

## Agenda Brief: Otter Tail River Recreational Trail Acquisition Amendment Request

June 5, 2018

### Summary

The City of Fergus Falls has requested an amendment to the proposed scope and outcomes of the project that was funded in M.L. 2016, Chp. 186, Sec. 2, Subd. 09g.

Changes to the appropriation language were included in the ML 2018 ENRTF bill that provide flexibility for the Commission to act on the requested change.

According to the *Procedures of the LCCMR* Adopted September 23, 2008, staff is referring this requested amendment to the full commission due to its size and/or the significance of impact on the intended effect of the program.

Fergus Falls staff and representatives will provide information on the requested changes and why they are needed. They will also provide an update on how environmental cleanup is being managed in order to comply with the appropriation language that prohibits the city from accepting liability of any contamination of lands acquired with the appropriation.

### Legislative Changes in ML 2018 :

#### *Appropriation Language (as amended):*

\$600,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the City of Fergus Falls to acquire ~~approximately 16 acres~~land along the Otter Tail River for a recreational trail and park. This appropriation is contingent on at least a 40% match ~~of \$400,000~~ of non-state money. Prior to the acquisition, a phase 1 environmental assessment must be completed and the city must not accept any liability for previous contamination of lands acquired with this appropriation.

#### *Availability of Appropriation:*

Extended to June, 30, 2020 (subject to work plan amendment approval).

### Work Plan Amendment Request:

The City of Fergus Falls Requests to:

1. Revise the project duration by two years so that it ends as of June 30, 2020.
2. Revise the size of the ENRTF encumbered parcel from 16 acres to approximately 11 acres
3. Revise the shape and location of the ENRTF encumbered parcel so that it is of approximately equal depth across the parcel but sufficient to include those uses as illustrated in the Downtown Riverfront Master Plan and on the attached drawing. (Also attached is the original parcel map as provided in the project proposal)
4. Change the Landowner (seller) from Steve Cheney (Cheney Properties) to Fergus Falls Port Authority
5. Change the match to 40% non-state instead of the \$400,000 match

### LCCMR Action Requested:

Discuss requested work plan amendment and vote to approve/ deny/ or request modifications.

# Otter Tail Acquisition As Originally Proposed 2016

PROPOSED 16.6 ACRE ENCUMBERED LCCMR GRANT REQUEST 182-G



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