

MEMORANDUM
Comfort Lake-Forest Lake Watershed District

To: Board of Managers **Date:** October 5, 2018
From: Mike Kinney
Subject: WMP Land Acquisition & Management – Property Review Scope

Background/Discussion

This topic was discussed at the September 13th regular board meeting, with current purchaser, Don Steinke, in attendance. Mr. Steinke is in the process of purchasing a parcel adjacent to one of the District's tax-forfeit parcels, and he is interested in selling a portion of the newly-purchased parcel to the District. At the September 13th meeting the Board agreed to direct staff to evaluate the parcel for acquisition potential. As such, EOR has provided the enclosed scope of work for performing the evaluation, per the guidelines in the Watershed Management Plan.

The 2018 budget currently has a balance of \$1,695 in line item 5-920-A Land Acquisition and Management. Staff recommends that the scope of work be funded partially by this line item with the remainder coming from reserve.

Recommended Motion

Manager _____ moves to authorize the Administrator, on advice of counsel, to enter into an agreement with Emmons & Olivier Resources in accordance with the October 4, 2018 scope of work and in an amount not to exceed \$8,400. Seconded by Manager _____.

Attached: EOR Scope of Work (10/4/2018)

Project Name	Land Acquisition & Management Technical Support Banta Property Review	Date	10-4-18
To / Contact info	CLFLWD Board of Managers		
Cc / Contact info	Mike Kinney, District Administrator		
From / Contact info	Jason Naber		
Regarding	Proposed Scope of Work		

Scope of Work

This is a scope of work for providing technical assistance supporting the District’s Land Acquisition and Management Program (District-Wide 5920). Due to interest from a willing landowner, there is one property adjacent to an existing District-owned property (Tax-Forfeit) that should be evaluated against the criteria identified in the 2018 Watershed Management Plan. In general the property identified is described as:

- Banta Parcel- Parcel located east of existing District-owned Tax-Forfeit property, adjacent to the Sunrise River, in Chisago County.

Task 1. Screening for Consistency with District WMP

The parcel will be evaluated against the detailed criteria found in the CLFLWD Watershed Management Plan, Section 4.6.9 Land Acquisition and Management (5900 Series). This section of the plan provides criteria the District shall consider prior to acquiring property. In addition to the individual site evaluation this task will include coordination with district staff and legal counsel. No official Board action is assumed following Task 1 findings. Authorization to proceed to Task 2 will be granted upon review of findings by district staff and legal counsel.

Deliverables

- Coordination and meetings with district staff and legal counsel
- Preliminary ranking of parcel based on acquisition evaluation criteria

Schedule

- October-November 2018

Estimated Hours and Cost

- 10 hours & expenses- \$1,600

Task 2. Initial Project Scoping

A project scoping exercise will be conducted for the Banta parcel. This will include an evaluation of options to enhance the property to provide services benefitting the goals of the District. More specifically these services could include water quality, natural resources, educational and/or recreational enhancement. A range of options will be considered. This analysis will include a resource assessment, watershed assessment and permitting evaluation. Also included in this task is

coordination with potential partners having interest in parcel for purposes aligned with that of the District. It is expected the Board will evaluate findings from this task to determine the site's suitability for acquisition. EOR will attend one session with the Board to discuss findings.

Deliverables

- Coordination and meetings with district staff and legal counsel
- Final ranking analysis and written evaluation for Banta parcel
- Attendance at one Board workshop to discuss findings

Schedule

- November 2018

Estimated Hours and Cost

- 20 hours & expenses - \$3,200

Task 3. Phase I ESA

Prior to the District's consideration to acquire the property, it is recommend that a Phase 1 Environmental Site Assessment (ESA) be completed for the property. This assessment will provide a reasonable level of assurance that there are no significant environmental conditions on the parcel. EOR will conduct an environmental assessment for the Banta parcel according to ASTM E 2247-08, Standard Practice for Environmental Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property. This practice is intended as an approach designed to identify recognized environmental conditions in connection with each property. The following activities are included:

1. Review of Federal, State, Local and Tribal Records out to distances specified by ASTM E 2247-08
2. Conduct file searches with public agencies having oversight relative to water quality and soil contamination issues
3. Interview the site owner, the user of the Phase I ESA, and other persons knowledgeable of the property history, if any. (List of persons and contact information to be provided by client)
4. Examine historic aerial photography and current topography of the vicinity
5. Evaluation of risks of neighboring properties
6. Examine chain-of-title for Environmental Liens and/or Activity and Land Use Limitations (AULs)
7. Complete on-site field visit to view present conditions and evaluate any identified historical concerns

Assumptions:

1. No building located on property (if any) will be entered or evaluated
2. CLFLWD will provide:
 - a. Title documents to be reviewed (if any)

- b. Contact information for property owners and others to be interviewed as part of the report
- c. Names of parties to include in the “Reliance” section of the report

Deliverables

- Final PHIESA Report
- Coordination and meetings with district staff and legal counsel
- Attendance at one Board workshop to discuss findings

Schedule

- November 2018

Estimated Hours and Cost

- 22 hours & expenses - \$3,600

Summary

The total cost is \$8,400 to conduct the initial site screening, PHIESA and complete the project scoping evaluation.