

Kanabec County
Drainage System
Management Policy

Kanabec County Highway Department
903 Forest Avenue East
Mora, MN 55051

May 2010

Kanabec County Drainage System Management Policy

1.00	Introduction.....	1
1.01	Purpose.....	1
1.02	Terms and Definitions.....	1 & 2
2.00	Recommendations & Implementation	
2.01	How to Use the Plan.....	2
2.02	Overview.....	3
2.03	Vegetation Control.....	3 & 4
2.04	Ditch Clean Outs.....	4
2.05	Tile Repair.....	5
2.06	Beaver Control.....	5
2.07	Erosion Control.....	5
2.08	Maintenance.....	6
2.09	Drainage System Improvements.....	6
2.10	Removal or Property Abandonment.....	6
2.11	Miscellaneous Drainage System Issues.....	6 & 7
3.00	Administration	
3.01	Appointment of County Drainage or “Ditch” Inspector (CDI).....	7 & 8
3.02	Repairs Initiated by Drainage Authority or CDI “Minor Repairs”...	8
3.03	Petitioned Repairs/Improvements/New Systems/Improvements of New Outlets/Laterals/Impoundment and Diversion.....	8 & 9
3.04	Establishment of new Ditches.....	10
3.05	Petition for Ditch Improvements.....	10
3.06	Assessment of Benefits and Damages.....	11
3.07	Re-determination of Benefits Process.....	11 - 14
3.08	Information and Public Education.....	14
4.00	Minor Repairs by Property Owners	
4.01	Procedures.....	15
4.02	Grass Buffer.....	15

1.00 Introduction

The following policy is intended to supplement Minnesota Statutes Chapter 103E in the maintenance and operation of ditches within Kanabec County. If any portion of this policy should come in conflict with any Minnesota Statute, primarily Minnesota Statutes Chapter 103E, the Statute shall prevail over this policy.

1.01 Purpose

1. To develop and implement a sound management of the Kanabec County Drainage System.
2. To provide a framework that simplifies the process of maintenance and operation of ditches within Kanabec County.
3. To provide public education on the Kanabec County ditch system and to encourage public participation throughout the County.

1.02 Terms and Definitions¹

County Drainage Inspector (CDI): The person duly appointed by the Kanabec County Board of Commissioners under the authority of Minnesota Statutes, Section 103E.065 to effectuate the Kanabec County Drainage Management Policy and all requirements of Minnesota Statutes, Chapter 103E.

Drainage Authority: The Kanabec County Board of Commissioners, the Kanabec & Isanti County Joint Ditch Authority, or the Kanabec & Pine County Joint Ditch Authority.

County Ditch: A term that means either an open ditch or a tile in the drainage system.

Combined Expenditures: When used, this is to include total expenditures on all activities on a ditch for the year; these activities would include repairs, cleanouts, crossings, vegetation control, and drop inlet structures. These expenditures are subject to final approval of Kanabec County.

Viewer: A person that is appointed by the Drainage Authority to assess and report the benefits and damages of a ditch project.

Petition: A collection of signatures which serves the instruments for initiated ditch maintenance, repairs, re-determinations of benefits, and other processes as required by Minnesota Statute Chapter 103E.

County Board of Commissioners: The Kanabec County Board of Commissioners.

New System: The establishment of a new ditch system, where none existed previously.

¹ Source of information from MN Statutes, Section 103E.005

Improvement: Tiling, enlarging, extending, straightening, or deepening of an established and constructed drainage system, including construction of ditches to realign or replace tile and construction of tile to replace a ditch.

Repair: To restore all or part of a drainage system to the same condition as originally constructed or subsequently improved.

Public Hearing: A formal process to involve the public and to address a public concern or project.

Passes Over: Means in reference to property that has a drainage project or system, the 40-acre tracts or government lots or property that is bordered by, touched by, or underneath the path of the proposed drainage project.

