

**Date** November 23, 2009

**APPROVAL OF PLANS FOR CONSTRUCTION OF MULTI-USE TRAIL CONNECTION TO McHENRY PARK**

WHEREAS, the development of multi-use recreational trails, both on-street and off-street, is a high priority for the citizens of Des Moines and the Des Moines City Council; and

WHEREAS, the City of Des Moines is working with the Army Corps of Engineers to redesign the Birdland Levee and the Army Corps has proposed a plan for construction of a trail connection from the Neal Smith Trail along the new Birdland Levee to McHenry Park; and

WHEREAS, it would be beneficial to have such new accessible trail connection, which connection can be funded in part by the Army Corps if constructed as part of the levee project; and

WHEREAS, the construction of the trail between the Birdland Levee and McHenry Park is anticipated to cause the removal of 113 trees 9" in diameter or greater in size; and

WHEREAS, the Park and Recreation Department is committed to restoring and enhancing natural areas within McHenry Park and mitigating for the tree removal in the Park; and

WHEREAS, the Park and Recreation Department is committed to studying the City's parks and greenways to determine priorities for preservation and restoration of unique and significant natural areas.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The plan proposed by the Army Corps of Engineers for construction of a multi-use recreational trail connection to McHenry Park as part of the Birdland Levee reconstruction, attached hereto as Exhibit A, is hereby approved and the Park and Recreation Department and Engineering Departments are authorized and directed to work with the Army Corps of Engineers on construction of said trail.

2. The recommendations described in the attached Council Communication are hereby approved and the City Manager is directed to implement such recommendations.

(Council Communication No. 09- *828* ) Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

*Ann DiDonato*  
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

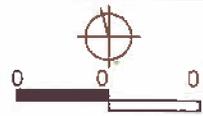
City Clerk

# EXHIBIT A



## McHENRY PARK TRAIL CONNECTION

ACOE PROPOSED LIMITS OF GRADE WORK AND TRAIL ALIGNMENT



PKS PROJECT NO.  
PK50451032  
DRAWN BY:  
LAW  
DATE:  
NOVEMBER 19 2009

Date NOV 23 2009

Agenda Item 56

Roll Call #                     

**McHenry Trail Connection Meeting**  
**Park Service Center**  
**October 7, 2009, 4:00 -7:00 pm**

*Parks Staff:* Don Tripp, Ben Page, Doug Romig, Don McLaughlin, Kevin Moran, Teva Dawson, Richard Brown, Larry Edris, Mindy Moore, Lee Wheelock, Julie Stundins,

*Other staff:* Sara Thies (Public Works)

*Park Board:* Carol George, Marian Gelb, Bob Modersohn, Susan Noland

*Others:* Robin Fortney (Trails and Greenways Committee & biologist), Keith Summerville (Urban Conservation Committee & Drake)

***Presentation:***

Tripp open – welcome, wants everyone’s input

Richard--explanation of meeting

Richard--presentation – same as presented at neighborhood meeting in August:

- Birdland levee & impacts
- Kiwanis nature island
- McHenry Park trail options
  - Do nothing, trail connection, modified trail connection
  - Soil used from cutting into the hillside could be used as fill material for the levee, but not critical to project
  - Would be ADA accessible trail

***Questions:***

Ben--can the trail be shifted closer to the tennis courts?

Richard--trail curves require certain radii to ensure safety of cyclists.

Robin--How the construction will really look? Concern about stormwater and erosion. How will the ravines be crossed?

Richard--culverts would be in place. No slow of flow.

Julie--plan to bring in vegetation for hillside?

Richard--yes.

Robin-- how will the connection go across the water?

Richard--solid dirt levee with pipes to allow transfer of water, with gates to close and pump water as needed

Robin--why in this location

Doug--savings with shorter route. There were 3 options. This was the best option.

Marian--Corps is driven by cost?

Kevin--levee location is set at this point. We need to discuss whether or not to include the trail.

McLaughlin-- City has a cost share in construction of levee as well.

Richard – which is more important? Trees or trail connection?

Benefits of this time—use of excess soil, corps to share in cost? So do we want to move forward?

Bob – nice loop trail option

Richard – would budget to make trail loop in future project.

Susan – would you remove steep connection?

Richard – steps possibly, or reroute connection.

**Pros and cons of trail:**

Doug--one time opportunity – Corps to pay 50% of trail costs – this won't happen later. Our cost would be \$230,000, not including site restoration regarding trees, etc.

Richard – there are 113 trees greater than 10 inches at breast height, we'd have to replace 230-240 trees for those removals, since multiple trees are required to replace larger diameter trees.

Keith—question on Council policy – don't have to recreate a forest stand, just replace somewhere?

Richard--correct.

