

1. Evaluate the project's alignment with District goals by scoring the project using the process described in Section 4.0; if the project has been previously evaluated using this method, the project will be re-evaluated to reflect changed conditions. Projects scoring above the minimum threshold (see Section 4.0) will be carried forward to the following steps.
2. Determine whether the project falls within an existing District program (e.g., costshare, maintenance, monitoring) or CIP project; projects that fall under existing programs or projects will be implemented as part of the applicable project or program.
3. Undertake a Plan amendment to add the opportunity project to the District CIP, if necessary (for projects not falling under an existing District program), following the procedure described in Section 9.14.
4. Prioritize and implement the opportunity project taking into account the logistical factors described in Section 9.2.1).

The District anticipates the periodic implementation of opportunity projects throughout the life of this Plan. The District maintains funds to implement such projects on an as needed basis as part of its overall CIP budget.

### **9.13.1 Spring Road Conservation Project**

The District plans to acquire three contiguous parcels on Spring Road in Eden Prairie which total 28.07 acres for a purchase price of \$5,775,000 and invest in conservation of this site as more fully described below, which will result in permanent protection of identified natural areas from development. This conservation project aligns with the following District goals:

- Protect, manage, and restore water quality of District lakes and creeks to maintain designated uses;
- Preserve and enhance the quantity, as well as the function and value of District wetlands;
- Preserve and enhance habitat important to fish, waterfowl, and other wildlife;
- Protect and enhance the ecological function of District floodplains to minimize adverse impacts; and
- Limit the impact of stormwater runoff on receiving waterbodies.

#### **SPRING ROAD PROPERTIES BACKGROUND**

The Spring Road properties are three adjacent, distinct parcels totaling 28.07 acres located along Spring Road, just north of Flying Cloud Drive in Eden Prairie, Hennepin County,

Minnesota. <sup>1</sup> There is a single-family home and three outbuildings on the property. Approximately 14 acres of the property have been used as a tree farm for ornamental evergreen trees. The remainder of the property is covered by mature hardwood trees or fallow land with native species present interspersed among forage grasses such as smooth brome and panicum spp.

The adjoining land to the east and to the north shared similar topography and ecology but was developed to high-density residential beginning in 2004. The properties to the south and to the west are maintained as passive recreation parkland/preserve and are owned and managed by the City of Eden Prairie. The District's acquisition of the Spring Road properties will complete a contiguous corridor following Riley Creek from Lake Riley to the Minnesota River.

The District was first made aware of the development pressures at this location when a developer proposed building 59 single-family homes at this site. A second developer later proposed building 50 homes at the site. Local citizens and advocates for the Frederick Miller Spring, located just off the southwest corner of the parcels, made their opposition known to the development at board meetings of the RPBCWD as well as at meetings of the Planning Commission and City Council for Eden Prairie. In August 2021, RPBCWD issued conditional approval of a permit for the development of the properties. The Spring Valley Friends, a nonprofit organization, brought a lawsuit against the District to challenge the issuance of a permit for the proposed development on environmental grounds, advocating for the conservation of the site. (Spring Valley Friends also sued the City of Eden Prairie regarding the proposed development of the properties.)

While the District defended against the challenge to the permit, it also began exploring the potential acquisition of the site in April 2023, and these discussions continued into September 2023. The District commissioned an appraisal of the site, which established the value of the three parcels at \$5,850,000.

#### ECOLOGICAL SIGNIFICANCE OF THE PROPERTIES

RPBCWD has identified several important reasons why this property should be protected from development:

*Location:* In addition to its significance as the final link in a continuous green corridor from Lake Riley to the Minnesota River, this property was included in the Minnesota Department of Natural Resources (MN DNR) 2008 Regional Ecological Corridor Plan. As noted, the Frederick Miller Spring, located immediately adjacent to the property, is an amenity recognized and utilized by citizens not only from adjacent areas, but the entire state. The property is also immediately adjacent to the Prairie Bluff Conservation Area. This 60-acre prairie has been restored and is managed by Hennepin County and the City of Eden Prairie.

1-The northernmost property is at 9875 Spring Road, and the southernmost is at 9955 Spring Road; the third has no address, but has Hennepin County property identification number 28-116-22-32-0005.

(Section 9.13.1 Adopted and Effective November 16, 2023)

*Topography:* The area is dominated by steep slopes, ranging from 6 percent to well over 30 percent. Most of the site is characterized by slopes of 18 percent slopes or greater. A portion of the property has been identified by the District as an area at high risk for erosion. This results not only from its steep slopes, but also from its sandy soils. The site also provides one of the few undeveloped scenic vistas of the river valley within the metro area. Public ownership of this land would allow for public enjoyment of this attribute. There are hundreds of seeps within the lower valley. The District has begun inventorying those within the District boundaries and will continue to do so.