2.00 Recommendation and Implementation

2.01 How to Use the Plan

This plan presents goals, objectives, and policies designed for the management of Kanabec County's Drainage System. Supporting these goals, objectives, and policies is the public and technical information obtained through the planning process. This data and information includes, but is not limited to, the following:

- MN Statutes, Chapter 103E
- Policy and Guidelines for Repairs of Joint County Drainage Systems in Meeker, districts 3, 4, and 5 of McLeod, Renville, and Sibley Counties.
- Re-determination of Benefits Process (Rice County)
- Drainage Ditch Policy (Kandiyohi County)
- Drainage System Policy (North Fork Crow River Watershed District)
- Drainage Law in Minnesota, presentation by Kurt Deter
- Todd County Drainage System Management Policy

In order to effectively carry out the action items presented for each goal it is necessary to identify who will be responsible for each action as well as potential costs, potential resources, and a specified timeline for anticipated completion. It is important to draw upon this information throughout the implementation of this drainage management plan to ensure a successful future for Kanabec County's ditches and to achieve the desired level of consistency the plan provides. Generally, implementation of this plan should occur in the following manner:

1. All action items must be carried out by those who have assumed the responsibility for the action or as otherwise delegated by the Drainage Authority.
2. This plan is also intended to serve as a reference document. For all questions, or as required by local ordinance or state law, this document should be referenced and interpreted by the Drainage Authority and County Drainage Inspector to serve as a basis for decision-making.

2.02 Overview

This section addresses a series of components including the following:

- Vegetation control
- Ditch clean out
- Tile repair
- Beaver control
- Erosion control
- Maintenance
- Improvements
- Abandonment
- Miscellaneous issues

2.03 Vegetation Control ²

Spraying Program: The intent of vegetation control is primarily to prevent a growth of any type of tree or brush within the ditch itself or its right-of-way and to reduce future repair and maintenance costs. The County Drainage Inspector or Drainage Authority may conduct an annual review of the County Ditch Systems. After review, the CDI or Drainage Authority may present a spraying program to the Drainage Authority for approval of all spraying costs.

Approved Chemicals: On ditches selected by the CDI or Drainage Authority only approved chemicals will be applied to eliminate trees and brush within the ditch bank and within the 16.5 foot right-of-way. If landowner sprays any of their own ditches within the drainage system, they also must use only approved chemicals for such an application.

Opt-Out of Spraying Program: Landowners who do not approve of chemical applications shall notify the CDI or Drainage Authority through an Opt-Out Application each year. The CDI must receive this application before April 1st of each year. Upon receipt of said notification, the CDI or Drainage Authority shall provide a “start date” after which the proposed spraying will be commenced. The landowner shall have the option to remove all trees and brush in the ditch right-of-way at their own expense. Upon completion, the landowner shall notify the CDI or Drainage Authority who shall then inspect the removal. If the removal is satisfactory, the CDI or Drainage Authority shall remove that portion of the ditch from the chemical spraying area. If the removal is not satisfactory, or if it is not completed by the “start date,” chemical spray will be applied.

Tree Growth: No person shall plant trees within 75 feet of the center of the ditch unless: 1) A property owner may plant trees within 16.5 feet of the top of the ditch within 100 feet of the ditch’s inlet or outlet from a lake as measured from the lake ordinary high water level; “and”/ “or” 2) A property owner receives approval from the County Environmental Services Department through a variance procedure.

²Source of information from “policy and Guidelines for Repairs of Joint County Drainage systems in Meeker, districts 3, 4, and 5, McLeod, Renville and Sibley Counties”

Tree Removal: Trees that need to be removed from a drainage system will be removed in a manner that will reduce erosion. Trees will be piled, burned and buried when dry. Landowners may remove trees themselves for wood before the repair is started, at their own expense.

Crop Damage: During the course of the spraying operations and when crops are encountered, the Drainage Authority or its designee will use reasonable and prudent care in the operation of vehicles to minimize crop damage. If any crop is damaged within the 16.5 foot right-of-way from the top of the ditch bank, it will not be eligible for reimbursement of damages.

Grass Buffer³: A permanent grass strip buffer of 16.5 feet is required along all ditch banks within Kanabec County. This buffer must start from the crown of the ditch going away from the ditch within the 16.5 foot right-of-way strip. All landowners are encouraged to contact the Farm Service Agency about the Conservation Reserve Program (CRP).

