



## Legislation Details (With Text)

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<b>On agenda:</b>	5/23/2022	<b>Final action:</b>	5/23/2022
<b>Title:</b>	RESOLUTION AUTHORIZING ACCEPTANCE OF A CONSERVATION PARTNERS LEGACY METRO PROGRAM GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$400,000 FOR THE ACQUISITION OF 83 ACRES OF LAND FROM THE DULUTH CEMETERY ASSOCIATION FOR RECREATION AND PRESERVATION.		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A, 2. Exhibit B

Date	Ver.	Action By	Action	Result
5/23/2022	1	City Council	adopted	

RESOLUTION AUTHORIZING ACCEPTANCE OF A CONSERVATION PARTNERS LEGACY METRO PROGRAM GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES IN AN AMOUNT NOT TO EXCEED \$400,000 FOR THE ACQUISITION OF 83 ACRES OF LAND FROM THE DULUTH CEMETERY ASSOCIATION FOR RECREATION AND PRESERVATION.

**CITY PROPOSAL:**

RESOLVED, that the proper city officials are hereby authorized to accept and execute the Conservation Partners Legacy Metro Program contract agreement, substantially in the form attached hereto as Exhibit A, with the Minnesota Department of Natural Resources in an amount not to exceed \$400,000, with said funds to be deposited into 205-130-1220-5510-CM205-WOODLD-22CPL (Parks Fund-Community Resources-Parks Capital-Land-Capital Maintenance Fund-Woodland-2022 CPL Metro Grant).

RESOLVED, the city of Duluth has the legal authority to accept the money and financial, technical, and managerial capacity to ensure proper planning and maintenance of the project. The City will meet the required 10% match with funds from the US Forest Service Community Forestry Program.

RESOLVED, the Duluth city council names the fiscal agent for this project as Jen Carlson, City of Duluth Chief Financial Officer, 411 West 1st Street, Duluth MN 55802.

STATEMENT OF PURPOSE: Resolution to accept \$400,000 from the Conservation Partners Legacy Metro Program to purchase 83 acres of undeveloped open space north of Forest Hill Cemetery in the Woodland neighborhood to be managed for outdoor recreation and long-term preservation consistent with the Imagine Duluth 2035 Comprehensive Plan Future Land Use map for this area and Comprehensive Plan Guiding Principle #2: Declare the necessity and secure the future of undeveloped places. The Comprehensive Plan designates these lands as "OS - Open Space" to provide for parks, recreation, or natural resource preservation.

The City intends to meet the 10%, \$40,000, match requirement with federal funds from a pending application to the US Forest Service Community Forest and Open Space Conservation Program. If that grant is not funded, the City will fund the match through the Parks Fund.

The Duluth Cemetery Association Board of Directors responsible for the Forest Hill Cemetery property is a willing seller though final property boundaries and a final sale price have yet to be agreed upon.

The property is home to ecological resources of exceptional value and sensitivity. The acreage includes mature northern hardwood forest, few invasive plants, steep slopes, extensive wetlands, and a tributary of an important trout stream, Tischer Creek. The property is part of a contiguous 450-acre area of undeveloped open space that provides critical habitat for a variety of species.

Acquisition of the property will permit completion of the Duluth Traverse multi-use trail system and support the Superior Hiking Trail Association's desire to relocate their existing trail through this area from a roadway to the forest. The property is currently crisscrossed by numerous popular social trails some of which are eroding sediment into the adjoining creek and wetlands. Following acquisition, the City will work with residents to determine how to consolidate and/or reconstruct social trails in a manner that will support continued access to green space and reduce erosion.

The boundaries of the 83-acre Duluth Cemetery Association property that the City seeks to acquire were drawn to intentionally omit two undeveloped portions of Duluth Cemetery Association land (see attached Exhibit A):

1. 16 acres to the south that the Cemetery Association wishes to retain for cemetery purposes.
2. 7 acres to the west that the Future Land Use Map designates as Traditional Neighborhood that may be suitable for future development.

The 83-acre cemetery property adjoins 292 acres of tax forfeit open space that the City is in the process of acquiring from St. Louis County for use as protected parkland. Once the two transactions are complete, the City intends to ask Council to designate both properties as permanently protected parkland.