



Council Agenda Item 26-0382R

MEETING DATE: May 11, 2026

SUBJECT/TITLE: RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE STATE OF MINNESOTA, DEPARTMENT OF NATURAL RESOURCES RELATED TO ASSESSMENT AND DESIGN OF A FLOW RESTRICTIVE CULVERT AND FLOOD STORAGE AT HARTLEY DAM

SUBMITTED BY: Kate Kubiak; Natural Resources Coordinator

RECOMMENDATION: Approve

BOARD/COMMISSION/COMMITTEE RECOMMENDATION: N/A

PREVIOUS COUNCIL ACTION: 24-0760R - RESOLUTION OF SUPPORT FOR CONTINUED ASSESSMENT AND COMPLETE DESIGN OF A PROPOSED FLOW RESTRICTIVE CULVERT AT HARTLEY DAM

BACKGROUND: This Memorandum of Agreement (MOA) allows the MNDNR to fund (through GLRI funding) and manage the continued assessment and complete design of a proposed flow restrictive culvert at Hartley dam. This is an alternative that was selected among four alternatives during a feasibility study that was completed in 2025. A consultant will be hired and managed by the MN DNR to complete the design and continued assessment. The MOA is for assessment and design only; any potential construction would occur under a future phase.

The City and the DNR will work in partnership throughout the design process. Continued advancement of assessment and design is contingent upon ongoing assurances and demonstrations that the City will incur no cost in association with the project and that the project, if implemented, will not exacerbate downstream flood hazards.

As envisioned, the flow restrictive culvert, constructed through the existing earthen dam, would reconfigure the relationships between the pond, dam, and creek. Approximately 2,200 linear feet of Tischer Creek now submerged below Hartley Pond would be restored as a free-flowing, cold-water trout stream. Tischer Creek would be reconnected, above and below the dam, allowing free passage of native brook trout and other aquatic organisms. The current 12-acre pond would be reduced to 3-acres.

The flow restrictive culvert would be designed so that water would temporarily back up behind the culvert during precipitation events, temporarily resubmerging the 12-acre area now occupied by Hartley Pond. In so doing, the culvert would moderate stream flows and downstream flood hazards much as the dam does today.

BUDGET/FISCAL IMPACT: The project is being implemented at no cost to the City. The project is funded through the Great Lakes Restoration Initiative. All funding is held and managed by the MNDNR.

OPTIONS: Approve the resolution and the project can move ahead as planned. If denied, the project will be halted.

NECESSARY ACTION: Approve

ATTACHMENTS: Exhibit A – Memorandum of Agreement