Agricultural practices are not permitted on any portion of the permanent grass buffer strip, other than what is required for maintenance use. Grass that is planted for the ditch banks and buffer strip must be resistant to chemicals used to control brush. If a violation of the grass buffer is found, the landowner will be notified by the CDI. Upon notification, the landowner will have 60 days to bring the grass buffer into compliance; action will be taken by the County as stated in Minnesota Statute 103E.021 Subdivision 4 and 5 for non-compliance.

Crossings, Bridges and Culverts: If a landowner needs repairs on a crossing, they must submit a copy of the Kanabec County Ditch System Work Order to the CDI. The landowner must specify what the problem is and the location of the crossing that is in need or repair. After the work order is submitted the CDI will process the form and present the proposed project to the Drainage Authority. No crossing, bridge or culvert repair work shall begin until the landowner applying to the County receives approval of the Drainage Authority.

2.04 Ditch Clean Outs⁴

Repair Authorization: Minor ditch cleaning (repairs costing less than \$10,000 combined) commonly referred to as “dip outs,” will be done on an individual basis. These requests must follow the procedures established in **Section 4.00, Minor Repairs by Property Owner** of this policy.

Repairs anticipated to cost more than \$10,000 combined shall be brought to the Drainage Authority for approval. The repair work documentation shall become part of the drainage system permanent file.

Scope of Work: All clean out requests will be reviewed to determine the appropriate limits of work so that any work done will return the ditch to proper operating condition. This may mean that work may extend downstream and upstream of an area for which a request for clean out occurs.

³MN Statutes, Section 103E.021

⁴Source of information from “policy and guidelines for Repairs of Joint County Drainage Systems in Meeker, districts 3, 4 and 5, McLeod, Renville and Sibley Counties”

2.05 Tile Repair

Repair Authorization: Minor tile repairs (repairs costing less than \$10,000 combined) will be done on an individual basis. These requests must follow the procedures established in **Section 4.0, Minor Repairs by Property Owners** of this policy.

Repairs anticipated to cost more than \$10,000 combined shall be brought to Kanabec County Drainage Authority for approval. The repair work documentation shall become part of the drainage system permanent file.

Scope of Work: All repair requests will be reviewed to determine the appropriate limits of work so that any work done will return the tile to proper operating condition. This may mean that work may extend downstream and upstream of an area that a request for repair occurs.

2.06 Beaver Control

When a beaver dam is reported or found upon a ditch inspection, the following actions are to take place:

1. The CDI will attain a trapper for the removal of the beaver. It is the trapper's responsibility to contact the landowners to obtain authorization for the removal of nuisance beaver. The trapper will be responsible for providing the CDI with a beaver trapped form which includes: the number of beaver trapped, the location the beaver were trapped, and the tails of the removed animals. Compensation rates for the removal of beavers will be determined by the County and reviewed annually.
2. After the removal of a nuisance beaver, the CDI will hire a contractor to remove the beaver dam(s). This will be done by mechanical means, if at all possible; otherwise it will be done through the use of explosives. If explosives are to be used, approval is needed from the Kanabec County Sheriff's Department, permits are to be obtained and insurance are all required. A notice must also be given to neighboring landowners that explosives will be used in the area for beaver dam control.

2.07 Erosion Control⁵

Since erosion can become a major cost in future maintenance, Kanabec County will take an active role in ensuring erosion is kept to a minimum. This will be done by regular ditch inspections performed by the CDI, completing repairs when needed in a timely manner, and maintaining the ditches in a form in which erosion is minimized.

⁵ Kandiyohi County Drainage Ditch Policy, Adopted April 18th, 2000

2.08 Maintenance

Drainage System Repair Fund⁶: The Drainage Authority may create a repair maintenance fund for each of the drainage systems. The repair fund may not exceed 20% of the last assessed benefit determination including property not originally assessed but found to be benefited, or \$40,000, whichever is greater. Assessments must be prorated according to the determination of benefits. Assessments will be collected as provided in MN Statutes.

Equipment Rental: Once each year, the CDI will seek information from contractors to provide a list of equipment, hourly rates for each piece of equipment, operators and labor costs. This information may then be used by the CDI and Drainage Authority to make estimates of necessary repair costs.

