



Title: Declining Donation or Sale of Property at 2301 Brunswick Ave. S., St. Louis Park

Resolution number: 20-045

Prepared by: Name: Gabriel Sherman
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Reviewed by: Name/Title: Michael Hayman, Project Planning Manager

Recommended action: Staff recommends that the Board of Managers, after careful consideration of ecological restoration and project potential, and close coordination with the Minnesota Pollution Control Agency, decline acceptance of a donation or sale of property at 2301 Brunswick Ave. S., St. Louis Park, as it does not appear to be in the best interest of the MCWD at this time.

Schedule: Not applicable

Budget considerations: Not applicable

Past Board action: Not applicable

Summary:

In August 2019, Mr. Christopher Dahl and his owner representatives contacted the Minnehaha Creek Watershed District (District) to gauge District interest in a potential land donation or bargain sale of a property located at 2301 Brunswick Ave. S., St. Louis Park. Staff prepared a preliminary analysis of the property, conducted a site visit, and brought the property owner's proposal before the Operations and Programs Committee (OPC) on September 12, 2019. Updates on continued due diligence and the terms of the property owner's proposal were brought to the October 10, 2019 OPC meeting, April 9, 2020 OPC meeting, and May 28, 2020 Policy and Planning Committee meeting. The property was also discussed in closed sessions at the October 24, 2019 and December 3, 2019 Board meetings.

Due diligence into the property was designed to assess its potential benefit to the District and examined site access issues, lithium contamination, the ability to achieve water quantity or quality benefits (in satisfaction of the 2018 Life Time, Inc. agreement or otherwise), ecological restoration potential, and partnership opportunities with the city of St. Louis Park. The District coordinated with the Minnesota Pollution Control Agency (MPCA) to seek guidance as to what assurances the MPCA would consider providing to limit the District's liability with respect to the contamination. Cost estimates and feasibility for remedial options that would meet MPCA's standards were compiled with the assistance of the District's site consultant.

A thorough analysis of the site found that it would not be feasible or cost effective to achieve water quality or quantity benefits on the site, with cost estimates for remediation ranging from \$700,000 to \$2,000,000. Due to a lack of public access to the site, the District also found no recreational value to the property. The opportunity for a cost effective ecological restoration is limited by contamination, extensive floodplain, and severely degraded wetlands. Furthermore, the MPCA indicated it would issue assurances only if some degree of soil remediation were conducted. Lacking a clear intended end use for the property, the PPC concluded at its May 28, 2020 meeting that the anticipated remediation costs and efforts associated with acquiring the property through a donation or bargain sale could not be justified.

Supporting documents (list attachments):

- Attachment A: Site Maps



RESOLUTION

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WHEREAS the Minnehaha Creek Watershed District (the District) was approached in August 2019 by Christopher Dahl and his representatives with the offer of donation or sale of the property located at 2301 Brunswick Ave. S., St. Louis Park;

WHEREAS the District explored feasible beneficial uses for the site in coordination with the city of St. Louis Park and the Minnesota Pollution Control Agency (MPCA);

WHEREAS the District conducted due diligence into issues surrounding lithium contamination of the site, including public health risks and securing liability assurances from the MPCA, whose opinion indicated that any use of the site would require remediation;

WHEREAS site constraints including contamination, extensive floodplain, and severely degraded wetlands do not provide an opportunity for a cost effective or feasible water quality or quantity capital project;

WHEREAS said site constraints, in addition to a lack of public access, do not provide an opportunity for cost effective ecological restoration of the site or construction of recreational facilities;

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby directs the Administrator to decline the offer of donation or sale of the property located at 2301 Brunswick Ave. S., St. Louis Park.

Resolution Number 20-045 was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 6/11/2020

_____ Date: June 11, 2020
Secretary

Attachment A: Site Maps

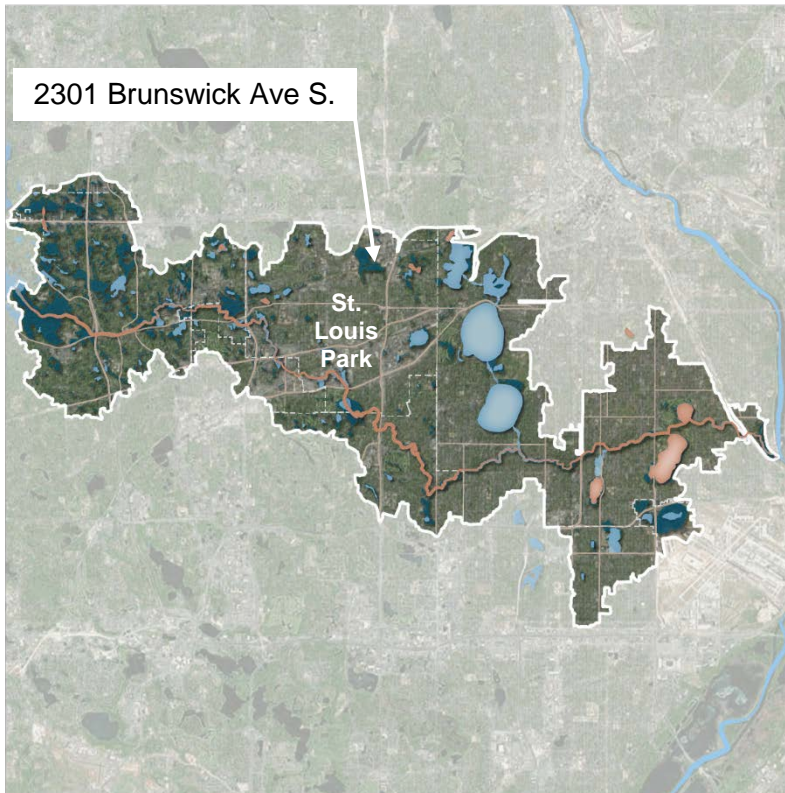


Fig. 1: Location of property within Minnehaha Creek Subwatershed



1:7,993

0 0.1 0.2 0.4 mi

Fig. 2: Parcel boundaries