

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-6019

COUNCIL SPONSOR: BLANCHARD/BRISTER PROVIDED BY: FINANCE

RESOLUTION TO FORMALLY CREATE THE CANE BAYOU MITIGATION BANK (SECTIONS I & 2); AND TO PROVIDE FOR THE ESTABLISHMENT AND FUNDING OF TWO ESCROW ACCOUNTS REQUIRED FOR SECTION I OF THE BANK&'S 1) CONSTRUCTION & ESTABLISHMENT, AND 2) LONG TERM, PERPETUAL MAINTENANCE & PROTECTION THEREOF; AND ALLOWING THE PARISH PRESIDENT TO EXECUTE ALL INSTRUMENTS, SERVITUDE AND ESCROW AGREEMENTS, AND OTHER DOCUMENTS AS REQUIRED FOR THIS PURPOSE AS DETAILED IN THE FEDERALLY APPROVED CANE BAYOU MITIGATION BANKING INSTRUMENT AND ATTACHMENTS.

WHEREAS, the Parish Council, acting as governing authority, adopted Resolution C-3722 on May 3, 2013 naming the Cane Bayou Mitigation Bank as the first mitigation bank in St. Tammany Parish to be established for the purpose of rebuilding our coastal wetlands, and critical and sensitive areas connected to our bayous, rivers, and streams and as a means of moving parish capital projects requiring wetlands mitigation forward; and

WHEREAS, the Cane Bayou Mitigation Bank will be comprised of 1,165.5 acres of land and will be developed in two Sections – Section I being 707.9 acres and Section II being 457.6 acres; and

WHEREAS, the Parish has worked with all relevant State and Federal Agencies to create the Mitigation Banking Instrument and Servitude Agreements for the entire 1,165.5 acre Cane Bayou Mitigation Bank; and has worked with those Federal and State Agencies to create a Work Plan, Escrow Agreements and other required documents for the 707.9 acres of Section I of the Bank; and

WHEREAS, the U.S. Army Corps of Engineers (CEMVN), and other cognizant federal and state agencies have reviewed and approved the Banking Instrument and Servitude Agreements for the entire Cane Bayou Mitigation Bank, along with the Section I Work Plan and Escrow Agreements as "MVN 2009-02402, Longleaf Pine Wetlands Rehabilitation Project, St. Tammany Parish, Louisiana"; and

WHEREAS, Council Resolutions in 2014 appropriated funding for the purpose of establishing the Cane Bayou Mitigation Bank; and

WHEREAS, Section I of the Cane Bayou Mitigation Bank has been approved to yield 1,381.5 Pine Savannah Mitigation Credits needed for current and future St. Tammany Parish Capital and Infrastructure projects.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES, through its Parish Council acting as governing authority and with the purposes, reasons and requirements herein above stated, to proceed with executing the Cane Bayou Mitigation Bank Instrument, Servitude Agreements and Section I Escrow Agreements by Parish President Patricia Brister.

BE IT FURTHER RESOLVED that Parish President Patricia Brister be authorized to open and fund the CBMB Construction and Establishment Escrow Account with Hancock-Whitney Bank, and to initiate the funding process for the CBMB Long Term Maintenance Escrow account to be held at Hancock Whitney Bank as described in the Section I Work Plan.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 1 DAY OF NOVEMBER, 2018,
AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING
PRESENT AND VOTING.

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

Administrative Comment
Creation of the Cane Bayou Mitigation Bank (CBMB) – November 2018

To authorize the Parish President to execute the documents necessary to finalize the creation of the Cane Bayou Mitigation Bank. The Bank credits will be used by to satisfy mitigation as required for Parish capital projects. The funding for the construction and establishment of the mitigation bank was appropriated in 2014.