



## Legislation Text

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**File #:** RES 21-481, **Version:** 1

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Supporting the development of the proposed Wakan Tipi Center in the Bruce Vento Nature Sanctuary, and determination that a portion of the conservation easement held by the Minnesota Department of Natural Resources in the Nature Sanctuary property is required for construction of the Center in furtherance of Parks and Recreation programming.

WHEREAS, on November 22, 2002 the City of Saint Paul ("City") purchased 27 acres of vacant former railroad property, located southeast of downtown Saint Paul near the intersection of Fourth Street East and Commercial Street, for the purpose of creating a unique urban recreational experience known as the Bruce Vento Nature Sanctuary ("Nature Sanctuary"); and

WHEREAS, concurrent with the City's purchase of the Nature Sanctuary property, the State of Minnesota, through the Metro Greenways Program managed by the Department of Natural Resources ("DNR"), purchased a 17-acre conservation easement within the Nature Sanctuary in furtherance of its goal to protect and manage greenway corridors and natural areas in the seven-county metropolitan area; and

WHEREAS, the City and the DNR entered into the conservation easement on November 22, 2002, and recorded on November 27, 2002 as Document Number 3558591 in the Ramsey County Recorder's Office, and recorded on January 3, 2003 as Document Number 1723715 in the Ramsey County Registrar of Titles Office; and

WHEREAS, over the next two years the City improved the Nature Sanctuary property by remediating contaminated soils, developing ponds and streams, and constructing trails throughout the site, including restoration of the conservation easement area to a more natural state; and in 2004 the Nature Sanctuary was opened to the public; and

WHEREAS, the Lower Phalen Creek Project ("LPCP"), a non-profit corporation whose purpose is to engage people to honor and care for our natural places and the sacred sites and cultural value within them, played a key role in the funding and development of the Nature Sanctuary and has remained a major partner with the City in its efforts to protect, enhance and improve the Nature Sanctuary, is again actively partnering with the City's Parks and Recreation Department ("Parks and Recreation") and the community to create a long-desired community gathering place and interpretive center, and a welcoming enhancement to the Nature Sanctuary property, to be called the Wakan Tipi Center ("Center") in honor of Wakan Tipi Cave, a Dakota sacred site located within the Nature Sanctuary; and

WHEREAS, the City, with LPCP's assistance, has received grant funding from the State of Minnesota through the Metropolitan Council to plan, design, construct, furnish and equip the Center in the Nature Sanctuary for programs that the City determines meet regional and city park-purpose requirements; and

WHEREAS, Parks and Recreation and the LPCP propose to construct a 9,000 square foot building to house a variety of arts, cultural, educational and environmental programs and community gatherings and events as requested by East Side and Lowertown neighborhood residents and visitors, and Dakota community members statewide. The Center will also provide restroom facilities for visitors to the sanctuary and its trails. For residents and visitors, it will be a place to appreciate the natural world, learn how to promote conservation, and celebrate unique traditions and natural values. The Center will complement, enhance and support the City's cultural and environmental interpretation programming for the Nature Sanctuary; and

WHEREAS, the proposed location of the Center is a 3.6-acre area in the northwest corner of the Nature Sanctuary property, as legally described and depicted in Exhibit A attached hereto, which due to practical concerns such as access, slope, proximity to floodplain, underground utilities and overhead right-of-way, is the ideal location for the Center, and which is also encumbered by the DNR's conservation easement that does not allow building construction; and

WHEREAS, the conservation easement is bond financed property within the meaning of Minn. Stat. § 16A.695 and the DNR must obtain written approval of the Minnesota Commissioner of Finance to release the property; and

WHEREAS, the City desires to release the 3.6-acre portion of the conservation easement area where the Center would be located from the terms and conditions of the conservation easement, and the DNR supports the release in order to facilitate construction of the Center; and

WHEREAS, following construction, LPCP will lease the building and surrounding grounds from the City and will provide staffing and programming for the Center, offering exhibits, programs, tours, workshops and classes to the public, and providing visitor amenities, including food, retail and other park-visitor enhancements consistent with city park purposes and in accordance with LPCP's three primary objectives: 1) to honor, accurately interpret and educate the community about the rich and diverse cultural and natural history and features of the site and the Lower Phalen Creek corridor; 2) to honor the significance of Wakan Tipi Cave as a Dakota sacred site; and 3) to create a gathering place and visitor facility for the community and guests in the area; Now, therefore, be it

RESOLVED, that the City Council hereby declares that the City of Saint Paul continues to strongly support the development of the proposed Wakan Tipi Center in the Bruce Vento Nature Sanctuary, as described above, and further determines that the City supports DNR's application to Minnesota Management and Budget to allow the partial vacation and release of the conservation easement on the 3.6-acre parcel, as legally described in Exhibit A, which will allow the reimbursement of the easement. The easement release will make possible the construction and operation of the Center and furtherance of Parks and Recreation programs and implementation of the Great River Passage Master Plan; and be it further

RESOLVED, that the City Council gratefully acknowledges the support of the DNR and Minnesota Management and Budget for the release of the 3.6-acre conservation easement area described above, and expresses its sincere appreciation for the leadership and assistance of the Lower Phalen Creek Project in its efforts to develop the Center.