



# Dakota County

## Legislation Details (With Text)

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**Title:** Authorization To Execute Encroachment Agreement With Magellan Midstream Partners, L.P. For County Project P00127 In City Of Eagan

**Sponsors:** Parks, Facilities, and Fleet Management

**Indexes:**

**Code sections:**

**Attachments:** 1. Project Map

Date	Ver.	Action By	Action	Result
1/24/2023	1	Board of Commissioners	approved	Pass

**DEPARTMENT:** Parks, Facilities, and Fleet Management

**FILE TYPE:** Consent Action

### TITLE

**Authorization To Execute Encroachment Agreement With Magellan Midstream Partners, L.P. For County Project P00127 In City Of Eagan**

### PURPOSE/ACTION REQUESTED

Authorize an encroachment agreement with Magellan Midstream Partners, L.P. for an encroachment of their pipeline easement on the Minnesota River Greenway Fort Snelling Segment in the City of Eagan.

### SUMMARY

Dakota County is proceeding with the Minnesota River Greenway Fort Snelling Segment (P00127) to construct 3.7 miles of the Minnesota River Greenway between trailheads located near Nicols Road and Lone Oak Road in Eagan, including a pedestrian bridge to cross over railroad owned by Union Pacific (see Attachment: Project Map).

Development of the greenway alignment has addressed constraints and requirements raised by multiple utilities within the project area, including pipeline infrastructure owned by Magellan Midstream Partners, L.P. (Magellan). During project development, staff coordination addressed several needs to minimize potential impact to the Magellan pipeline, and the greenway design maintains adequate clearance of the pipeline that runs parallel to the trail. The greenway is required to cross over the pipeline at one location, which will require specific protective measures to guide construction activities and provide supervision when work is conducted in the immediate area. Magellan staff has agreed to an encroachment agreement as the appropriate means to define

practices for construction activity within their easement to avoid impacts to the pipeline. This agreement would be executed prior to tree-clearing work scheduled for this winter.

## RECOMMENDATION

Staff recommends execution of an encroachment agreement Magellan to identify responsibilities for the county and Magellan associated with the construction of CP P00127 near the Magellan easement.

## EXPLANATION OF FISCAL/FTE IMPACTS

None related to the requested action.

- |  |   |                                |
|--|---|--------------------------------|
| <input checked="" type="checkbox"/> None     | <input type="checkbox"/> Current budget       | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested |                                |

## RESOLUTION

WHEREAS, the Minnesota River Greenway runs along the south side of the Minnesota River in Eagan and Burnsville, extending from I35-W in Burnsville to Lilydale Regional Park in Saint Paul; and

WHEREAS, by Resolution No. 11-516 (October 18, 2011), the Dakota County Board of Commissioners adopted the Minnesota River Greenway Plan; and

WHEREAS, the rapidly developing and robust recreational network that has developed in the area has created increased demand for completion of the trail connection between the recently constructed Lone Oak Trail Head, the Cedar Nicols Trailhead, and the Minnesota River Greenway Black Dog Segment to the west; and

WHEREAS, Design and engineering activities are completed for the Fort Snelling segment of the Minnesota River Greenway (P00127); and

WHEREAS, P00127 requires an encroachment agreement with Magellan Midstream Partners, L.P. to allow for construction over a pipeline crossing the trail alignment; and

WHEREAS, sufficient funds for P00127 were allocated through previous adopted Parks budgets.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an encroachment agreement with Magellan Midstream Partners, L.P., subject to approval by the County Attorney's Office as to form.

## PREVIOUS BOARD ACTION

None.

## ATTACHMENTS

Attachment: Project Map

## BOARD GOALS

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> A Great Place to Live         | <input type="checkbox"/> A Healthy Environment        |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

## PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

**CONTACT**

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