

RESOLUTION 2024-03

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

RECOGNIZING POTENTIAL WETLAND REPLACEMENT OBLIGATIONS

Manager Wagamon offered the following resolution and moved its adoption, seconded by Manager Waller :

WHEREAS in 2005, the Rice Creek Watershed District (“District”) entered into settlements with Blaine landowners Metro Shooting Center Corp. and John Trost with respect to those parties’ claims concerning the District’s management of Anoka County Ditch 53-62, under which the District made a payment to each landowner and, subject to certain terms, committed to supply wetland replacement credits if needed for a landowner to create a specified contiguous upland footprint for development;

WHEREAS in 2012 the District completed the Brown’s Preserve project on the site of the former Houle Wildlife Management Area in the Cities of Columbus and Forest Lake, allowing the rerouting of Anoka-Washington Judicial Ditch #4 and restoring an expanse of wetland;

WHEREAS the District implemented the Brown’s Preserve project in part to allow it to create and bank wetland replacement credits that it might use to meet regulatory obligations associated with its public drainage system work and other wetland replacement obligations it might assume;

WHEREAS Brown’s Preserve ultimately generated about 60.7 wetland credit acres, of which about 40.3 remain unallotted;

WHEREAS from time to time the District Board of Managers (“Board”) is advised by the District administrator and engineer as to wetland replacement needs that may arise in conjunction with programmed or planned District projects and the District’s ability to meet those needs through allocation of Brown’s Preserve credits;

WHEREAS in its annual financial reports from 2015 to 2021, the District designated the contingent liability under the Metro Shooting/Trost settlements associated with its obligation to supply wetland replacement credits as remote, and in the 2022 financial report, designated this contingent liability as reasonably possible, but in both cases finding that it could not estimate the potential amount of the liability, due to a number of uncertainties as to whether the liability would arise and, if so, what the extent of the liability would be; and

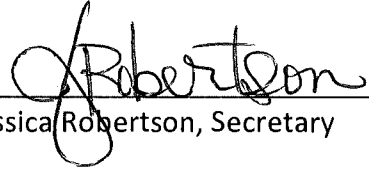
WHEREAS however, the District Board of Managers recognizes the existence and “reasonable possibility” of the liability;

THEREFORE BE IT RESOLVED that the District administrator and engineer will include the Metro Shooting/Trost settlement contingent liability in the tracking of potential future wetland replacement obligations, and will incorporate this contingent liability when it advises the Board as to the status of the Brown’s Preserve credit account and the District’s potential wetland replacement needs.

The question was on the adoption of the Resolution and there were 5 yeas and 0 nays and abstentions as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
BRADLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERTSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEINANDT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the President declared the Resolution passed.



Jessica Robertson, Secretary

Dated: February 28, 2024

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I, Jessica Robertson, Secretary of the Rice 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 transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 28th day of February, 2024.



Jessica Robertson, Secretary