

MEMORANDUM
Comfort Lake-Forest Lake Watershed District

To: Board of Managers

Date: July 3, 2017

From: Mike Kinney

Subject: Land Acquisition Update – Site B

Background/Discussion

At the October 27, 2016 regular meeting the board reviewed preliminary results of the Site B Land Acquisition Assessment Report. The full report from EOR can be found here: www.cflwd.org/documents/Site-B-Report.pdf.

One of the main conclusions from this assessment was that potential project phosphorus reduction amounts increase as project size (and subsequent land use) increases. As such, District staff has since been working on landowner outreach for the parcels to the south and west of the “Site B” parcels. These properties contain the Home Depot store and are owned by one company, Forest Lake Facilities LLC. The initial outlook on adjacent landowner participation in a water quality project seemed promising, as Home Depot has information on their website about sustainability goals such as reducing energy consumption and supply chain emissions. Given the District’s past success in partnering with Forest Lake’s Target store to implement water quality BMPs in 2014, staff foresaw a similar partnership with Home Depot. However, after multiple contact attempts using various methods, the District has not heard a response from Forest Lake Facilities. We are certain that they at least received our latest communication, as it was sent via certified mail. Given that we haven’t received a response from the certified mail letter, it seems likely that the other communications were received and ignored as well.

At this point, it does not seem likely that we will get Forest Lake Facilities on board with a project anytime soon. However, there may still be a possibility of coordination several years in the future. Plus, there is the potential opportunity to work with MnDOT to expand a project into the parcels to the north.

Staff has continued communication with the current landowner for the parcels associated with Site B. The landowner is anxious to part with the parcels so that they can stop paying property taxes on them. They would prefer to donate that parcels to a good cause, but will allow them to fall into tax forfeit if the District does not wish to finalize the transfer soon. It appears that there are no other parties interested in taking the parcels; most likely due to the fact that they are not buildable.

We were originally hoping to get Forest Lake Facilities on board with a project before asking the board to make a final decision on the Site B acquisition. Presently, we have determined that the Minneapolis office for Forest Lake Facilities is on the same block as Smith Partners. As such, I have asked our legal counsel to make an attempt to make a face to face visit with someone from the office. We hope to have a response in time for the board meeting on the 13th.

In the event that this visit to the Forest Lake Facilities Minneapolis office is not productive, we will be looking for Board direction with regard to next steps. In particular, we ask that the Board provide direction or simply make a decision with regard to taking ownership at this point so that the current landowner can finalize the transaction either way - whether that be a transfer to the District or tax forfeiture.

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Recommended Action

Even if we aren't able to get a big P reduction project out of this property initially, the expense to acquire the property could fit into an education opportunity, per section 5720A of the WMP. As such, staff recommends proceeding with acquiring the property so as to pursue opportunities that may exist with MnDOT as well as affording the District the opportunity to pursue a larger project when the opportunity presents itself in the future.

4.6.7 Public Education (5700 Series)

District-Wide (5720)

- A. Education in Public Parks – Land/Water Connection and District Resources: Utilize the District's tax forfeited land and/or partnerships with other public land holders to, in one or more public parks, provide educational information on the water resources and natural resources of the watershed and demonstrate the connection between water quality and water quality best management practices, upland resources, and land management practices. Signage specific to the resources and connections to be highlighted at the park will be developed to increase public understanding of the local resources and to highlight important aspects of the interactions within the natural system. Trails, overlooks, and other methods will be used to encourage interaction with the informational signage.

Attached: Figure 7-8 Management Alternative – Option C from Site Assessment Report

Site Location Map

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Comfort Lake Forest Lake WD
 Land Acquisition Assessment Report

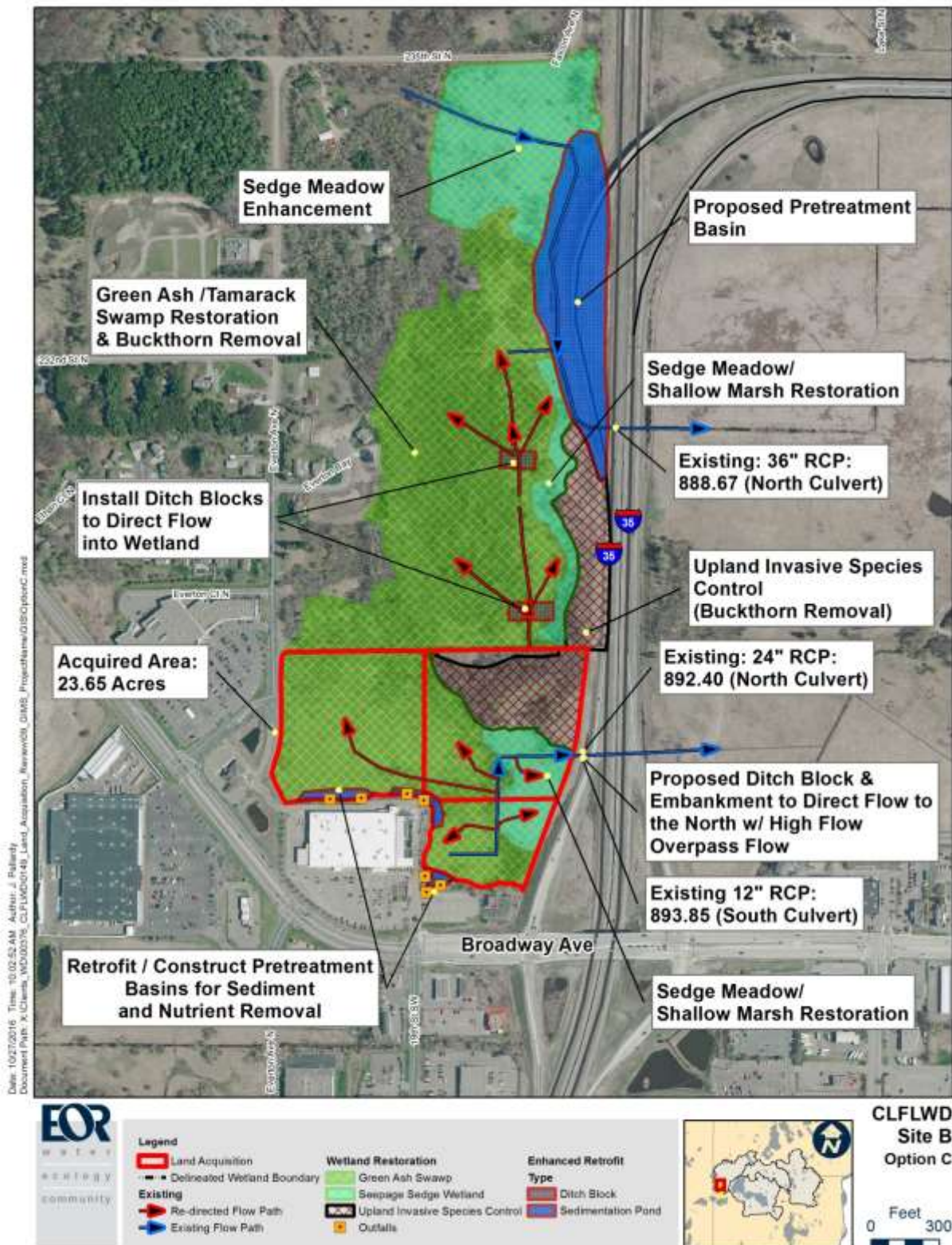


Figure 7-8. Management Alternative – Option C