

RESOLUTION NO. 2022-XX
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ORDERING THE UPPER RILEY CREEK ECOLOGICAL ENHANCEMENT PROJECT

Manager _____ offered the following resolution and moved its adoption, seconded by
Manager _____:

WHEREAS the Riley Purgatory Bluff Creek Watershed District's (District) 2018 10-Year Watershed Management Plan (Plan) identified Upper Riley Creek stabilization and restoration and stabilization as a Proposed Project (R4) in the Riley Creek Watershed (Plan, Section 8, Table 8-2; Section 9, Table 9-1);

WHEREAS in December 2021 the District engineer prepared a presentation of an Ecological Enhancement Plan for Upper Riley Creek, which identified roughly 8,600 feet of Upper Riley Creek for enhancement; outlined an adaptive management approach to pursue improved ecological function, provide diverse habitat layers, reduce streambank erosion, and enhance public access and understanding of the Creek; this presentation identified perched culverts and outfall pipes, outer bank erosion, incised channel disconnected from the floodplain, in-channel debris, sediment deposit in Lake Susan, and water quality impairments as important issues to be addressed; the engineer recommended improved ecological functions by reducing streambank erosion, reconnecting the creek to the floodplain, enhancing habitat, improving soil health, and promoting diverse vegetation; these measures are anticipated to provide up to 4 acres of in-channel habitat improvements, up to 22 acres of riparian habitat improvements, 8,600 feet of channel length stabilized with improved buffer to promote habitat diversity and improved soil health, and total estimated reduction in pollutant loading of 470,000 lbs per year in Total Suspended Solids and 250 lbs per year in Total Phosphorus; the total estimated cost of the Project is \$2,456,000, of which the City of Chanhassen is anticipated to contribute \$571,000;

WHEREAS on December 8, 2021, the Board of Managers held a duly noticed public hearing to receive comments on the proposed Project from Mr. David Benedict, who expressed support for the Project and encouraged implementation as soon as possible to address phosphorus and algae problems in Lake Susan; and Mr. Fred Kamps, who expressed concern for algae blooms in Lake Susan and his interest in whether the lake will encounter new issues such as vegetation growth with improved water quality; the Board of Managers carefully considered these comments;

WHEREAS the estimated total cost of the project is \$2,456,000; the District proposes to fund its share of the Project costs (estimated to be \$1,885,000) through the District's ad valorem property tax levy to implement its watershed management plan pursuant to Minnesota Statutes Section 103B.241, 77% of which is paid by District property taxpayers in Hennepin County and 23% is paid by District property taxpayers in Carver County; the City of Chanhassen is anticipated to contribute approximately \$571,000 in funding to the project;

NOW THEREFORE BE IT RESOLVED that the Board of Managers finds that the construction of the Project is consistent with the water quality objectives of the District for the Riley Creek Watershed, and that the proposed Project will be conducive to public health, will promote the general welfare, and complies with the Watershed Law, the Metropolitan Water Management Planning Law, and the District's Plan;

BE IT FURTHER RESOLVED that the Board of Managers hereby orders the Project, and that the Administrator proceed, with the advice of legal counsel, to develop a cooperative agreement with the City of Chanhassen and any additional necessary and appropriate agreements, for the due consideration and approval by the Board of Managers, and approval prior to the issuance of any notice of contract award for the Project;

BE IT FURTHER RESOLVED that the Board of Managers hereby directs the Engineer under the direction of the Administrator to proceed with making the necessary surveys, plans and specifications, and advertise for bids.

The question was on the adoption of the resolution and there were ___ yeas and ___ nays as follows:

Yea Nay Abstain Absent

**CRAFTON
KOCH
PEDERSEN
WARD
ZIEGLER**

Upon vote, the president declared the resolution adopted.

Dated: January 5, 2022.

David Ziegler, Secretary

* * * * *

I, David Ziegler, secretary of the Riley Purgatory Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____ day of _____, 2022.

David Ziegler, Secretary