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To <u>DE BRUSCA</u>	From <u>L. NELSON</u>
Co. <u>VDNR</u>	Co. <u>CITY OF MADISON</u>
Dept.	Phone #
Fax # <u>275-3338</u>	Fax #

Agenda Item No. _____
 Copy Mailed to Alderpersons _____

Madison, Wisconsin

A SUBSTITUTE RESOLUTION
 declaring that the Common Council
 finds that the construction of the
 Monona Terrace Community and
 Convention Center will have no
 significant adverse environmental
 impact on Lake Monona.

Presented 10/5/93 "TITLE"
 Referred Commission on
Environment
 Rereferred Comm. on Env., CC 11-16-93
(11-2-93)
 Reported Back CC Mtg 11/16/93
NOV 16 1993
 Adopted POF
 Rules Susp. _____ Tabled
 Public Hrg. _____

* * * *

Drafted by: John E. Rothschild
 Asst. City Attorney

APPROVAL OF FISCAL NOTE BY THE
 COMPTROLLER'S OFFICE IS NEEDED
 Approved by:

Date: November 16, 1993

[Signature]
 Comptroller's Office
 * * * *

Fiscal Note: The Construction
 Manager selected by the State to
 construct the Monona Terrace
 Project has estimated the cost of
 the mitigation actions proposed in
 the Resolution which were not
 included in the original project
 budget to be \$50,000. The
 prototype stormwater management
 system could cost an additional
 \$50,000, some or all of which may
 be eligible for grants. The
 original project budget includes a
 contingency in the amount of
 \$3,300,000 which can appropriately
 be used to cover these costs. The
 Construction Manager will include
 these costs in the Guaranteed
 Maximum Price to construct the
 project.

SUBSTITUTE
 RESOLUTION NO. 50,515
 ID NO. 13,974

SPONSOR(S): Mayor Paul R. Soglin
 Alds. S. Bauman,
 W. Bigelow and
 J. MacCubbin

WHEREAS, in July, 1990, the City of Madison established the
 Monona Terrace Commission to study Frank Lloyd Wright's 1958 Monona
 Terrace plans for use as a Community and Convention Center; and

WHEREAS, in October, 1991, the Monona Terrace Commission recommended that the City of Madison proceed with plans to build Monona Terrace; and

WHEREAS, the Common Council accepted the report of the Monona Terrace Commission; and

WHEREAS, in April, 1992, the State of Wisconsin approved \$18.1 million of funding for Monona Terrace; and

WHEREAS, on November 3, 1992, the voters of the City of Madison approved the building of Monona Terrace by answering affirmatively a referendum question which provided:

"Shall the City of Madison construct the Frank Lloyd Wright Monona Terrace Community and Convention Center at Law Park at a total cost not to exceed \$63.5 million in 1992 dollars (as adjusted by the U. S. All Urban Consumer Price Index), provided there will be no significant adverse environmental impact on Lake Monona?"

WHEREAS, in March, 1993, Dane County agreed to provide \$12 million in funding for the construction of Monona Terrace; and

WHEREAS, in July, 1992, the City of Madison established a scoping committee to recommend the scope of the Environmental Impact Statement prepared for the Monona Terrace Project; and

WHEREAS, in August, 1992, the Wisconsin Department of Administration announced its intent to prepare an Environmental Impact Statement (EIS) in soliciting public comments on the scope of the EIS for the Monona Terrace Project; and

WHEREAS, on September 2, 1992, the Wisconsin Department of Administration sent copies of a preliminary list of potential impacts to the Secretaries of the Departments of Natural Resources and Transportation, and to the Director of the State Historical Society; and

WHEREAS, on October 13, 1992, the Department of Administration issued a "Notice of Availability of Draft Impact Statement" soliciting public comments and comments from interested state agencies on the draft Environmental Impact Statement; and

WHEREAS, on December 15, 1992, the Department of Administration held a public hearing on the draft Environmental Impact Statement; and

WHEREAS, on July 20, 1993, the Department of Administration issued a notice of availability of the final Environmental Impact Statement, and solicited public comments; and

WHEREAS, on August 23, 1993, the Department of Administration held a public hearing on the final Environmental Impact Statement to receive public comments; and

