



## Legislation Text

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**File #:** 17-0444R, **Version:** 1

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### RESOLUTION AUTHORIZING AN OPERATION AND MAINTENANCE PLAN AND CONSERVATION PRACTICE ASSISTANCE CONTRACT RELATED TO THE TISCHER CREEK RESTORATION PROJECT.

#### CITY PROPOSAL:

WHEREAS, on or about June 2, 2017, the City entered into an agreement with the South St. Louis Soil and Water Conservation District ("District") to grant the District a non-exclusive license to enter and occupy a portion of Glen Avon Park for the purpose of conducting a stream restoration project on Tischer Creek ("Project"); and

WHEREAS, the Project will repair damage to Tischer Creek streambanks from the 2012 flood and restore the channel to a stable state. The Project will use natural channel design methodology to reconstruct Tischer Creek's floodplain, reduce erosion, decrease water temperatures, improve habitat quality, and increase the aesthetics of the river. In addition, the Project will decrease the bedload sediment being carried downstream, which will improve water quality and habitat, restore fish passage, and increase aesthetics; and

WHEREAS, the Project is 100% funded by the Minnesota Board of Water and Soil Resources Disaster Recovery Assistance Program ("Program");

WHEREAS, Program requires property owners affected by the Project to agree to a ten-year maintenance plan that requires the City to conserve and maintain vegetation at the Project site, which maintenance duties can be performed by the City; and

WHEREAS, in the event the City fails to maintain the conservation practices within the ten-year period, the City would be liable for future costs to reimburse the Program to re-install and re-establish the vegetation; and

WHEREAS, the Project will greatly benefit Tischer Creek, and the City wishes to agree to the terms and conditions of the ten-year maintenance plan and associated conservation practice assistance contract.

NOW, THEREFORE, BE IT RESOLVED, that the proper city officials are hereby authorized to enter into the Operations and Maintenance Plan, substantially in the form attached as Exhibit 1, with the South St. Louis Soil and Water Conservation District.

FURTHER RESOLVED, that the proper city officials are hereby authorized to enter into the Conservation Practice Assistance Contract, substantially in the form attached as Exhibit 2, South St. Louis Soil and Water Conservation District.

**STATEMENT OF PURPOSE:** This resolution authorizes the city to enter into the Operations and Maintenance Plan and Conservation Practice Assistance Contract with the South St. Louis Soil and Water Conservation District related to the Tischer Creek restoration project.

Between July 1, 2017 and September 15, 2017, the South St. Louis Soil and Conservation District will perform a flood recovery project to repair damage to Tischer Creek streambanks from the 2012 flood and restore the channel to a stable state (the "Project"). For the Project to be successful, it needs to tie into a stable stretch of Tischer Creek at the downstream end. A portion of Glen Avon

Park contains a stable stretch of Tischer Creek that the Project could tie into, as shown on the attached Exhibit 3.

The Project is funded by the Minnesota Board of Water and Soil Resources Disaster Recovery Assistance Program who requires property owners to commit to a ten-year maintenance plan and associated conservation practice assistance contract. The City is able to agree to the terms and conditions contained in Exhibit 1 and 2 and perform the required maintenance after completion of the Project.