Municipal Discharge: A municipality requesting to discharge into a drainage system must follow MN Statute 103E.411, must obtain a permit from the Drainage Authority, and must meet minimum discharge standards at all times. Continuous monitoring equipment should be installed at the municipalities' expense.

2.09 Drainage System Improvements

All improvements to a drainage system will follow MN Statutes, Section 103E.214 or 103E.221. Signed petitions and bonds will be required. Petitioners or benefited property owners of the improvements will be required to pay the costs of the improvements.

2.10 Removal or Property Abandonment

Removal of property or abandonment of any section of ditch or tile will follow MN Statutes, Section 103E.805 or 103E.811.

2.11 Miscellaneous Drainage System Issues

Livestock: Livestock will not be allowed to be in a drainage ditch except to cross at approved locations. If livestock must cross a ditch, the preferred method is to have them cross at an installed crossing to prevent the livestock from entering the water. Livestock may be watered from a ditch but the access to the ditch must be controlled. Livestock will be allowed to graze along the ditch banks for a short period of time. Owners wishing to graze the spoils and slopes must contact the CDI or DA to work out a rotation for the livestock to be allowed to graze.

Manure: Manure shall not be spread within 100 feet from the crown of the spoils of any portion of the County ditch system, and stockpiling of manure shall be placed at least 300 feet from crown of the spoils, unless county regulations require a greater distance.

⁶ MN Statutes, Section 103E.735

Feedlot Runoff: Feedlot runoff that is determined to be above state standards for contaminants must be prevented from entering the ditch system either by direct or indirect methods.

Fences: No permanent fence may be installed closer than 16.5 feet from the crown of the spoils. When ditch repair is performed, gates may be installed in the property line fences next to each side of the ditch to allow for the access of equipment used for repairing the ditch.

Erosion-Pollution: If erosion areas are discovered, proper measures shall be taken to correct the problem. If erosion is discovered due to water entering the system over the spoil's bank, then a drop inlet pipe structure should be installed to drop the water in the bottom of the ditch.

Septic: No septic system will be allowed to discharge into a drainage system.

Obstructions: Any existing or proposed obstructions in a drainage system must have proper engineering, have a hearing as provided by State Statute and be permitted by the Drainage Authority.

Deer Stands: Deer stands and other facilities used for recreation should not be placed closer than 16.5 feet from the crown of the ditch.

Rock and Debris: Rocks or debris will not be allowed to be dumped within the in-slope of a drainage ditch. Landowners are encouraged to stockpile rock when removing from fields for later use as riprap.

Wetlands: Wetland areas that are part of a drainage system should be used for temporary storage for large rain events. These areas should be allowed to drain out naturally so storage is available for future storm events.

Landowner Rights: None of these policies are intended to allow for additional access to a landowners' property which is not already allowed by law. Contractor, or CDI or DA personnel should contact landowners before entering property if possible.

3.00 Administration

3.01 Appointment of County Drainage or "Ditch" Inspector (CDI)⁷

Kanabec County shall appoint a County Drainage Inspector in accordance with the provisions of Minnesota Statutes, Section 103E.065. The Kanabec County Board of Commissioners shall specify the period of appointment and compensation for the CDI.

⁷MN Statutes, Section 103E.065

Duties

1. Implementation of the Kanabec County Drainage Management Policy.
2. Conduct inspections as specified by Minnesota Statutes, Section 103E.705, Subdivision 1.
3. Ensure compliance with the requirements of the Kanabec County Drainage Management Policy including the maintenance of grass strips as specified in Minnesota Statutes, Section 103E.705, Subdivision 2.
4. Conduct examinations and prepare reporting providing information on necessary repairs and maintenance as specified by Minnesota Statutes 103E.705, Subdivision 3 & 4, et. seq.
5. Facilitate discussion and flow of information between the Drainage Authority, County staff, appointed staff (engineering staff, attorneys), agency personnel (NRCS, SWCD, DNR, MPCA and other agency personnel), landowners, and the general public.
6. To keep the public informed and educated with drainage concerns.

