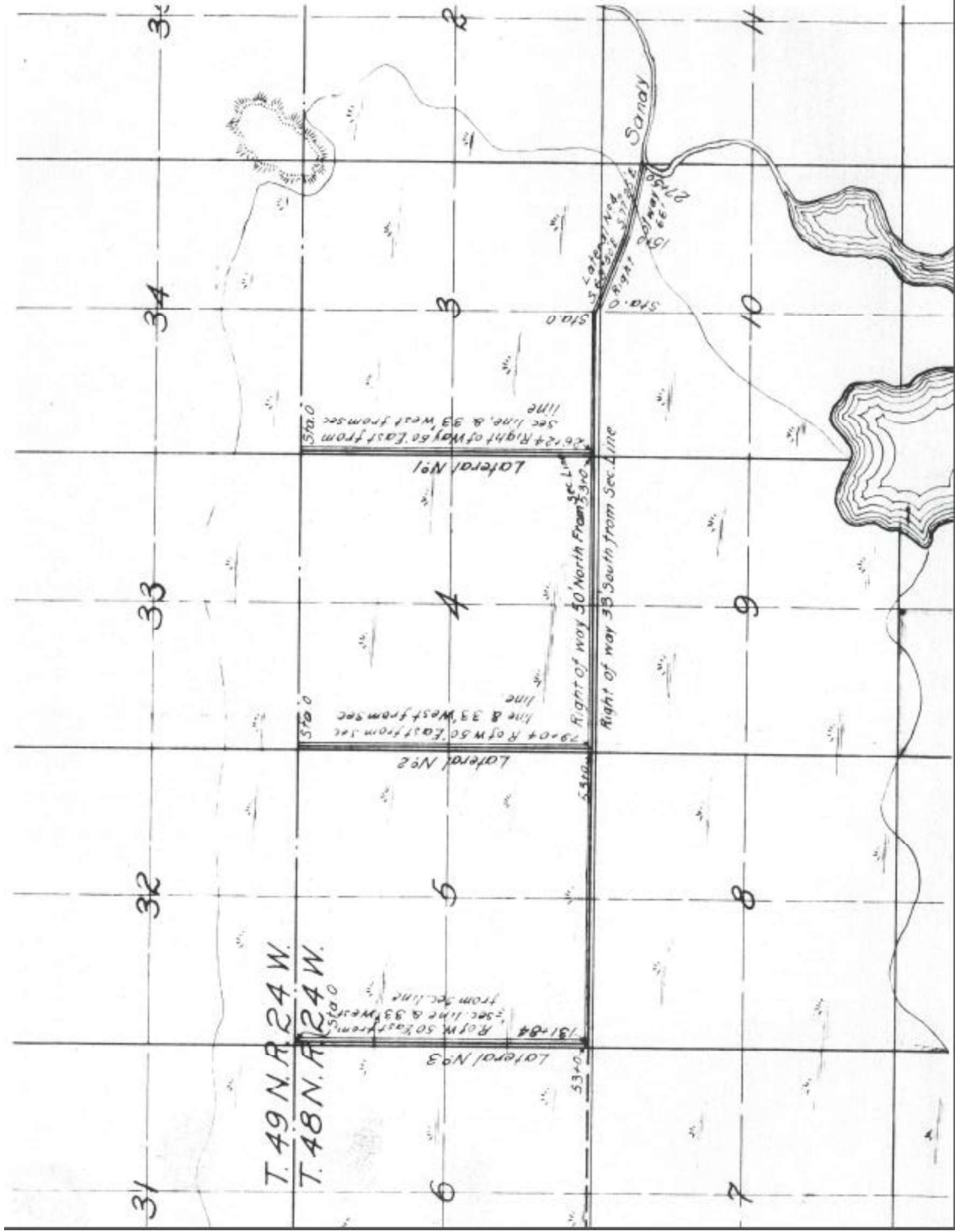
**John Welle** Digitally signed by John Welle  
Date: 2023.07.05 10:51:54  
-05'00'

John Welle P.E.  
Aitkin County Engineer

7-5-23

Date

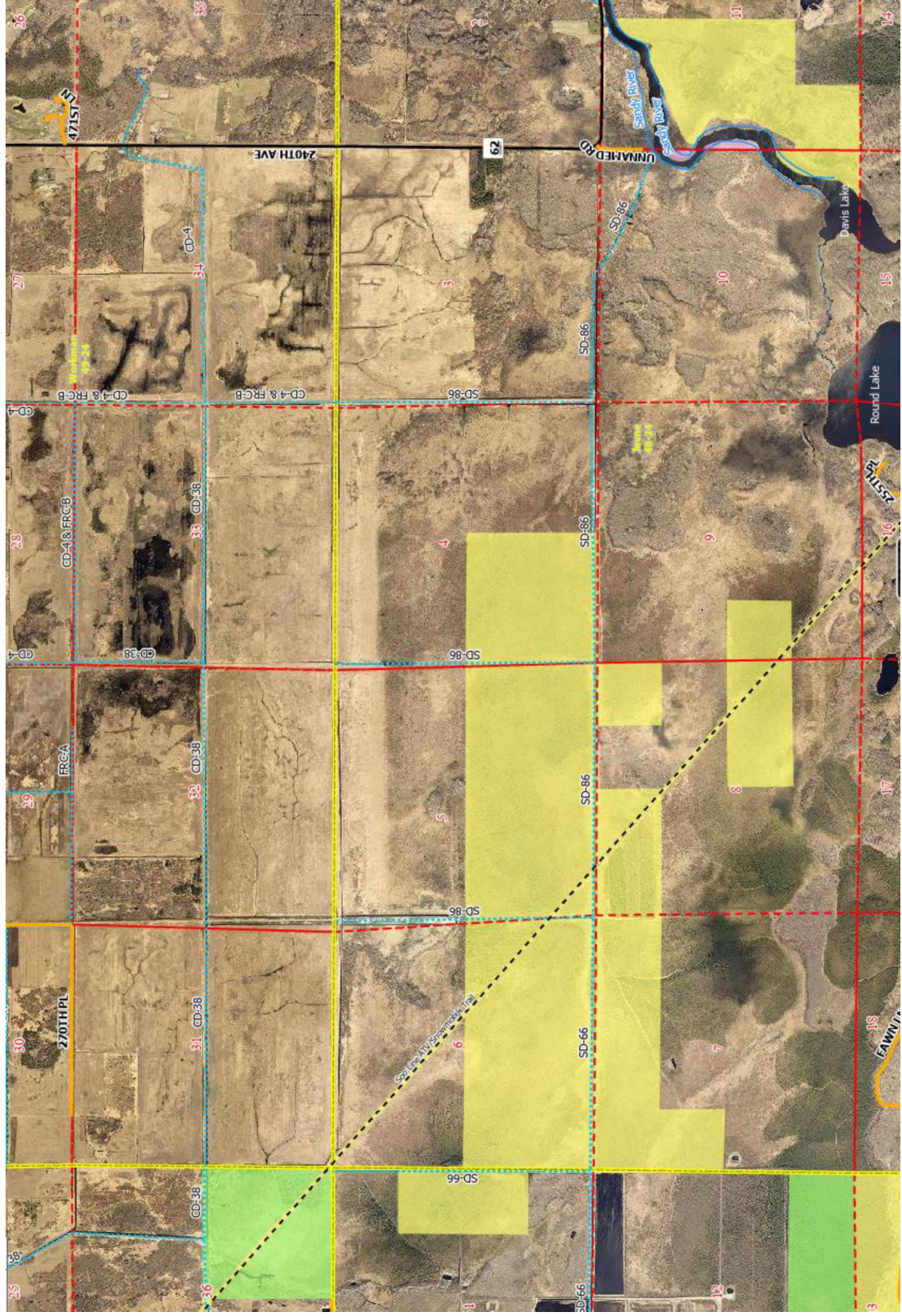
Original Ditch Map





# Public/Private Property Ownership

(public shown in green and yellow)





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](mailto:byjones@uss.com).

Sincerely,



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