Keith--could look at reconstruction of habitat, rather than tree by tree

Doug--we can look at larger urban forest

McLaughlin--we can replant within the park.

<b>Trail Connection Pro's</b>	<b>Trail Connection Con</b>
Bob – tie trail system into oak park/highland park neighborhoods	Julie – loss of oak and hickory along the hill
Ben—trail could deter undesirable activity in that area/illegal dumping	Robin – splitting waterbody <i>(but that decision has been made)</i>
Doug—connect Riverview and McHenry as one large nature experience	Ben—economic impact of tree and habitat loss
McLaughlin—future loop possibility (Gray's Lake north)	Robin—loss of wildlife/habitat

Marian—Corps participating in the cost of trail construction	Keith—Terracon assessment is too limited—can't infer negative consequences. Shows that project is in compliance with federal and state statutes/wildlife acts, but uncertainty as to actual impacts to wildlife due to loss of habitat—August is not ideal time to do assessment. Best timing for assessment is May or June. Shouldn't rely on Terracon report—sets City up for criticism from environmental community
Carol – ADA trail connection	
Ben—improvement of area – economic impact of connection	
Julie—replanting desired species	
Doug—transplant smaller trees <i>Concern about success of transplanting trees—roots would be cut.</i>	
Robin—attention causes people to embrace what they have	
Julie—view of downtown	

McLaughlin – how do you compare value of wildlife vs. value of trail?

<b>No Trail Pro</b>	<b>No Trail Con</b>
Doug – maintain current ecosystem, habitat, wildlife	Ben—Birdland complex is losing tennis courts & baseball diamond with levee project, but not gaining any new recreational amenity
Teva—no immediate budget impact if we don't install trail at this time	Robin—no other option for connection between neighborhood and trail system
Robin—natural environment has value as is; we don't always need to make nature "safer" for people.	Sara—walking away from \$250,000 gift from Corps

**Additional Questions:**

Validity and completeness of Terracon assessment?

Timing of Terracon study?

Why have some trees been cut down recently? This is not related to this project. The trees were cut and left lying there.

How will mitigation of wetlands done? And trees?

How is the water level maintained?

What is the process for revegetation?

What is the trail design process?

What's happening with erosion issues in the ravines?

What would be done with wood from the trees that are removed?

- Haul off, contractor's discretion

- Pile up and let us use within parks system

- Use for new shelter

- Natural playscape

- Habitat at Gray's Lake

Julie—follow tree ordinance?

- Richard, yes, don't have to but will.

Keith—who's responsible for no net loss of wetlands?

- Sara, the Corps are mitigating wetlands.

**Discussion:**

Keith—wishes for more complete data—moving forward is fine, given economic gun to head

- Explore design options that would preserve as many trees over 20 in caliper

- Form citizen committee or use Urban Conservation Committee to explore options for mitigation for trees and wetlands

Robin—concur, maintain and restore

Susan – adjust path to save trees

Bob—with each later image, there were more trees

McLaughlin—how will hillside be cut when they take the dirt—what will be left?

- Richard – roughly 3:1 slope back

Julie—corps will regrade?

- Kevin—clear, do grade work, starting at north to south; Drawings are supposed to be 95%, & want to bid this year and start this spring, 1 – ½ years to construct through

Birdland. Shutdown Birdland shelter from aug 2010 through 2011. Parks was not happy with drawings shown—corrections to be made.

Carol—amazed that can only save 6-12 trees.

Susan—connecting northside to downtown

Teva--Re-initiate process of inventorying natural areas in parks so we don't have problem of not knowing what's in our parks

Volunteers have done bird surveys (can't do plant or amphibian surveys)

***Recommendation:***

- Move forward with plan for a trail connection,
  - 1) Modify trail design/location if possible to save some trees (may use retaining walls to save trees),
  - 2) Mitigate tree loss on site to the extent reasonable, and mitigate wetland loss as required,
  - 3) Park Board to appoint a citizen committee (including neighborhood residents and others with general interest) to review this project as it affect McHenry park in particular: review trail design, look at mitigation options for trees , dictate type and quality of material that will be used to revegetate the site, and follow project through completion
  - 4) Make use of trees which are removed by reuse within McHenry Park or the rest of park system—ex: natural playscape, habitat restoration, lumber for shelters, or selling to use funds within parks.
  
- Re-institute inventories of natural areas in parks system to have assessments on hand for future projects

Marian—public benefit of trail connections, all pros listed, and cost assistance, outweighs cost of loss of trees

Robin—going back to greenways group with recommendation

***Other issues:***

Marian--Trees, understory, shrubbery

Julie--Best trees are at top of hill---unique in parks system, can't recreate this

Kevin--Annual crop done by corps to hold the slopes