



CARVER COUNTY PARKS

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Division of Public Works

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Carver County Park Commission Regular Meeting

Carver County Public Works Head Quarters

11360 Hwy 212 West, Cologne, MN 55322

Wednesday, April 8, 2009

7:00 P.M.

Agenda

- 1) Call Regular Meeting to Order (7:00 p.m.)
- 2) Roll Call (7:00 p.m.)
- 3) Approval of the March 11, 2009 Regular Meeting Minutes (7:00 p.m.)
- 4) Additions or Deletions to the Agenda (7:05 p.m.)
- 5) Approval of Agenda (7:06 p.m.)
- 6) Commissioner Liaison Report (7:10 p.m.)
- 7) Open to the Public (7:15 p.m.)
- 8) Old Business (7:20 p.m.)
 - a. Comprehensive Plan
 - i. Equestrian Trails
- 9) Discussion – Changes to the Comprehensive Plan (7:45 p.m.)
- 10) Staff Reports (8:15 p.m.)
 - a. Lake Waconia Ballroom Signed Agreement (Marty)
 - b. 2009 Budget Update (Marty)
 - c. Events, Activities, (Lenny)
 - d. Legislative - Parks Funding (Marty)
 - e. Regional Park Foundation Update (Marty)
- 11) Commission Member Reports (8:35 p.m.)
- 12) Set Next Meeting Date (8:40 p.m.)
 - a. Summer Park Tour Schedule
- 13) Adjourn Meeting (9:00 p.m.)

Please note if a Commission Member cannot attend the meeting, please call the Park Office at 466 – 5250.

Approved Minutes

March 11th, 2009 Regular Meeting

- Members Present:** Thomas Hermann, Neil Wingert, Jeff Conkling, Myron Karki, Jerald Moja
- Staff Present:** Marty Walsh, Lenny Klevan Schmitz
- Public Present:** Rayma Smith, Mary Novakowski, Leigh Harrod, JP Meyer
- CALL TO ORDER -** Wingert called the meeting to order at 7:00 p.m.
- MINUTES -** Moja motioned to approve the February minutes. Karki seconded the motion. Motion passed 5-0.
- AGENDA-** Karki motioned to approve the agenda. Moja seconded the motion. Motion passed 5-0.
- LIAISON REPORT-** N/A

OPEN TO THE PUBLIC-

Leigh Harrod, Excelsior Minnesota asked to have the meeting minutes and directors report available to the public in advance of future meetings so they could be aware of what is taking place and read the information in advance.

OLD BUSINESS

- a. Comprehensive Plan – Equestrian Trails
Walsh went through his Directors Report
Staff and Park Commission agree that equestrian use is a desired activity within Carver County and the Carver County Regional Parks, Open Space and Trail System. At the January 14, 2009 Chair Wingert noted his desire to establish a list of resources pertaining to horse trails and horse trail development based on the positive feedback and support from those in the horse community throughout Carver County and the surrounding area for future reference. It is recommended that a subcommittee of the Parks Commission with members of the public meet to develop criteria which would help to identify possible future areas for equestrian trails. This information could be used to help guide the selection of new parks and conservation corridors or amend an existing park and trail master plan. Future areas are to include but not be limited to the former Dakota Rail Line corridor.

Second, it is recommended that language approved at the January 14, 2009 meeting of the Park Commission pertaining to equestrian trails remain. It is not recommended that additional language from February 11, 2009 meeting be added to either the Dakota Rail Regional Trail master plan or be placed in the Comprehensive Plan.

- The existing Dakota Rail Regional Trail is 16 feet wide. It is not

practical to accommodate a parallel trail system in this dimension.

- The language would be in conflict with an approved trail master plan. It is not known if a parallel equestrian trail physically and economically works within the former rail corridor. Back slopes and fill may extend onto private property as an example.
- Work should be done to determine if a horse trail in close proximity to the Luce Line is sustainable.
- The master plan for the Dakota Rail Regional Trail can be amended in the future to accommodate an equestrian trail should it be desired.
- To include additional language which could be construed to guide the Dakota Rail Regional Trail for equestrian purposes circumvents the public process to approve a use and the design elements needed to support the use. The approval of a use is done at a master plan level.
- More specific language that guides a park area or a conservation corridor in the types of use is inconsistent with the Draft Comprehensive Parks, Open Space and Trail System Plan. No other park or conservation corridor is guided in this manner.

It is recommended that the Park Commission clarify the motion that was made at the February 11th 2009 meeting pertaining to equestrian use on the Dakota Rail Regional Trail.

Additional Information

At the February 11, 2009 meeting information was presented by members of the public concerning the desire to further amend the comprehensive plan to include language which would provide consideration for a horse trail in the alignment of Dakota Rail Regional Trail. The following report is provided for the Park Commission's review and consideration.

The Dakota Rail Line was identified in the 2000 Carver County 2020 Comprehensive Plan as a possible trail corridor should the line become abandoned.

The Dakota Rail Line was purchased in 2001. The rail line went through an abandonment process which preserved the 44 mile stretch of line from Hutchinson Minnesota to Wayzata Minnesota in the Counties of McLeod, Carver and Hennepin. The Railroad authorities of these Counties along with the Minnesota Department of Transportation entered into agreements to preserve the corridor for future transportation.

Salvage operations to remove rails and ties was substantially completed during 2004 and 2005.

In 2001, the Metropolitan Council amends its Regional Recreation Open Space Policy Plan. Among the changes is the consideration of the Dakota Rail Line in Carver County for trail purposes.

Carver County applied for Federal Transportation Enhancement funding to convert a portion of the former Dakota Rail Line corridor into a bituminous trail August 19, 2005. Letters of support were received from the City of Mayer and Three Rivers Park District for the project.

Carver County is notified late 2005 early 2006 that it has been awarded Federal Transportation Funds to construct 6.5 miles of a trail in the former rail corridor.

January 2006, Carver County contracts with SRF Consulting Inc. to develop a master plan for the Dakota Rail Regional Trail. SRF Consulting and county staff conduct a public process to present the master plan project, obtain input and review comments and draft plan. A master plan is needed in order for the trail to be considered for inclusion into the Regional Park System and eligible for regional funding. Also a master plan will help to determine uses on the trail and initial design elements.

The Carver County Park Commission recommended approval of the Dakota Rail Regional Trail Master Plan October 11, 2006. The Carver County Board approved the master plan May 1, 2007. The Metropolitan Council approved the master plan August 8, 2007.

January 14, 2009 Park Commission recommends additional language to include horse trails in conservation corridors of the County Comp Plan/Parks Open Space and Trails System Plan. Equestrian trails were listed as a possible use in new park areas but not conservation corridors. The new language presented at the meeting corrected the oversight of not mentioning horse trails as a possible use in conservation corridors.

February 11, 2009 Park Commission is requested to add language to the 2030 County Comprehensive Plan/Parks and Open Space Systems Plan. The Park Commission accepted the following motion “ The County Park Commission will continue to consider equestrian trails in the Dakota Rail corridor”

The following inconsistencies are noted with the public process for the Dakota Rail Regional Trail Master Plan and the recommendation of the Park Commission on February 11, 2009.

The master plan for the Dakota Rail Regional Trail went through a public process of open houses, researched information, public comments both verbal and written, approval process of public meetings at the County Park Commission level, County Board and ultimately the Metropolitan Council. It is recognized that not all groups or all individuals were satisfied with the outcome of the master plan process. The plan did accommodate the most significant user groups of walkers and bikers. The plan is also consistent with the user groups of runners/joggers and inline skaters. The plan did make accommodations for snowmobiling. The plan did not accommodate horseback riding, ATV use, snowshoeing, and cross-country skiing for a variety of reasons.

The Dakota Rail corridor is 100 feet wide in most areas of the corridor. Notable exceptions to the width are in Mayer and New Germany where the corridor widens to several hundred feet.

The Dakota Rail Regional Trail is a 16 foot wide strip of land within the 100 foot corridor. The 16 foot area consists of a 10 foot wide trail with 3 foot shoulders. The planned trail will generally utilize the rail bed for an alignment in the corridor taking advantage of infrastructure of grade, trestles, and drainage structures to minimize cost to construct the trail.

A parallel trail of any kind was not discussed during the public process. A parallel trail to accommodate another use does not fit in the same 16' area as planned for the bike/pedestrian trail. The master plan encourages the preservation of existing vegetation within the Dakota Rail corridor for the purpose of visual screening of properties, wildlife and shade purposes. Shading is both significant to bike/pedestrians for the relief from the sun but also to preserve snow conditions on the trail for snowmobiling. An additional parallel trail would remove vegetation from the corridor and reduce screening, wildlife habitat, and shade.

In order to incorporate a parallel trail into the Dakota Rail Regional Trail a master plan amendment would be necessary. The proposed use of the parallel trail would need to go through a public review and approval process to be eligible for regional funding considerations. See the attached email message from Jan Youngquist of the Metropolitan Council.

A parallel trail could be planned and constructed in another portion of the Dakota Rail corridor with authorization from the Carver County Regional Railroad Authority.

Walsh asked the commission if they read the rest of his report which outlined the inconsistencies of public testimony at the February 11, 2009 meeting. Members indicated that they had read the information and Walsh did not read through this portion of the report.

Documents presented at the meeting included:

March 11, 2009 Director's Report
Email from Jan Youngquist
Memo from James Andrew from the Metropolitan Council

After Walsh completed going through the information and Directors Report and reiterated that it is recommended that the Park Commission clarify the motion that was made at the February 11th 2009 meeting pertaining to equestrian use on the Dakota Rail Regional Trail.

Wingert asked to hear from the park commission, especially those who made and voted for the motion as stated below from the February 11th, 2009 park commission meeting:

"The Carver County Park Commission will continue to consider equestrian use on the Dakota Rail Trail". Wingert asked for a vote...the vote was split, so Wingert asked for a roll

call vote. Yes – (4) Tieden, Conkling, Karki, Hermann No – (3) Wingert, Moja, Von Bargaen.
The motion passes 4-3.

Conkling stated that he was concerned that if the plan for the Dakota Trail is changed that a good portion of the Federal funding would be lost for the trail development, which was a concern for him because he does not want to see the funding lost.

Moja ask for confirmation that the public planning process for the Dakota Trail Master plan was conducted as outlined and discussed. Walsh noted that it was.

Karki noted that he could see a separate process and potential project to add, at another time, an unpaved/turf trail in the Dakota Trail Corridor which would be usable by Equestrians.

Hermann stated he feels like the development of the Dakota Trail is set based on the past planning which has taken place and the timeline for the development.

Some discussion about the February Motion continued among the park commission members, staff and those present from the public.

Herman asked if the wording in the motion can simply be changed or amended? Walsh stated it could.

Conkling asked for further clarification about the difference between the Carver County 2030 Comprehensive Plan and the Carver County Parks, Trails and Open Space Systems Plan.

Walsh explained that the Comprehensive Plan is largely made of up the basic principles and policies which were part of or derived from the Parks Systems Plan, but the Comprehensive Plan was not an in-depth.

The park commission discussed a couple of possible changes to the motion to provide clarity and direction as to where the motion or language should go in the plans or if it needs to be in the plans at all, since the language was added in January to the Comprehensive Plan to include equestrian use as a possible consideration in future greenway corridors.

After some discussion and a vote of 0-5 to not approve the various changed motions, Conkling motioned to table this and to have park commission members work with Staff to develop and indentify a motion to be considered at the April meeting. Karki Seconded the motion to table this item. Vote was approved 5-0.

2009-2010 Goals and Strategies

Walsh handed out a spreadsheet outlining the goals and strategies for the department for 2009 - 2010. Walsh provided some background and status updates of those goals and strategies.

Walsh asked if the Park Commission had any other requests or suggestions. Conkling asked about incorporating a policy for motorized equipment on paved trails for accessibility purposes. Walsh stated staff could explore how this could be permitted in an instance where someone is in a motorized wheel chair or similar motorized piece of equipment.

STAFF REPORTS -

a. Ballroom Service Provider Update

Walsh provided a handout of the power point presentation he made to the Carver County Board March 3rd about finalizing the agreement with Lancer. The Board gave staff

permission to complete the agreement and the Board Chair will sign it once it has been reviewed.

b. 2009 Budget Update

Walsh stated that he has been directed to identify some proposed budget cuts for 2009. Administration has asked for cuts to be sustainable through at least 2010, if not longer. Walsh presented three potential cuts/service reductions for the thoughts and feels of the park commission.

1 - Elimination of Lifeguard services at Lake Minnewashta Regional Park and Lake Waconia Regional Park.

2 - Reduction to planning services for items such as master plans, Federal Trail Grants and the installation of septic connection for the camp hosts at Baylor.

3 - Operational Cuts - This would be the elimination or reduction to the following items:

- Reduce Seasonal Staff
- Reduce weed treatments at beach areas
- Postpone webpage upgrades
- Reduce Grounds Keeping Budget
- Reduce/eliminate Conference and training budget
- Reduce septic pumping
- Reduce Dust Control budget
- Eliminate portable restrooms/Biffs in the parks
- Eliminate environmental consulting for water monitoring at beaches, wildlife management, disease tree control (oak wilt).

Wingert stated he would like to see staff maintain budget items which could increase risk of injury (lifeguards) and health concerns (septic pumping, septic connection for camp hosts).

c. Application for Federal Trail Grant

Klevan Schmitz informed the park commission that the department applied for a Trail Grant for the development of the Dakota Trail in the amount of \$150,000 through the DNR.

d. Events, Activities, Campground Software Demonstration

Klevan Schmitz provided the park commission some information about other upcoming events and programs planned in the parks this spring and summer including the Maple Syrup open house on March 21st and Earth/Arbor Day event on Saturday April 25th. Lastly, Klevan Schmitz informed the park commission that they have advertised and are seeking new caretakers for Lake Minnewashta Regional Park.

e. Legislative - Park Funding

Walsh provided a brief history of the 3/8% sales tax funding and how the portion for parks and trails funding is proposed to be split up throughout the state and amongst the 10 Implementing agencies of the Metropolitan council.

f. Regional Park Foundation

Walsh handed out a power point presentation which was made by Peter Bell of the Metropolitan Council on March 10th, 2009 explaining the newly formed Regional Park Foundation.

COMMISSION MEMBER REPORTS -

Karki noted that the Waconia Chamber of Commerce will be having their semiannual Home and Business fair on April 18th. He encouraged the park staff and county to have a booth there with park information.

NEXT MEETING – April 8th, 2009, 7 p.m. at the Carver County Public Works Facility in Cologne.

ADJOURN - Karki motioned and Conkling seconded to adjourn. Motion was approved 5-0 to adjourn at 9:15 p.m.



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DIRECTORS REPORT

April 11, 2009

PARK COMMISSION MEETING

To: Members of the Park Commission
From: Martin Walsh, Parks Director
CC: Bill Weckman, Interim County Engineer
Tim Lynch, County Commissioner
Date: 4/6/2009
Re: March 11, 2009 Park Commission Meeting

The below information pertaining to equestrian trail in the Dakota Rail Regional Trail corridor was provided at the March 11, 2009 Park Commission Meeting and has been a part of the Park Commission's discussion on the Parks and Open Space System Plan and County Comprehensive Plan. The park Commission tabled this topic. Staff recommendation remains the same as included include in the March 2009 Park Directors Report and is provided below. For additional information please see the Draft March 11, 2009 Park Commission Meeting Minutes.

Comprehensive Plan

Equestrian Trails

Recommendation

Staff and Park Commission agree that equestrian use is a desired activity within Carver County and the Carver County Regional Parks, Open Space and Trail System. At the January 14, 2009 Chair Wingert noted his desire to establish a list of resources pertaining to horse trails and horse trail development based on the positive feedback and support from those in the horse community throughout Carver County and the surrounding area for future reference. It is recommended that a subcommittee of the Parks Commission with members of the public meet to develop criteria which would help to identify possible future areas for equestrian trails. This information could be used to help guide the selection of new parks and conservation corridors or amend an existing park and trail

master plan. Future areas are to include but not be limited to the former Dakota Rail Line corridor.

Second, it is recommended that language approved at the January 14, 2009 meeting of the Park Commission pertaining to equestrian trails remain. It is not recommended that additional language from February 11, 2009 meeting be added to either the Dakota Rail Regional Trail master plan or be placed in the Comprehensive Plan.

- The existing Dakota Rail Regional Trail is 16 feet wide. It is not practical to accommodate a parallel trail system in this dimension.
- The language would be in conflict with an approved trail master plan. It is not known if a parallel equestrian trail physically and economically works within the former rail corridor. Back slopes and fill may extend onto private property as an example.
- Work should be done to determine if a horse trail in close proximity to the Luce Line is sustainable.
- The master plan for the Dakota Rail Regional Trail can be amended in the future to accommodate an equestrian trail should it be desired.
- To include additional language which could be construed to guide the Dakota Rail Regional Trail for equestrian purposes circumvents the public process to approve a use and the design elements needed to support the use. The approval of a use is done at a master plan level.
- More specific language that guides a park area or a conservation corridor in the types of use is inconsistent with the Draft Comprehensive Parks, Open Space and Trail System Plan. No other park or conservation corridor is guided in this manner.

It is recommended that the Park Commission clarify the motion that was made at the February 11th 2009 meeting pertaining to equestrian use on the Dakota Rail Regional Trail.

Additional Information

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Salvage operations to remove rails and ties was substantially completed during 2004 and 2005.

In 2001, the Metropolitan Council amends its Regional Recreation Open Space Policy Plan. Among the changes is the consideration of the Dakota Rail Line in Carver County for trail purposes.

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Carver County is notified Late 2005 early 2006 that it has been awarded Federal Transportation Funds to construct 6.5 miles of a trail in the former rail corridor.

January 2006, Carver County contracts with SRF Consulting Inc. to develop a master plan for the Dakota Rail Regional Trail. SRF Consulting and county Staff conduct a public process to present the master plan project, obtain input and review comments and draft plan. A master plan is needed in order for the trail to be considered for inclusion into the Regional Park System and eligible for regional funding. Also a master plan will help to determine uses on the trail and initial design elements.

The Carver County Park Commission recommended approval of the Dakota Rail Regional Trail Master Plan October 11, 2006. The Carver County Board approved the master plan May 1, 2007. The Metropolitan Council approved the master plan August 8, 2007.

January 14, 2009 Park Commission recommends additional language to include horse trails in conservation corridors of the County Comp Plan/Parks Open Space and Trails System Plan. Equestrian trails were listed as a possible use in new park areas but not conservation corridors. The new language presented at the meeting corrected the oversight of not mentioning horse trails as a possible use in conservation corridors.

February 11, 2009 Park Commission is requested to add language to the 2030 County Comprehensive Plan/Parks and Open Space Systems Plan. The Park Commission accepted the following motion “ The County Park Commission will continue to consider equestrian trails in the Dakota Rail corridor”

The following inconsistencies are noted with the public process for the Dakota Rail Regional Trail Master Plan and the recommendation of the Park Commission on February 11, 2009.

The master plan for the Dakota Rail Regional Trail went through a public process of open houses, researched information, public comments both verbal and written, approval process of public meetings at the County Park Commission level, County Board and ultimately the Metropolitan Council. It is recognized that not all groups or all individuals were satisfied with the outcome of the master plan process. The plan did accommodate the most significant user groups of walkers and bikers. The plan is also consistent with the user groups of runners/joggers and inline skaters. The plan did make accommodations for snowmobiling. The plan did not accommodate horseback riding, ATV use, snowshoeing, and cross-country skiing for a variety of reasons.

The Dakota Rail corridor is 100 feet wide in most areas of the corridor. Notable exceptions to the width are in Mayer and New Germany where the corridor widens to several hundred feet.

The Dakota Rail Regional Trail is a 16 foot wide strip of land within the 100 foot corridor. The 16 foot area consists of a 10 foot wide trail with 3 foot shoulders. The planned trail will generally utilize the rail bed for an alignment in the corridor taking advantage of infrastructure of grade, trestles, and drainage structures to minimize cost to construct the trail.

A parallel trail of any kind was not discussed during the public process. A parallel trail to accommodate another use does not fit in the same 16' area as planned for the bike/pedestrian trail. The master plan encourages the preservation of existing vegetation within the Dakota Rail corridor for the purpose of visual screening of properties, wildlife and shade purposes. Shading is both significant to bike/pedestrians for the relief from the sun but also to preserve snow conditions on the trail for snowmobiling. An additional parallel trail would remove vegetation from the corridor and reduce screening, wildlife habitat, and shade.

In order to incorporate a parallel trail into the Dakota Rail Regional Trail a master plan amendment would be necessary. The proposed use of the parallel trail would need to go through a public review and approval process to be eligible for regional funding considerations. See the attached email message from Jan Youngquist of the Metropolitan Council.

A parallel trail could be planned and constructed in another portion of the Dakota Rail corridor with authorization from the Carver County Regional Railroad Authority.

