

Resolution No. \_\_\_\_\_, Passed \_\_\_\_\_, 20\_\_\_\_

**RESOLUTION 8-13**

**A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT AND/OR CONTRACTS TO PURCHASE ONE (1) ACRE OF LAND FOR WETLAND MITIGATION CREDITS WITH THE U.S. ARMY CORPS OF ENGINEERS AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Orrville, Ohio, in the construction of the Raspberry Rd. loop, will disturb some wetlands; and

**WHEREAS**, the discharge of dredge or fill material into waters of the United States and waters of the State of Ohio, including wetlands, is regulated pursuant to Section 404 of the Clean Water Act, 33 U.S.C. §1344, and/or Ohio Revised Code Chapter 6111; and

**WHEREAS**, entities planning to place dredged or fill material into waters of the United States or waters of the State of Ohio, including wetlands, must comply with standards and conditions imposed by the Army Corps of Engineers (the "Corps") and/or Ohio Environmental Protection Agency ("Ohio EPA") including, in many cases, the mitigation of wetland impacts; and

**WHEREAS**, efforts to restore wetlands are often most successful when directed toward the establishment of large, varied wetland ecosystems rather than small, isolated wetlands which are often threatened by urban encroachment; and

**WHEREAS**, the Red Stone Farm, LLC has participated in the Interagency Review Team ("IRT") review process and received approval from the IRT (which includes the Corps and Ohio EPA) to establish the Red Stone Farm Mitigation Bank and to sell wetland mitigation credits to entities required to mitigate for impacts to wetlands and other waters pursuant to the Section 404/401 permit process and Ohio's Isolated Wetland Permit process; and

**WHEREAS**, the Corps and the Ohio EPA have agreed to consider the purchase of wetland mitigation credits in an appropriate service area approved by the IRT to fulfill an entity's requirement to mitigate wetland impacts; and

**WHEREAS**, it will be less expensive and burdensome for the City of Orrville, Ohio to purchase wetland mitigation credits through Red Stone Farm, LLC, than to maintain its own wetlands as required by the Corps and/or Ohio EPA.

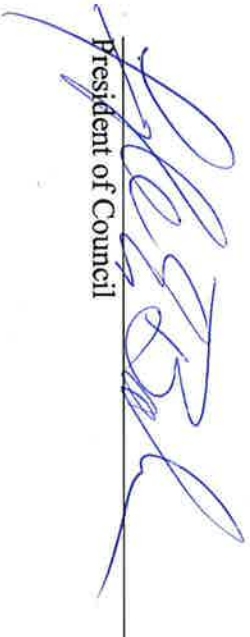
**BE IT RESOLVED** by the Council of the City of Orrville, Ohio:

Section 1: That the Safety-Service Director is hereby authorized to enter into a contract and/or contracts with Red Stone Farm, LLC for the purchase of one acre of land for wetland mitigation credits with the U.S. Army Corps of Engineers.

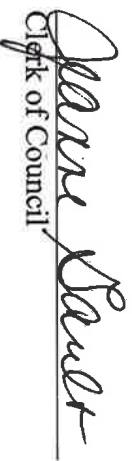
Section 2: That this Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the City of Orrville, and therefore, this Resolution shall be in effect immediately after its passage and approval by the Mayor.

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Passed this 4<sup>th</sup> day of March 2013.

  
\_\_\_\_\_  
President of Council

Attest:

  
\_\_\_\_\_  
Clerk of Council

Approved:

  
\_\_\_\_\_  
Mayor

Date 3/4/13 \_\_\_\_\_