

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 11-41

Authorization to Purchase Wetland Bank Credits for Pond L-2 Construction

WHEREAS, with Resolution No. 09-05, the SEMSWA Board authorized a maximum funding of \$250,000 for the design and construction of Phase 1 of the Regional Pond L-2 (Project), and

WHEREAS, the funds authorized by Resolution 09-05 did not include the costs associated with the mitigation of wetlands, which has been necessitated by the redesign of the pond to comply with the Corps of Engineers 404 Permit requirements; and

WHEREAS, SEMSWA's staff has determined that the most cost effective means of complying with the Corps of Engineers 404 Permit requirements is to purchase 0.84 acres wetland bank credits from a Corps of Engineers approved bank; and

WHEREAS, SEMSWA has solicited proposals from three wetland banks and the lowest submitted proposal was \$54,600, submitted by South Platte Wetlands, Inc.; and

WHEREAS, SEMSWA cannot proceed with construction of Pond L-2 until it has purchased the wetland bank and provided the Corps of Engineers with verification of such purchase; and

WHEREAS, SEMSWA had adopted a budget for calendar year 2011 subsequent to public hearing, which includes funds for the Project and the additional Project costs.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes \$54,600 for the purchase of wetland bank credits from South Platte Wetlands, Inc. to comply with the Corps of Engineers 404 Permit requirements for the construction of Pond L-2.
2. The Board authorizes the Executive Director to execute an agreement with South Platte Wetlands, Inc. to purchase the wetland bank credits for Pond L-2 construction.
3. The maximum funding for design and construction of Pond L-2 Phase 1 and water quality enhancements within Lonetree Creek basin including the purchase of wetland bank credits, without prior approval of the Board, shall be increased from \$250,000 to \$304,600.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor