



## **AGENDA ITEM # 6.2 B**

### **REPORT TO CITY COUNCIL**

**Report Prepared by: Dawn Bittner**

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**Date:** May 7, 2019

**Subject:** Wetland Conservation Act – Proposal for WCA Administration

**Report:** As outlined in 6.2 A, local units of government are required to provide administration of the WCA either with knowledgeable and trained staff or secure a qualified delegate. If Resolution 19-13 was adopted in 6.2 A, the City must designate a qualified delegate to provide the services through 2019. WSN has the experienced personnel to administer the WCA for the City and Tim Houle has provided a proposal.

In the past 17 years, City Staff has only requested assistance from Crow Wing County Soil and Water Conservation District 3 times; the fees for those requests were passed on to the property owners.

**Council Action Requested:** Council motion authorizing WSN to provide administration of the Wetland Conservation Act of 1991 for the City until such time as Crow Wing County agrees to provide these services for local government units within Crow Wing County.

April 30, 2019



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WidsethSmithNolting.com

Honorable Mayor and Council Members  
City of Pequot Lakes  
4638 Main Street  
Pequot Lakes, MN 56472

**RE: Proposal for WCA Administration  
Pequot Lakes, MN**

Honorable Mayor and Council Members:

This is in response to an April 25, 2019 email Mr. Justin Burslie from Sourcewell sent to our office, copying Dawn Bittner with the City, on Wetland Conservation Act (WCA) Administration.

As you know, the Crow Wing Soil and Water Conservation District (CWSWCD) was the previous administrator of the WCA for the City. Unfortunately, CWSWCD is no longer providing this service.

Widseth Smith Nolting (WSN) has the experienced personnel in our Baxter office to administer the WCA for the City.

WSN would provide the following services:

1. Calls requesting information – no charge
2. Calls from city staff with general questions – no charge
3. Site visits for complaints – no charge
4. Visits to meet with property owners who have questions – no charge
  
5. Reviewing applications – charged
6. Preparing the distribution forms – charged
7. Reviewing reports – charged
8. Attending Technical Evaluation Panel (TEP) meetings – charged
9. Preparing and distributing decision forms charged

The charge rate would be \$105.00/hour for time when we are dealing with formal submittals such as those listed above.

These costs would be billed to the City. Generally, cities set up a fee structure to pass all, or some, of these costs to the applicant.

Only as a guide – as each situation varies – following are some estimated costs for standard WCA projects:

- In general, a wetland delineation submitted for review and approval with a site visit is going to take about four hours or \$420.
- A simple wetland exemption application will also take about four hours or \$420.



- A wetland replacement plan or sequencing application would take about 10 hours including reviewing the application, preparing WCA forms, attending a TEP meeting, and preparing decision documents, so \$1050.

If a project appears it would exceed these estimated costs because it is a large area or complicated, WSN would communicate with City staff and the applicant to give an estimate of what those costs would likely be.

WSN would handle all the WCA duties, but we are requesting some administrative help from the City to send us the applications, process our bills, and bill applicants.

If the City wants to set up a formal Fee Schedule, we would work with the City on that option. But, for this year, at least, we believe approaching it based on hourly billing is the preferred method.

We plan on being at your May 7th City Council meeting to discuss this proposal and, if needed, adjust it so we can provide you the responsive, economical, useful, and efficient service.

If you are in agreement with this proposal, please sign and return one copy of this letter for our records. We appreciate the opportunity serve the City.

**Widseth Smith Nolting**

A handwritten signature in black ink that reads "Timothy M. Houle". The signature is written in a cursive style with a large initial 'T'.

Timothy M. Houle, P.E.  
Civil Engineer | Vice-President

c: Dawn Bittner, Pequot Lakes  
Justin Burslie, Sourcewell  
Brian Ross, WSN  
WSN File



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**Accepted by the City of Pequot Lakes:** The above proposal is satisfactory and WSN is authorized to do the work as specified and in accordance with the above scope of work. Payment will be made monthly in accordance with the above billing approach.

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Printed Name

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Mayor  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
City Administrator  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date