3.02 Repairs Initiated by Drainage Authority or CDI “Minor Repairs”

Minor repairs shall include

- _____ CDI – Prepares project statement or “report”
- _____ (if WCA or swamp buster applies involvement by CRCS & SWCD)
- _____ (if public waters involvement by DNR)
- _____ Notify Army Corp of Engineers as needed
- _____ All required permits issued
- _____ Secure final approval of Drainage Authority
- _____ Work Performed
- _____ Follow up and inspection

3.03 Petitioned Repairs/Improvements/New Systems/Improvements of New Outlets/Laterals/Impoundment and Diversion

- 1. County receives Petition from landowner(s) or interested party. Petition must state that the drainage system needs repair. Minn.Stat. §103E.715, Subd. 1. Additional requirements of the Petition are contained in Minn. Stat. §103E.202. The Petition and bond are reviewed by the County Attorney per Minn. Stat. §103E.238.
- 2. Auditor must present the Petition to the Board at the next meeting. Minn. Stat. §103E.715, Subd. 1.
- 3. Board makes determination that the drainage system needs repair. Minn. Stat. §103E.715, Subd. 2.
- 4. Board may give notice and order a hearing on the Petition at this time **OR** as set forth in paragraph 7, below. Minn. Stat. §103E.715, Subd. 2.
- 5. Board must appoint an engineer to examine the drainage system and to make a report of the following (Minn. Stat. §103E.715, Subd. 2):

- Necessary repairs
- Estimated cost of repairs
- Details, plans and specifications necessary to prepare and award a contract for the repairs
- 6. If the repair may affect public waters, the Board must notify the commissioner of natural resources before a repair is ordered. Minn. Stat. §103E.701, Subd. 2.
- 7. When the report is filed, the auditor must promptly notify the Board. The Board must order a hearing, to be scheduled to occur within 30 days of the date of order for hearing. Minn. Stat. §103E.715, Subd. 2.
- 8. Not later than 10 days before hearing, Auditor must mail notice of date, time and location of hearing to (Minn. Stat. §103E.715, Subd. 3):
 - Petitioners
 - Property owner(s)
 - Political subdivisions likely to be affected by the repair in the repair report
- 9. Board shall order that the repairs be made upon the following findings: (Minn.Stat. §103E.715, Subd. 4):
 - Based upon the report and other evidence presented, the recommended repairs are necessary for the best interest of the affected property owners;
 - Or**
 - The Petition is signed by the owners of at least 26% of the property area affected by and assessed for the original construction of the drainage system AND repair is necessary for system to serve its original purpose AND cost of repair will not exceed the total benefits determined in the original drainage system proceedings.
- 10. Board must order that the Auditor and Chairperson of the Board, along with the Auditor(s) of any affected counties, to proceed, prepare and award a contract for the repair described in the repair report and found by the Board to be necessary. Minn. Stat. §103E.715, Subd. 4.

Notes:

- Town Board has authority for town ditch repairs Minn. Stat. §103E.701, Subd. 3.
- For bridges and culvert repairs, see Minn. Stat. §103E.701, Subd. 4.
- Repair of a drainage system may implicate wetlands under §103G.222. Minn. Stat. §103E.701, Subd. 6.
- Costs of repair and apportionment of costs is governed by Minn. Stat. §§103E.725 and 103E.728.

3.04 Establishment of New Ditches⁸

In order for a new ditch to be constructed, petitioners, the CDI and the Drainage Authority must complete the following steps for a petition as stated in Minnesota Statutes, Section 103E.212. A petition must be signed by as least 60% of the owners of property that the proposed ditch either passes over and/or passes by adjacent to their land.

The petition must include: why the proposed system is necessary, show that it will benefit the public, describe the area from the starting point including the general course of direction the ditch is to follow, and to describe each of the 40 acre tracts that the proposed ditch would be passing through and also must include the names and addresses of landowners affected by the proposed ditch.

The petitioner(s) must also file a bond with the county auditor's office for a minimum of \$10,000 or for the projected cost of the project. This is to be used only if the proceedings are dismissed or if the contract for construction of the proposed drainage system is not awarded.

