

RESOLUTION 21-224

**A RESOLUTION TO APPROVE PURCHASE OF STORMWATER MITIGATION
STREAM CREDITS FOR THE NORTHERN SEGMENT OF THE BUCKNER LANE
WIDENING PROJECT**

WHEREAS, the City of Spring Hill has committed to widen Bucker Lane as part of the I-65 Interchange project; and

WHEREAS, a portion of Aenon Creek in the northern segment of the project needs to be realigned and mitigated during the construction phase of the widening; and

WHEREAS, it is required to use existing City credits for mitigation, or to purchase credits if the City does not have any, to obtain the Corps of Engineers and TDEC permits; and

WHEREAS, the City does not have any available credits but can reserve the required 137.3 functional fee stream credits through Headwaters Reserve, LLC at a cost of \$2,000 per credit; and

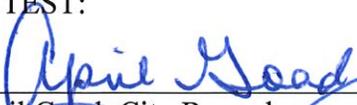
WHEREAS, funding for the reserve of the stream credits in the amount of \$274,600 would be in the Impact Fee Fund.

NOW, THEREFORE BE IT RESOLVED, the City of Spring Hill Board of Mayor and Aldermen approve the purchase of stormwater mitigation stream credits for the northern segment of the Buckner Lane widening project.

Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 20th day of December, 2021.


Jim Hagaman, Mayor

ATTEST:



April Godd, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: *Approval of Resolution 21-224*

SUBMITTED BY: Missy Stahl, CIP Manager

DATE: December 20, 2021

RE: To approve purchase of stormwater mitigation credits for the northern segment of the Buckner Lane widening project

PURPOSE:

To approve Resolution 21-223 to approve the purchase of stormwater mitigation stream credits for the northern segment of the Buckner Lane widening project

BACKGROUND:

The City of Spring Hill is currently in the process of acquiring ROW and easements along the northern segment (Buckner Road to the north corner of Wades Grove) of the Buckner Lane widening project. Aenon Creek will need to be aligned as part of the construction phase. In order to impact an existing creek, a permit is required from the Corps of Engineers and TDEC. Mitigation credits are needed to obtain the permit. The City does not have any existing credits and will need to purchase the required 137.3 credits. These credits can be reserved through Headwaters Reserve, LLC for a cost of \$2,000 per credit.

FINANCIAL IMPACT:

Funding for the purchase of the credits would be from Impact Fees Fund utilizing available fund balance in the amount of \$274,600.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 21-224 to approve the purchase of stormwater mitigation stream credits for the northern segment of the Buckner Lane widening project



December 9, 2021

Ms. Pamela S. Caskie
City Administrator, City of Spring Hill
199 Town Center Parkway
Spring Hill, TN 37174

Delivered via electronic mail to: Colter.Williams@kimley-horn.com

Dear Ms. Caskie:

Subject: Duck River Mitigation Bank, LRN-2021-00085
Credit Reservation Letter for City of Spring Hill

Headwaters Reserve, LLC is pending an initial credit release for the Duck River Mitigation Bank located in Bedford County, Tennessee. Per an email exchange with Kimley-Horn, the consultant representing the City of Spring Hill, the City is requesting to reserve approximately 137.3 functional feet (FF) stream credits for pending Corps and TDEC permits for the Buckner Lane Widening Project located in the City of Spring Hill in the Lower Duck Watershed (HUC – 06040003) and within the Duck River Mitigation Bank’s Service Area. Headwaters Reserve, LLC will have sufficient FF stream credits available upon the initial credit release for the Duck River Mitigation Bank upon approval of the Mitigation Banking Instrument currently under review. Headwaters will reserve these credits for 30 days from the date of the initial credit release. The price is \$2,000 per FF credit or a total of \$274,600.

Headwaters Reserve, LLC requires a 10% nonrefundable deposit to reserve credits. Upon signature of the attached Purchase Agreement and receipt of deposit, Headwaters Reserve, LLC will reserve the 137.3 FF credits for 30 days from the date of the initial credit release. The 10% deposit for the requested 137.3 FF stream credits is \$27,460. In the event that the Duck River Mitigation Bank MBI gets denied, the 10% deposit will be refunded in full to City of Spring Hill.

Headwaters Reserve, LLC appreciates the opportunity to provide mitigation services for the City of Spring Hill. If you need anything further, please do not hesitate to contact me.

Sincerely,

Headwaters Reserve, LLC


Cole Liggett, PWS
Manager