

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	November 23, 2009
	Agenda Item No. 56 Roll Call No. 09- Communication No. 09-828 Submitted by: Donald M. Tripp, Director of Parks and Recreation	

AGENDA HEADING:

Approval of recommendation to construct a multi-use recreational trail connection to McHenry Park.

SYNOPSIS:

Approval of recommendation to construct a trail connection to McHenry Park as part of the rebuilding of Birdland Levee. This trail will connect McHenry Park, the Kiwanis Nature Island and the Neal Smith Trail.

FISCAL IMPACT:

Amount: The estimated costs for the City’s portion of McHenry Trail in the Army Corps of Engineers project are estimated to be \$230,000. Tree mitigation is estimated to be another \$35,000, and the study of McHenry Park, other parks and open space for conservation practices will also include some costs, although the amount is not known at this time.

Funding Source: This will be funded from Fiscal Year 2011 Capital Improvement Plan, Park Improvements, Page 22, Recreation Trail, PKS045; Page 10, Forestry Improvements, PKS146; and Page 29, Urban Conservation Project, PKS167.

ADDITIONAL INFORMATION:

For many years there has been a trail connection along the existing levee between McHenry Park and the Neal Smith Trail, just west of the Kiwanis Nature Island. Over time, the trail connection has deteriorated and it does not meet the slope guidelines for new trails in accordance with the Americans with Disabilities Act. Plans were to eventually close the trail connection because it was no longer viable and it was heavily damaged in the floods of 2008. Also during the floods of 2008, the Birdland Levee was breached and flooded and the Birdland Neighborhood, including several park and recreation facilities, the Neal Smith Trail, Birdland Pool, Birdland Baseball, Birdland Tennis and the Birdland enclosed shelter were flooded. Since that time, the City and the Army Corps of Engineers have accelerated work on a new levee that will better protect the Birdland Neighborhood. Several park and recreation facilities will be impacted by the new levee, so the Parks and Recreation Department has worked extensively with the Army Corps of Engineers to minimize the impact to existing facilities.

During the planning process for the levee, Parks staff asked about the possibility of developing a new trail connection to McHenry Park as part of the levee project. The Army Corps of

Engineers reported that the project was feasible and would meet the Corps' cost sharing guidelines, which would allow 50% of the cost of a trail connection to be funded by the Army Corps of Engineers, if it were constructed at the same time as the levee. In addition, the Army Corps determined that the soil that would be removed for grading of the trail connection could supply some of the soil needs for the levee project. By utilizing the soil from McHenry Park for construction of the levee, the costs for transportation will be reduced, thereby reducing project costs and saving the City the proportionate local share. The opportunity to provide a new trail connection to the park makes the most economic sense during the levee construction process because of the opportunity to use the soil for the levee and because of the cost participation by the Army Corps of Engineers.

The last City Council action on October 12, 2009, approved the Project Partnership Agreement (PPA) with the Army Corps of Engineers that included the respective responsibilities for funding and constructing the Birdland Park levee, improvements to the downtown flood protection system and construction of a multi-use recreational trail from the Neal Smith Trail to Riverview and McHenry Park. On October 12, 2009, Roll Call No. 09-1833 mentioned that the decision regarding the McHenry Park trail connection was pending. By approving the construction of this trail connection, the City Council action will finalize the decision to obtain soil material for the levee construction while providing an accessible trail connection between the proposed levee and Oak Park Avenue through McHenry Park. No further City Council actions are anticipated regarding construction of the Birdland levee by the Corps of Engineers.

Benefits of a Trail Connection:

The proposed trail connection would follow the top of the new levee, which will be built across the center of the Kiwanis Nature Island and to the dead end into the McHenry Park hill. At that point, the trail will follow the south edge of the park to the west and eventually end at the north end of the park near the shelter and restrooms. (See attached map for proposed alignment.) By creating a new accessible trail connection between McHenry Park and the Kiwanis Nature Island, there is a potential to reactivate the two parks and increase the number of people using the parks and reduce undesirable activity. In addition to benefiting the two parks, there are benefits to the surrounding neighborhoods by providing the citizens in the Oak Park and Highland Park neighborhoods better access to the Kiwanis Nature Island, the Neal Smith Trail and all of the Central Iowa Trail System.