The following inconsistencies are noted from public testimony and recorded in the Draft February 11, 2009 Meeting Minutes.

A statement was made that Carver County prefers the Luce Line trails to be fully paved. The 2030 Comprehensive Parks, Open Space Trail Systems Plan states on Page 4.02 “changing the surface from aggregate to asphalt has some advantages in that it would expand the trail’s use to include road bicyclist and inline skaters, as well as walkers and wheelchair users preferring a harder surface. Although changing the surface is not currently planned by MN DNR, if that did occur it would be consistent with Carver County’s classification system and desired development standards.” No reference is made to the County’s preference for a trail surface.

A statement was made that The County would not need to redo the entire Dakota Rail Trail Master plan, just modify a portion to include equestrian use on a portion of the trail to the west. A master plan amendment is needed in order to include horse trails in the Dakota Rail Regional Trail. The trail corridor is only 16 feet wide. Room is not identified within the 16 feet for a horse trail. The master plan states that equestrian uses on the Dakota Rail Regional Trail are not recommended. The Luce Line State Trail, which runs parallel to the Dakota Rail corridor four miles north, has a surface that is maintained for equestrian use. The former Dakota Rail corridor (rail bed) is generally not wide enough to

construct a separate trail for equestrian use.

A discussion was held at the time the Dakota Rail Regional Trail Master Plan was created with the trail manager of the Luce Line. The concern that the trail manager expressed was one of sustainability of two equestrian trails in the same area. It was discussed that a possible unintended consequence of having two horse trails so close together was that the horse volume could actually decrease on the Luce Line. Essentially, users to the region would split their visits between the two trails and not sustain either trail with enough volume to warrant continued operations and maintenance of the Luce Line horse trail.

A statement was made that that changes to include equestrians would not jeopardize the \$2,000,000 in federal grant funds. This statement is false. Please see the attached memorandum from Andrew James to Martin Walsh, dated March 4th, 2009.

A statement was made that Metropolitan Council would allow for a change in the Transportation Enhancement Funds application simply by submitting a letter with the following information:

- a. Rational for the change in design and use
- b. Impact of the changes
- c. Information about how the original intent of the application is still met and/or exceeded.

This statement has merit but there is much more involved than discussed. Also note in the memorandum that it is highly unlikely that a horse trail would be allowed without a reduction in funding. Note the Technical Advisory Board of the Metropolitan Council has never funded a horse trail with transportation funds. Note that it is suggested that funds other than Transportation Enhancement Funds be sought. It is stated that the region has higher priorities as compared to equestrian trails.

Discussion –Changes to the Comprehensive Plan

Staff has received direction to make changes to the comprehensive plan. Additional information will be presented at the meeting.

From: Youngquist, Jan [jan.youngquist@metc.state.mn.us]
Sent: Tuesday, February 17, 2009 3:20 PM
To: Martin Walsh
Subject: RE: Dakota Rail Regional Trail

Marty-

The current master plan for the Dakota Rail Regional Trail that was approved by the Metropolitan Council includes a 16 foot trail corridor managed by Carver County Parks within the former railroad corridor. The railroad corridor right-of-way is typically 100 feet wide and is managed by the Carver County Regional Railroad Authority. The master plan proposes that the regional trail will be 10 feet wide, with 3 foot wide shoulders on either side of the trail. The trail will be paved to allow for multiple uses, including bicycling, in-line skating and walking. The plan does not recommend equestrian use of the trail, in part due to the proximity of the Luce Line State Trail, which is maintained for equestrian use.

If Carver County proposed the development of a separate horse trail in addition to the multi-use trail, the master plan for the regional trail would need to be amended and approved by the Metropolitan Council. Since the current regional trail right-of-way is 16 feet wide, additional right-of-way to accommodate the horse trail would need to be added to the trail corridor through a master plan amendment. The master plan amendment would also need to include the anticipated development costs of the horse trail.

The amended master plan would make the County eligible for regional parks CIP funding for development of the trail. Regardless of whether the County planned to seek regional funding for trail development, a master plan amendment would also make the additional right-of-way for the horse trail eligible for operations and maintenance funding.

Unfortunately, I am not familiar with the requirements for transportation enhancement funds.

Please let me know if you have any questions or need additional information.

