

**RESOLUTION NO. 23-082
RILEY PURGATORY BLUFF CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

Ordering the Upper Bluff Creek Restoration & Stabilization Project

Manager Pedersen offered the following resolution and moved its adoption, which was seconded by Manager Crafton.

WHEREAS the Riley Purgatory Bluff Creek Watershed District's (District) 2015 Creek Restoration Action Strategy (CRAS) identified Reach 5 of Bluff Creek as in need of restoration and a 2020 update of the CRAS found that Reach 5 had experienced further downcutting, incision, and bank failure leading to increased sediment delivery and a greater disconnection of the floodplain from the stream in bankfull events and that Reach B5C was among the most impaired reaches in the watershed as assessed by the CRAS methodology;

WHEREAS the capital improvement program of RPBCWD's 2018 10-Year Watershed Management Plan includes Bluff Creek Reach 5 restoration and stabilization;

WHEREAS in June of 2022 the RPBCWD engineer prepared a feasibility report that evaluated five conceptual design options and recommended reach B5A concept A and B5C concept C which will incorporate grade structures, streambank revetment, and wetland restoration as the preferred options leading to a net annual reduction in total suspended solids transport of 68,455 pounds (the Project);

WHEREAS in accordance with Minnesota Statutes section 103B.251, a properly noticed public hearing was held at the August 3, 2022, regular meeting of the managers and the single comment at offered at the hearing concerned removal of reed canary grass, which the RPBCWD engineer has determined is not feasible as part of the Project; and

WHEREAS the RPBCWD Board of Managers finds that the construction of the Project is consistent with the water quality objectives for the Bluff Creek watershed, and that the proposed project will be conducive to public health and promote the general welfare in compliance with watershed law, the Metropolitan Surface Water Management Act, and the 2018 10-Year Watershed Management Plan.

NOW THEREFORE BE IT FURTHER RESOLVED that the Board of Managers orders the Upper Bluff Creek Restoration & Stabilization Project for reaches B5A and B5C, with the costs of the Project to be paid through a levy on all properties within RPBCWD's jurisdiction such that 77 percent of the levy will be paid by properties in Hennepin County and 23 percent by properties in Carver County.

BE IT FURTHER RESOLVED that the Board of Managers directs staff and consultants, under the direction of the administrator, to engage with the City of Chanhassen to coordinate efforts including coordination with Galpin Boulevard reconstruction project, land-use rights, and the development of a maintenance agreement.

BE IT FURTHER RESOLVED that the Board of Managers authorizes administrator, with aid of counsel and engineer, to develop land use agreements with adjoining landowners to be brought to the Board of Managers for consideration.

BE IT FURTHER RESOLVED that the Board of Managers directs the engineer, under the direction of the administrator to prepare all plans, specifications, and notices as may be needed to solicit contractor bids to be brought back to the Board of Managers for consideration.

The question was on the adoption of the resolution and there were 5 yeas and 0 nays 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: December 13, 2023.

* * * * *

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 ____ day of _____, 2023.


Dorothy Pedersen, Secretary