3.05 Petition for Ditch Improvements⁹

In order for improvement of an existing ditch the landowner must file a petition. This petition must be signed by:

- at least 26% of the owners of the property affected by the proposed improvement;
- at least 26% of the owners of property that the proposed improvements passes over;
- the owners of a least 26% of the property area affected by the proposed improvement; or
- the owners of at least 26% of the property area that the proposed improvement passes over

Two copies of the petition must be filed with the auditor, one of which shall be forwarded to the CDI upon approval.

The petition must:

- designate the drainage system proposed by either number and/or another description that identifies the areas proposed for improvement;
- state that the ditch has insufficient capacity; describe the starting point and course in which the ditch follows;
- list names and addresses of landowners affected;
- state the purpose; and
- contain an agreement by the petitioners that they will pay all expenses that may occur if the improvement proceedings are dismissed.

⁸MN Statutes, Section 103E.212

⁹MN Statutes, Section 103E.215

3.06 Assessment of Benefits and Damages¹⁰

State land must have benefits and damages reported just as taxable lands are. For government property, the viewers report to the state, counties, and municipalities the benefits and damages for land that falls within the area that are that the proposed ditch project is to happen. If public roads are to be benefited or damaged, the state, county, and/or governmental unit with the legal duty to maintain the road must be assessed for the benefits or damages. If there are benefits or damages on bridges or culverts within a proposed project area, they must be assessed to the government body which maintains that bridge or culvert. If a railway is either to benefit or be damaged, than a report must be given to the railway.

The benefits are determined from the viewers' report and are based upon; an increase in the value of a property due to project construction, an increase in potential agricultural production due to project construction, or an increase in value due to a potential for different land use. Benefits and damages may be assessed only against property benefited or damaged or an easement interest in property for the exclusive use of the surface of the property.

3.07 Re-determination of Benefits Process^{11/12}

The drainage authority may re-determine benefits and damages:

1. Whenever it judges the original benefits and damages determined in a drainage proceeding do not reflect reasonable present day values or that the benefited or damaged areas have changed, or
2. When more than 50 percent of the owners of the property benefited or damaged by a drainage proceeding petition for the correction of an error that was made at the time the system was established.

The most common reasons for a re-determination of benefits and damages include:

1. There are lands draining into the system which are benefited by the system but are not assessed for benefits. Drainage ditches established before 1920 were constructed through horse-powered excavation or tile trenches dug by hand.
2. Benefits determined many years ago are unrealistic in terms of current land values.
3. In the case of a repair by petition, additional lands may be brought into the systems that have not previously been assessed benefits. Lands already in the system may have been assessed at the land values determined many years ago. A re-determination will assess the entire system at current land values.
4. Re-determination benefits and damages replace the original benefits and damages. According to MN Statute 103E.351, the re-determined benefits and damages, and benefits and damaged areas, must be used in place of the original determinations in all subsequent proceedings related to the drainage system.