*Ecology:* The MN DNR County Biological Survey has identified Dry-prairie (sand-gravel subtype) on or in the near vicinity of the property. This is an imperiled community, 99 percent of which has been lost since white settlement of the area. The MN DNR Natural Heritage Database indicates that kitten-tail, a threatened plant species, can be found in the area, and kitten-tail has been found on the property. The Natural Heritage Database also lists patella evening primrose, a special-concern plant, in the area. The area is a high-potential zone for rusty patched bumble bee. The properties are part of the MN DNR 2008 Regionally Significant Ecological Area, and are considered a site of biodiversity significance. Riley Creek, an impaired water, and a flood plain wetland are located on the property. The District's long-term plan for this site includes restoration of natural habitat.

*Other Public Benefits:* The District will actively seek partners for educational opportunities at the site. The District's intends to preserve and restore sensitive natural areas on the site, and to explore the possibility of an interpretive center and District office within the existing homestead building area. The District could partner with the City of Eden Prairie and others to continue the trail that is in the Prairie Bluffs Conservation Area and to connect it to the Hennepin County and Three Rivers trail system. The site also presents the opportunity for the District to intensively study the water-quality and soil-health benefits of native vegetation and prairie habitat.

#### PRIORTIZATION SCORING:

The District engineer prepared a prioritization scoring of this project, relative to the development of the property.

Metric	Score	Comments
<b>Goal Index</b>	5	<ul style="list-style-type: none"> <li>• Protect, manage, and restore water quality of District lakes and creeks to maintain designated uses.</li> <li>• Preserve and enhance the quantity, as well as the function and value of District wetlands.</li> <li>• Preserve and enhance habitat important to fish, waterfowl, and other wildlife.</li> <li>• <del>Promote the sustainable management of groundwater resources.</del></li> <li>• Protect and enhance the ecological function of District floodplains to minimize adverse impacts.</li> <li>• Limit the impact of stormwater runoff on receiving waterbodies</li> </ul>
<b>Sustainability Index</b>	7	44 pts from modified envision tool (see ~envisionProScoring worksheet for more info)
<b>Volume Management Index</b>	1	no volume benefits
<b>Pollutant Management</b>	1	no pollutant benefit due to stabilization benefit
<b>Stabilization</b>	3	Based on restoration potential per Creek Restoration Action Strategy
<b>Habitat Restoration</b>	7	Primary purpose is habitat preservation/restoration that would be lost due to development
<b>Partnership</b>	7	Partner(s) with financial support - Understand there are potential funds to help purchase
<b>Education</b>	7	Project is adjacent to public trail and other public land that is easily accessible
<b>Watershed Benefit</b>	1	minimal watershed benefits, downstream site location
<b>Total Benefit Score</b>	39	

(1) See Section 4 of 10-Year Watershed Management Plan for additional details about the RPBCWD prioritization methodology and associated descriptions for the variables used to assess multiple project benefits.

As set forth in Section 4.1.10.1 of the District’s Watershed Management Plan, RPBCWD will consider implementing a potential opportunity project only if it achieves a minimum score of 30. Section 9.13 also provides that projects scoring above the minimum threshold (30 points) will be carried forward, and the Board of Managers determined that it is appropriate to proceed

with this Plan amendment because the acquisition otherwise does not fall within an existing District program.

The prioritization score includes 7 points for one or more partners with financial support. The District has received a proposal from Hennepin County to contribute \$500,000 in cooperation with the Minnesota Land Trust in exchange for a conservation easement on the property. The District intends to continue discussions with the county and Minnesota Land Trust concerning the scope and terms of this proposal during the feasibility period under the assignment agreement. The District is also exploring potential collaboration with the City of Eden Prairie on the trail extension and other site restoration projects on the site. It should be noted that even without a financial partner for the project, collaboration with a single partner receives 3 points in the prioritization scoring, and with multiple partners without financial support receives 5 points. See Section 4.1.8 of the Watershed Management Plan, page 4-10.

#### ESTIMATED COSTS AND FUNDING PLANS:

The District proposes to purchase the Spring Road properties for \$5,775,000. The District estimates that consultant and legal costs will be approximately an additional \$75,000. As noted above, the District is exploring a potential \$500,000 contribution toward the acquisition from Hennepin County and the Minnesota Land Trust.

In coming years, RPBCWD will assess the viability and determine the likely costs of habitat restoration, potential trail connection, and an interpretive center will be studied.

The District intends to certify the costs of this project and enter into a cooperative financing agreement with Hennepin County, whereby the costs of the project will be paid over a term of 20 years through the District's ad valorem tax levy on all properties in the District in Hennepin County and Carver County.

#### **9.14 Amendments to Plan**

This Plan will guide District activities through 2028, or until superseded by adoption of a subsequent Plan. Amendments to this Plan will follow the procedures described in this section and will proceed in accordance with the process provided in Minnesota Rules 8410.0140. Plan amendments may be proposed by any person to the Board of Managers, but only the Board of Managers may initiate the amendment process. All recommended plan amendments must be submitted to the District in writing, along with a statement of the problem and need, the rationale for the amendment, and an estimate of the cost. Only significant changes or additions to goals, policies, standards, administrative procedures or capital improvements as described in the Plan will prompt the District to amend the Plan.

Amendments to this Plan will be presumed to be subject to the minor-amendment review process provided in Minnesota Rules 8410.0140, subpart 2. This assumption is based on several factors:

(Section 9.13.1 Adopted and Effective November 16, 2023)