

#### **Resolution 2018-4: Agreement for Cove Development Wastewater Treatment System**

**WHEREAS**, Watab Township has approved a draft Memorandum of an Agreement between the MPCA and Watab Township regarding building permits in a development called "The Cove" in Watab Township, Benton County; and

**WHEREAS**, the purpose of this agreement is to come to an understanding regarding the issuance of building permits by Watab Township to individuals who want to build within The Cove and to limit the number of permits to 90% of the permitted sewer system effluent discharge limits as determined by the MPCA; and

**WHEREAS**, there has been recent interest regarding the development and additional lots are currently being sold and built upon by residential builders, and there has been some interest in the reopening of the Pirate's Cove Restaurant; and

**WHEREAS**, the developers of the project are desiring to finish the treatment system but have not the financial wherewithal to develop the sewage treatment as originally designed for the entire development, and it would not be in the best interest of the environment to operate a plant that has much more capacity than is currently needed; and

**WHEREAS**, treatment technology has also changed over the last ten years which would produce a better effluent more cheaply allowing more money to be available for monitoring and operating the treatment system; and

**WHEREAS**, the developer would like to construct a smaller, more affordable version of the final system that is appropriately scaled for the immediate needs of the approved development as it occurs, allowing them to construct a new system now as they can afford to do so; and

**WHEREAS**, the MPCA needs to be certain that the effluent from The Cove is treated safely and effectively, and there is a two-fold problem that needs to be addressed: (1) How big to build the new treatment system and (2) how the MPCA can be guaranteed that the development will not exceed the treatment capacity of the new system; and

**WHEREAS**, currently that guarantee is by having the developer build out the system completely for the entire approved phased of the development; and

**WHEREAS**, Watab Township already has another development within its borders that has had problems with its sewage treatment system and general infrastructure development; and

**WHEREAS**, the township and residents of a development could face serious difficulties with a failed sewage treatment system; and

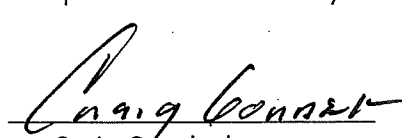
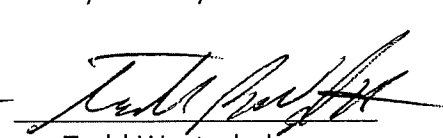
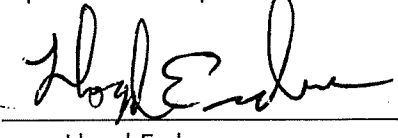
**WHEREAS**, the township wants to assist the MPCA with a guarantee that the new proposed treatment system capacity not be exceeded, both for treating the quality and the quantity of the influent; and

**WHEREAS**, the MPCA does not have the ability to stop the issuance of building permits, and Watab Township can do so; and

**WHEREAS**, with an agreement between Watab Township and MPCA for monitoring building permits, the developer of The Cove could build an appropriately sized treatment system for the number of buildings it intends to provide service for; and once the threshold is reached as determined by MPCA, the developer of The Cove would need to expand the system before more building permits would be issued by the township;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that Watab Township and MPCA partner in monitoring the building permits, such that the quality and quantity of the waste can be safely treated by limiting the number and type of building permits to a threshold pre-determined by the MPCA. Once this pre-determined level of permits has been met, the Township would refuse to issue any further building permits in The Cove. The proposed level of service currently considered is 14,000 gallons per day. At 75 gallons per capita with 3 people on the average per home, this first system would treat 62 homes including the 8 homes already constructed.

Adopted this seventh day of February 2018 by the Watab Township Board of Supervisors:

		
Craig Gondeck	Todd Waytashek	Lloyd Erdmann

Attested by Clerk Pat Spence: 