WHEREAS, on October 4, 1993, the Department of Administration issued its record of decision in which it found that the Monona Terrace Project is not expected to result in any measurable long-term adverse impacts to air quality, surface or ground water quality, the water quality of Lake Monona, fish resources in Lake Monona, or wildlife resources; and

WHEREAS, on October 18, 1993, the City of Madison Commission on the Environment held a public hearing on the question of whether the construction of the Monona Terrace Community and Convention Center will have any significant adverse environmental impact on Lake Monona; and

WHEREAS, members of the Commission on the Environment and the Common Council have been provided with copies of the transcript of proceedings before the Commission on the Environment on October 18, 1993; and

WHEREAS, members of the Commission on the Environment and the Common Council have had the opportunity to review the Final Environmental Impact Statement and record of decision prepared by the Department of Administration on the final Environmental Impact Statement and the preliminary Environmental Impact Statement; and

WHEREAS, on November 15, 1993, the Commission on the Environment considered this resolution and issued its report and recommended adoption of this resolution; and

WHEREAS, in order to commence construction of the Monona Terrace Project, the City of Madison and the State of Wisconsin must obtain a permit issued by the United States Army Corps of Engineers and an exemption to allow construction on an abandoned landfill from the Wisconsin Department of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED that the Common Council finds that the construction of the Monona Terrace Convention and Community Center will have no significant adverse environmental impact on Lake Monona; and

BE IT FURTHER RESOLVED that Common Council requires that the following mitigation measures shall be undertaken as a part of the design, construction or maintenance and operations of the Monona Terrace Project:

1. The plans and specifications for the Convention Center Project and the Project's Maintenance Plan shall be developed with the following stormwater management goals for the completed project:
 - a) Reduce the sediment and metals in the stormwater runoff to 20% of the estimated present load; and,
 - b) Reduce oil and petroleum in the stormwater runoff to 20% of the estimated present load; and,
 - c) Reduce phosphorus in the stormwater runoff to 50% of estimated present load.
 - d) Due to the unique nature of these goals, staff shall investigate the eligibility of grants for installation and monitoring of these facilities.
2. The plans and specifications for the Convention Center Project and John Nolen Drive shall contain provisions for the application of water or other wetting agents to control construction site particulate matter emissions.
3. The plans and specifications for the Convention Center Project shall provide for silt curtains attached to floats at the surface and anchored to the lake bottom.
4. The plans and specifications for the Convention Center Project shall provide for absorptive booms in-board of the silt curtain to contain petroleum product released during construction.
5. The plans and specifications for the Convention Center Project shall require that fuel, lubricants, and construction materials be stored and handled to minimize the potential for spills and discharge to Lake Monona.
6. The Convention Center Project shall conform to Chapter 37, Madison General Ordinances, regarding erosion and runoff control.
7. The Project's Maintenance Plan shall require weekly inspection and weed and debris removal from the outer wall.
8. The plans and specifications for the Convention Center shall maintain the maximum feasible clearance from the bottom of the building to the surface of Lake Monona.
9. The Convention Center's seawall shall be designed to minimize the effects of wave spray, reflect waves and resist the effects of ice. The design team shall include

an engineer experienced in the effects of ice on shoreline structures.

10. The plans and specifications shall provide that the shoreline shall be protected in accordance with the Shoreline Protection Manual, of the Corps of Engineers, Department of the Army, and approved by the City Engineer.
11. The plans and specifications and the selection of the piling shall address potential scouring of 4-8 feet during period of high lake levels and wave action.
12. The Park Superintendent shall contact the Department of Natural Resources to discuss the design and installation of floating piers to provide for continued shore fishing and the relocation of the handicap fishing platform.
13. The space between the building wall and the dock line shall be designed to provide flexibility in accommodating pedestrians, bicyclists, rollerskaters, and persons with disabilities. The area will include a surface water drainage system. The feasibility of public fishing and of heated walkways will be investigated by the Monona Terrace Design Team.

BE IT STILL FURTHER RESOLVED that if the Monona Terrace Project receives a permit from the Army Corps of Engineers and an exemption from the Wisconsin Department of Natural Resources, then the Monona Terrace Project shall comply with all requirements of the permit issued by the Army Corps of Engineers and conditions of the exemption required by the Wisconsin Department of Natural Resources.