Tree Loss and Mitigation of Tree Loss:

Construction of the trail connection will require extensive grading of the hillside on the south side of the park and cause the removal of approximately 113 trees with a circumference of 9 inches or greater. No decision that would cause the removal of any trees comes lightly for staff, so in order to get more expert information to help with determining the staff recommendation to the Park and Recreation Board, staff hired Terracon Consulting to conduct a limited environmental assessment to investigate tree removal, habitat and wildlife. The Terracon study was not intended to be a recommendation, but rather a data gathering assessment that would assist staff in making a recommendation on the trail connection. The assessment identified 113 trees that were of 9 inches or greater in the proposed grading areas for the trail connection. In a few locations they were not able to survey any trees smaller than 14 inches in diameter, so there will likely be a few additional trees between 9 inches and 14 inches in the proposed grading area.

A new tree ordinance and corresponding City policy was recently adopted by the City Council that establishes mitigation of tree loss in the City of Des Moines. This policy will guide staff in preparing for the mitigation requirements of the tree loss. Based on this new policy, it is anticipated that the Park and Recreation Department will need to plant approximately 250 trees to mitigate the removal of the 113 trees above 9 inches in size in the grading limits of the trail.

The Park and Recreation Department has placed significant resources into the reforestation of our urban forest with annual tree plantings. In 2006, the reforestation plan was put into action by the planting of 1,007 trees in the parks system. In 2007, the reforestation effort continued with the fall planting of 360 trees. In 2008, the reforestation effort expanded with a fall planting of 330 trees in a total of 24 parks, 3 cemeteries and 1 community center. In 2009, to continue the reforestation effort for all City parks, a bid proposal for the fall planting of 660 trees in a total of 20 parks, 4 cemeteries, 4 athletic facilities and along 2 recreational trails was awarded by the Des Moines City Council on October 26th. All 660 trees will be planted before the spring of 2010. In addition to all these trees planted, the Park and Recreation Department has budgeted funding in the six year capital budget to continue reforestation efforts throughout the system.

Decision Making Process:

On August 26, 2009, a neighborhood meeting was held with the Oak Park, Highland Park, River Bend and Union Park Neighborhoods. Staff also mailed out invitations to about 180 surrounding properties. There were about 45 people there, not including City staff. This meeting was an opportunity to introduce the trail concept to the neighbors and gather input as to which was more important to the neighborhood: preserving the existing vegetation, habitat and trees or constructing a new trail connection between McHenry Park, Kiwanis Nature Island and the Neal Smith Trail. A quick poll of the audience at the meeting's conclusion revealed that they were overwhelmingly in favor of the trail connection (only 1 vote against).

On September 14, 2009, the Trails and Greenways Advisory Committee, an advisory committee to the Park and Recreation Board, held its monthly meeting. Staff extended additional invitations to groups and organizations that would be interested in the McHenry Park trail connection. This meeting was well attended and discussion focused on the potential loss of wildlife and the surrounding habitat. In addition, the discussion also included the potential benefits of having an accessible trail to McHenry Park and the potential increase in users over those using the existing trail. The Committee declined to make a recommendation on the project at its September meeting.

It has been a difficult decision for staff to make a recommendation on this project, since losing this many trees is not an easy proposition for those involved. To ensure that all factors were considered, on October 7, 2009, a committee consisting of four Park and Recreation Board members, the chair of the Trails and Greenways Advisory Committee, a member of the Urban Conservation Committee, the head of Forestry from Public Works and twelve Park and Recreation staff members met to determine what recommendation the department would forward on to Park and Recreation Board. This committee met for three hours to discuss the pros and cons of moving forward with a trail connection and leaving the site untouched. The minutes of the meeting are attached. After three hours of discussion, the committee decided that the best option was to move forward with the trail connection between McHenry Park and the Kiwanis Nature Island, if a few conditions could be met by the Army Corps of Engineers.

After this meeting, staff sent a letter to the Army Corps of Engineers detailing the recommendations from the committee and asked them to respond to each one. Staff received a response from the Army Corps on Wednesday, October 21, 2009. The Army Corps responded favorably to each item that was addressed to them and if approved by the Park and Recreation Board, Corps staff will work closely with them on final design of the trail connection and throughout the construction process to make sure that impacts to the park from the construction process are minimized as much as possible.

At the October 27, 2009 Park and Recreation Board meeting, the Board asked staff to work with the Corps to bring back a final plan of the trail for consideration and approval at its November meeting. The Board also set up a sub-committee meeting to look at the plans and refined recommendations from the Park and Recreation Department Staff. This sub-committee met on Friday, November 13, 2009 to review and approve the following recommendation from staff.

At their November 19, 2009 meeting, the Park and Recreation Board approved the following recommendations for construction of a trail between McHenry Park and the Kiwanis Nature Island as part of the Birdland Levee project.

Summary:

The following is a series of recommendations by the Parks and Recreation Department Staff for the construction of a trail connection between McHenry Park and the Kiwanis Nature Island on Des Moines' north side. These recommendations seek to develop a plan which enhances the overall ecological sustainability of McHenry Park and improves the recreational opportunities within the park by creating an accessible trail connection. They also set in motion a process to review the ecology of City parks and greenways, seeking to identify high priority restoration and protection areas providing unique or significant conservation opportunities, and subsequent development and implementation of an improvement plan for those identified areas. The key recommendation is moving forward with a trail connection that balances the sometimes conflicting goals of conservation and recreation, and ultimately leads to a larger plan that expands and improves the health of natural areas in the park system as a whole and enhances citizen usability and familiarity with the natural environment.

Recommendation #1: Approve the Army Corps of Engineers trail design from McHenry Park to the Kiwanis Nature Island that works to protect eight to nine specified trees that will be valuable specimens for the park by incorporating them into the mitigation and restoration plans.

Recommendation #2: Develop an ecological restoration and mitigation plan for McHenry Park that considers relevant factors in the park such as soil types, existing vegetation, slopes and any other condition which may contribute to a sustainable natural landscape that is native to the state of Iowa. It is anticipated that this will likely include mitigation for the tree removals from the trail connection, removal of invasive species, implementation of prescribed burning to encourage the natural return of the herbaceous layer in undisturbed areas of the park and seeding, if deemed necessary (if few native plants return after burning).

Recommendation #3: Program the completion of a natural area inventory for the City of Des Moines parks, greenways and any other City-owned open space into the City's Capital Improvement Plan. Staff will work with ecologists on the Urban Conservation Advisory

Committee to help define a scope of services for the project, as well as a project budget. Some of the potential assets and liabilities to be looked at in the inventory include:

- Old growth trees
- Areas with a diverse native herbaceous layer
- Indicator species
- Invasive plants threatening natural areas

- Restoration potential for improved habitat and water infiltration
- Water quality

Recommendation #4: Budget and implement restoration of priority areas identified in the natural area inventory. The McHenry Park mitigation and restoration project will ultimately serve as an anchor in an expanded appreciation of restoration potential of Des Moines' park and open space system that will evolve into a healthier and more functional ecosystem with the resulting benefits of improved soil and water quality, improved habitat and the improved recreational and educational experience of park users.

At its November 19, 2009 meeting, the Park and Recreation Board unanimously approved the staff recommendation with the consideration that the Army Corps of Engineers look to remove the beavers before construction starts, ask if a complete loop around the lake can be completed as part of the project, look to see if a trail detour can be set-up during construction and require that the City tree policy be followed related to tree protection during the construction process.

PREVIOUS COUNCIL ACTION(S):

Date: October 12, 2009

Roll Call: 09-1833

Action: Items regarding Des Moines and Raccoon Rivers Project: (Council Communication No. 09-720) (A) Approving Project Partnership Agreement with Department of the Army for construction. Moved by Mahaffey to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Park and Recreation Board

Date: November 19, 2009

Roll Call No.: 09-110

Action: Unanimously approved staff recommendation with the consideration that the Army Corps of Engineers look to remove the beavers before construction starts, and ask if a complete loop around the

lake can be completed as part of the project, can a trail detour during construction be setup and require that the City tree policy be followed related to tree protection for trees that will be saved during the construction process.

Board: Park and Recreation Board

Date: October 27, 2009

Roll Call No.: 09-103

Action: Motion by Feltner to support the overall plan of marrying the bike trail and the flood project, but understanding that the Corp and the Park staff has agreed to work together to mitigate the environmental damages. Our park board subcommittee would like to review the result of those collaborations before it becomes final action, and if necessary, call a special board meeting, before moving forward.

Board: Park and Recreation Board

Date: September 22, 2009

Roll Call No.: 09-094

Action: Receive and File Recommendation to move forward with a trail connection between McHenry Park and Kiwanis Nature Island.

Board: Park and Recreation Board

Date: July 28, 2009

Action: Presentation to Park Board on Levee Impacts to Park and Recreation Facilities.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Budget funding for natural area inventory and restoration plans.

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