¹¹ MN Statutes, Section 103E.315

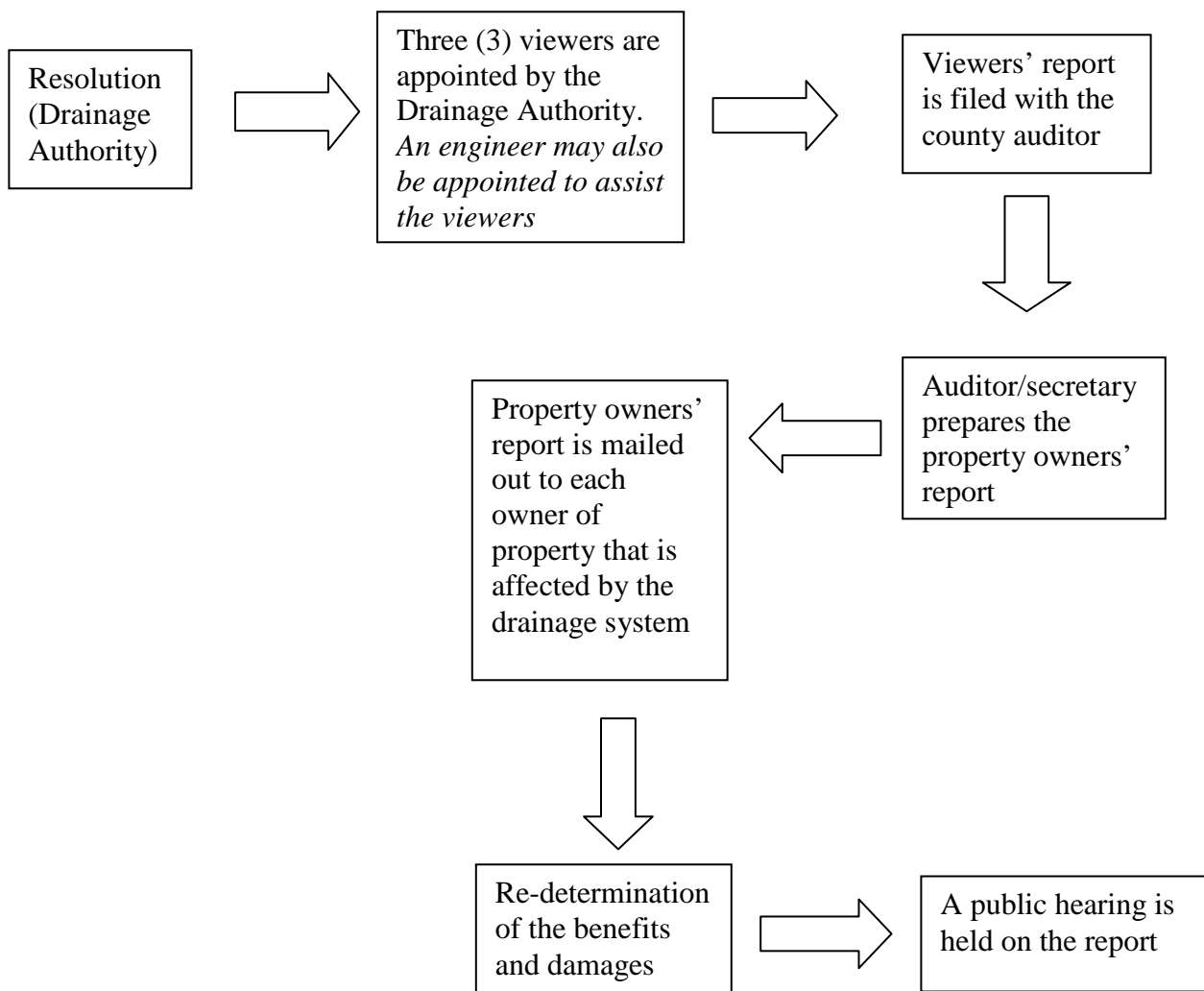
¹² Rice County "Re-determination of Benefits Process"

¹³ Adapted from MN Statutes, Section 103E.351

Procedure Requirements:

1. A resolution of the drainage authority.
2. Three viewers are appointed to perform the re-determination and report the benefits and damages and the benefited and damaged areas.
3. An engineer may be appointed to assist the viewers.
4. The viewers' report is filed with the auditor in a county or a joint county system or with the secretary of the board of managers in a watershed district system.
5. A property owners' report is prepared by the auditor or secretary from the viewers' report and a copy of the property owners' report is mailed to each owner of property affected by the drainage system.
6. A hearing is held on the report. The hearing is similar to the final hearing in the establishment of a new system, except it is to be held within 30 days after the property owners' report is mailed.
7. A re-determination of benefits and damages is appealed in the same way as an order establishing benefits and damages.

Process Flowchart



*Viewers Report*¹³

The viewers' report is to be completed as soon as possible after being assigned. The report must be in tabular form and must include:

- a description of the lot,
- names of the current land owners (as shown on the county tax records),
- number of acres in each lot,
- number and value of acres added to lot by proposed ditch
- the amount of damage (if any),
- the total number of acres and amount of benefits being assessed,
- the right-of-way acreage, and
- the amount each lot will benefit or be damaged.

Within the Benefits and Damages statement of the viewers' report, the viewers' must include:

- the existing land use,
- property value,
- economic productivity (before & after), and
- benefits and damages from the proposed ditch project.

If the viewers are unable to unanimously agree on a decision involving the matter, then they each viewer shall state his or her finding on the disputed issue separately.

