

RESOLUTION NO. 23-072
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ADOPTING PLAN AMENDMENT FOR
SPRING ROAD CONSERVATION PROJECT

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

WHEREAS the Riley Purgatory Bluff Creek Watershed District's (District) 2018 10-Year Watershed Management Plan (Plan) recognizes that unanticipated opportunities may emerge during the life of this Plan; and that while the District cannot predict the future, the District has established a process to allow the District and its partners to take full advantage of these circumstances through the implementation of "Opportunity Projects"; (Plan, Section 9.13, p. 9-49);

WHEREAS the District has undertaken months of deliberation to consider an unanticipated opportunity to acquire three contiguous parcels on Spring Road in Eden Prairie for conservation purposes; the District's acquisition of the Spring Road properties will complete a contiguous corridor following Riley Creek from Lake Riley to the Minnesota River; the District has identified a series of location, topography, ecological and other benefits for the watershed through conservation of this site; the District engineer scored the proposed acquisition using the prioritization scoring method presented in the Plan, and in comparison to proposed development of the site, the conservation acquisition renders a prioritization score of 35-39 points; accordingly it is appropriate under Section 9.13 of the Plan to proceed with a plan amendment for the project;

WHEREAS the District prepared a draft plan amendment for the Spring Road Conservation Project (Project) to be distributed to municipalities, counties, state review agencies, and other District stakeholders for consideration; the plan amendment describes the Project acquisition in detail, its ecological significance, alignment with District goals, the engineer's scoring using the District's prioritization criteria, the Project's estimated cost and funding plan;

WHEREAS the Board of Water and Soil Resources commented that the Project "does align directly with five of the District's Plan goals as well as two habitat-focused water quality strategies. Additionally, the Plan includes options for fee title or conservation easement acquisition as a tool for implementation. For the reasons identified above, we concur with the District's assessment that this can proceed as a minor amendment and is consistent with MN Rule 8410.0140, contingent that no county board files an objection to the amendment with the organization within the comment period."

WHEREAS, the Minnesota Department of Natural Resources commended the District "for their proposed amendment to the watershed management plan, which includes the acquisition

of a 28-acre parcel of land in Eden Prairie. It is important to note that this property was officially recognized by the Minnesota DNR as a regionally significant ecological area and considered a site of biodiversity significance. We wish to acknowledge RPBCWD’s efforts to align the conservation of this critical land with their watershed management plan goals and habitat-focused water quality strategies. The Minnesota DNR supports the proposal to proceed with the minor amendment.”

WHEREAS the District held a duly noticed public hearing for the purpose of receiving comments on the proposed plan amendment on Thursday, November 16, 2023; Mr. Morgan Jacobs, President of Spring Valley Friends, expressed support for the Project; Manager Koch commented as a member of the public to express his opposition to the Project, stating that he did not consider it to be a proper project for the District;

WHEREAS the most recent cost estimate for the project is approximately \$5,875,000; the District expects to fund this project by means of its watershed-wide ad valorem levy and will explore cost-sharing or grant opportunities with other public agencies as available, including a \$500,000 contribution from Hennepin County for a conservation easement on the property;

NOW, THEREFORE, BE IT RESOLVED that the Riley Purgatory Bluff Creek Watershed District Board of Managers hereby adopts the Plan amendment attached as Exhibit A;

BE IT FURTHER RESOLVED that Board of Managers directs the administrator to transmit a copy of the Plan amendment to all reviewing agencies and the clerks of each of the local governmental units within the watershed and to Hennepin County and Carver County.

The question was on the adoption of the resolution and there were 4 yeas and 1 nay as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CRAFTON	X			
DUEVEL	X			
KOCH		X		
PEDERSEN	X			
ZIEGLER	X			

Upon vote, the president declared the resolution adopted.

Dated: November 16 , 2023.

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I, Dorothy Pedersen, 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 17th day of November, 2023.



Dorothy Pedersen, Secretary