

RESOLUTION NO. 2503-09

**A RESOLUTION OF THE TOWN COUCIL OF THE TOWN OF WINDSOR
AUTHORIZING THE TOWN MANAGER TO EXECUTE AGREEMENTS FOR
PLANT AND WETLAND MITIGATION CREDITS FOR KEISER PARK
PHASE I**

WHEREAS on May 21, 2008, the Town Council approved the Keiser Park Master Plan including the associated Environmental Impact Report (EIR); and

WHEREAS the EIR found that the development and improvement of Keiser Park could result in impacts to wetlands as well as federally listed plant species; and

WHEREAS the EIR provides various mitigation measures to address impacts to wetlands and listed plant species including avoidance of impacts and minimization through project design; and

WHEREAS the Keiser Park Master Plan was designed to avoid impacts to wetlands, however some impacts were determined to be unavoidable; and

WHEREAS Mitigation Measures C-1c of the Keiser Park EIR recommends compensatory mitigation to offset impacts to wetlands and listed plant species; and

WHEREAS purchase of mitigation credits in accordance with established ratios at a mitigation or preservation bank in accordance with the requirements of the Federal and Sate Regulatory agencies is required to mitigate impacts to wetlands and associated listed plant species; and

WHEREAS an agreement for purchase of plant mitigation credits from Alton North Conservation Bank was provided to the Town by Alton Preserve LLC; and

WHEREAS an agreement for purchase of wetland mitigation credits from Hazel Mitigation Bank was provided to the Town by Hazel Mitigation Preserve LLC; and

WHEREAS purchase of plant and wetland mitigation credit satisfies the requirements of the US Army Corp of Engineers, US Fish and Wildlife Service and Regional Water Quality Control Board.

NOW, THEREFORE BE IT RESOLVED that the Town Council authorizes the Town Manager to execute the agreements for a not to exceed amount of \$265,000.

PASSED, APPROVED AND ADOPTED this 15th day of July 2009, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON AND
MAYOR GOBLE

NOES: NONE


ABSTAIN: NONE

ABSENT: COUNCILMEMBER SCHOLAR



ROBIN R. GOBLE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK