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|----------------------------|---|-------------|----------|
| Project Name | Brown's Creek Park Restoration Project | Date | 2/9/2024 |
| To / Contact info | BCWD Board of Managers | | |
| Cc / Contact info | Karen Kill, District Administrator | | |
| From / Contact info | Mike Majeski, Dan Mossing, P.E. | | |
| Regarding | Request for Authorization to Solicit Bids | | |

The purpose of this memorandum is to request authorization to solicit bids for construction of the Brown's Creek Park Restoration Project.

Background

The BCWD has been working closely with the Minnesota Department of Natural Resources (Waters, Fisheries, and Trails) and the City of Stillwater to identify opportunities to improve the riparian vegetation and aquatic biota in Brown's Creek. The proposed project includes restoring approximately 2,000 linear feet of Brown's Creek from McKusick Road North (west of Neal Ave) to the Brown's Creek State Trail. BCWD held a public hearing and ordered the project at the September 2023 regular board meeting.

Following the September board meeting, the BCWD released an Environmental Assessment Worksheet (EAW) for public review in November 2023 and finalized the EAW in December 2023 after all public comments were received and addressed. BCWD adopted a record of decision for the EAW for the Brown's Creek Restoration Project and made a negative declaration on the need for an environmental impact statement on January 10, 2024.

Final Project Implementation

The proposed stream restoration project is expected to reduce 25.4 tons of sediment and 22.9 pounds of total phosphorus per year from entering the creek and downstream resources (St. Croix River).

Project Cost and Funding

The table below summarizes estimated project costs for implementation. The project includes an option to construct a trail spur that is compliant with the Americans With Disabilities Act off the Brown's Creek State Trail to minimize erosion and improve public access to the creek. The cost of the spur is estimated at \$20,510 and that amount is included in the total estimated construction cost below. The BCWD was awarded a federal 319 grant through the Minnesota Pollution Control Agency to implement the project in the amount of \$320,700, leaving the watershed-wide levy to contribute \$213,800.

| Description | Construction Cost + Add Alternate | Engineering & Admin | Project Total | Grant | Levy |
|---------------------------------------|-----------------------------------|---------------------|---------------|-----------|-----------|
| Feasibility/Final Design/Construction | \$430,100 | \$104,400 | \$534,500 | \$320,700 | \$213,800 |

Project Permitting

The following permits are required for this project and status updates are provided below. All permit applications have been submitted and a number of approvals are pending. Due to the compressed timeline of this project, the engineer and administrator recommend that the board authorize solicitation of bids before all permits have been approved. Correspondence with permitting agencies and landowners indicates that there are no significant anticipated issues with permits and agreements to be approved prior to construction in the spring/summer of 2024.

| Entity | Permit Required | Permit Update (02/09/2024) |
|---|------------------------------------|---|
| City of Stillwater | Floodplain / No-Rise Certification | Submitted, approval pending |
| United States Army Corps of Engineers | Nationwide Permit | Submitted and Approved (BCB 20230104 NWP 27) |
| | | |
| Minnesota Department of Natural Resources | Public Waters Work Permit | Submitted, approval pending acceptance of no-rise certification from City of Stillwater |
| BCWD | Watershed rule review | Compliance verified |
| MPCA | NPDES Permit | Contractor to secure (TBD) |

Board Action

1. Authorize the administrator to solicit bids for construction of the Brown's Creek Restoration Project.