



## Legislation Text

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**File #:** 22-0045R, **Version:** 1

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RESOLUTION AUTHORIZING APPLICATION TO THE US FOREST SERVICE COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM FOR FUNDS TO ACQUIRE 72.5 ACRES FROM THE FOREST HILL CEMETERY FOR RECREATION AND PRESERVATION.

### CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to apply for up to \$287,500 from the US Forest Service Community Forest and Open Space Conservation Program.

FURTHER 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. If the grant is awarded, the City will meet the required 1:1 match with a separate State of Minnesota grant application to be submitted later in 2022.

FURTHER RESOLVED, the Duluth City Council names the fiscal agent for this project as Jen Carlson, Finance Director, 411 West 1st Street, Duluth MN 55802.

STATEMENT OF PURPOSE: This resolution authorizes application for \$287,500 from the US Forest Service Community Forest and Open Space Conservation Program to acquire an undeveloped 72.5-acre portion 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.

If the funds are awarded, the City intends to meet the required 1:1 match via a separate State of Minnesota grant application to be submitted later in 2022.

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, Amity Creek. The property is part of a contiguous 500-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. See attached Exhibit A.

The boundaries of the 72.5-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 B):

1. 18 acres to the south that the Cemetery Association wishes to retain for cemetery purposes.
2. 16 acres to the west that the Future Land Use Map designates as Traditional Neighborhood that may be suitable for future development.

The 72.5-acre property adjoins two separate blocks of land that the City has previously prioritized for City ownership and protection (see attached Exhibit B):

1. 292 acres of tax forfeit open space that the City is in the process of acquiring from St. Louis County for permanent protection as designated parkland.
2. 26 acres of open space that is already owned by the City and designated as parkland.

Acquisition and designation of cemetery and tax forfeit property to be City parkland will necessitate eventual assignment of a park name or names. The City will engage the community at an appropriate time to select the official name(s).