Once the viewers' report is completed, it must be filed with the auditor's office. A detailed statement must also be included to show the actual time the viewers were engaged in the project and the costs that were incurred.

*Property Owners' Report*¹⁴

The property owners' report must be completed within 30 days of the county auditor receiving a copy of the viewers' report. This report shows the landowners affected by a ditch project, what is benefited, and what is damaged by the proposed ditch project. The property owners report must include:

1. the name and address of the property owner,
2. each lot and its area that is benefited or damaged,
3. the number of benefited acres being assessed,
4. the number of acres and amount of benefits for areas that would be considered a wetland,
5. the damage,
6. the amount of right-of-way acreage needed,
7. the total number of value acres added,
8. the net benefits or damages,
9. the estimate cost to be assessed, and
10. a copy of the benefits and damages statement.

¹³ MN Statutes, Section 103E.321

¹⁴ MN Statutes, Section 103E.323

The auditor must mail a copy of the Property Owners' Report to any landowner whose land is affected by the proposed ditch project.

3.08 Information and Public Education

Information

Information shall be centrally located within the county. All the information concerning ditches within Kanabec County shall be kept with the Auditors' office and readily accessible to anyone who is in need of the information. This includes data such as sea level elevation throughout the county, flow mapping for the county, and forms/applications for tasks such as Work Orders, Opt-Out Spraying Applications, and Beaver Control Forms.

Information shall be made easily accessible for the public by expanding the county's website and through uploading documents such as the Kanabec County Ditch Management Policy and the forms and applications for certain tasks.

Public Information

The County Ditch Inspector will provide information to the public on all aspects of the Kanabec County Drainage System, including information on policies, administration, and financial documentation as is consistent with County and State public information laws, regulations and rules.

Public Education

The County Ditch Inspector will provide information to the public on all aspects of the Kanabec County Drainage System, including information on policies, administration, and financial documentation as is consistent with county and State public information laws, regulations, and rules.

1. Upon the completion of the annual report as indicated in Section 3.01 of this plan, the County Ditch Inspector shall conduct a public meeting providing an explanation of the report and any project included within the report.
2. The County Ditch inspector shall be responsible for administering a public information program to ensure all interested members of the public are well informed of the Kanabec County Drainage System. This includes individual and group meetings with landowners and members of the public as requested.
3. Public information to be maintained by the County Ditch Inspector includes the following:
 - a. Kanabec County Drainage Management Policy,
 - b. Kanabec County Drainage System Mapping (in cooperation with GIS),
 - c. All checklists contained within sections 3.02 and 3.03, and
 - d. Any other information as required by the County Drainage Authority.

4.00 Minor Repairs by Property Owner

The Kanabec County Ditch Authority will allow minor repairs (less than \$10,000) to be completed by the property owner at the property owners' expense. Work must be completed according to the procedures set forth below:

4.01 Procedures

- Property owner must submit request for repair with documentation and \$5000.00 cashiers check to County Auditor. Check is to provide for administrative, engineering, survey and inspection costs.
- County Auditor shall present the request to the Drainage Authority at the first meeting following submittal of the request.
- County Drainage Authority may deny the request or appoint a Ditch Inspector to prepare a report determining need and cost estimate.
- Ditch Inspector shall obtain necessary information and prepare a report for Drainage Authority.
- Drainage Authority reviewing the report shall approve or deny the request.
- If denied, an itemized billing of expenses and the balance of funds shall be returned to the property owner.
- If approved, the engineer shall prepare a final plan or review the plan submitted by the property owner.
- The final plan shall be approved by the Ditch Authority.
- Property owner will obtain all necessary permits and prepare an erosion control plan.
- Property owner shall be notified of need for additional funding, if required.
- Property owner shall proceed with the repair under the direction of the Ditch Inspector.
- After completing the work, an itemized bill shall be sent to the property owner with a refund of any unused funds previously provided.

4.02 Failure Too Complete Project

If the property owner fails to complete the project according to plans, the Ditch Authority will have the work completed at the property owner's expense.

4.03 Grass Buffer

All repair projects must include a dedicated 16.5 foot grass buffer strip on each side of the ditch bank.