Thanks-
Jan

Jan Youngquist
Senior Planner--Parks
Metropolitan Council
390 N Robert Street
St Paul, MN 55101
651-602-1029

From: Martin Walsh [mailto:mwalsh@co.carver.mn.us]
Sent: Tuesday, February 17, 2009 11:03 AM
To: Youngquist, Jan
Cc: Stefferud, Arne
Subject: Dakota Rail Regional Trail
Importance: High

Jan,

Last week at a county park commission meeting you were referenced as a source of information for a citizen's group interested in a horse trail along the Dakota Rail Regional Trail.

Please provide answers to the following so I can update our County Board on the information.

The master plan for Carver County's portion of the Dakota Rail Regional Trail does not include a horse trail. Would the master plan need to be revised/amended if a horse trail were to be planned for the same corridor? I am assuming that in order for a horse trail to be considered eligible for regional funding that

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the master plan would need to be amended and it would need to go through the approval process first at the County level and at the Metropolitan Council.

If the County chooses to plan/construct a horse trail and not use regional funding, is there a need to update the approved master plan of the Dakota Rail Regional Trail showing a horse trail in relation to the bike/ped trail in the corridor? The County Regional Rail authority owns the corridor in partnership with two other counties and the State of Minnesota. No funds from the Metropolitan Council have been used to acquire land or fund planning efforts in the Dakota Rail Regional Trail corridor of Carver County. Funds to construct the corridor are currently planned to come from other sources and not the Metropolitan Council. However, it is possible that the County could request funding from the Metropolitan Council should funding be needed above what is planned from other sources.

You may not be able to answer the below questions but if you have knowledge please respond. I am also following up with others at Metro Council on the below information.

Are you aware of any impacts to approved Transportation Enhancements funds if the County were to consider re scoping this project to remove pavement from all or a portion of the trail project and request that those funds planned for pavement be used to help off-set the cost to construct a horse trail.

Do you know how or if in the ranking of the Dakota Rail Regional Trail project for Transportation Enhancement Funds as a paved trail influenced the projects ranking? Would the project been approved without a bituminous surface?

I would like your response as soon as possible.

Thank you.

Marty

Martin Walsh

Parks Director

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Memorandum

DATE: March 4, 2009
TO: Martin Walsh - Carver County
FROM: James Andrew, Transportation Planner
SUBJECT: Response to questions regarding scope change requests for trails

Response to your questions concerning TE funded projects of the Dakota Rail Regional Trail in Carver County:

A citizen group has asked for a change of scope on the former Dakota Railroad corridor. The County Board has not directed staff to make application for change of scope but desires to understand more about the process and TE funding.

The Transportation Advisory Board is in charge of administering the process for distributing some sources of federal transportation funding in the seven-county metropolitan area including Transportation Enhancements. Agencies who are awarded funding through the competitive solicitation are expected to deliver the project as described in the application that was evaluated for funding. If circumstances arise which make it difficult for an agency to deliver a project as originally conceived, the agency may request a change of scope on the project. Sometimes a change of scope, if approved, will also require a TIP Amendment if the cost has changed or the project description must be amended.

To request a change of scope, the agency should first discuss the issue with the project manager at State Aid who will be able to advise whether a scope change is necessary and answer questions about whether the proposed change would be eligible for the funding source the project is programmed to receive. The agency then sends a detailed letter requesting a change of scope to the Chair of the TAC Funding & Programming Committee. This committee is the standing technical subcommittee of the Technical Advisory Committee that works on issues related to the Transportation Improvement Program (TIP) and programming of federal transportation funds. The letter should include a description of the project as it was originally conceived, the reasons for why the change of scope is being requested, and a detailed description of what is proposed to change. The agency should then be prepared to make a presentation describing the request to the committee after which committee members will ask questions of the applicant and discuss the merits of the request. The committee primarily looks at whether the project as changed still meets the intent and purpose of the original application and whether the project would have scored high enough on the prioritizing criteria to be awarded funding if it were submitted originally with the new scope. If the TAC Funding & Programming Committee recommends approval of the scope, it may also recommend reducing the federal funds programmed to the project if the change constitutes a reduction in scope. The action on the request is then forwarded on to the Technical Advisory Committee (TAC) whether or not the scope change is approved. The TAC then forwards its action on the scope change request to the Transportation Advisory Board for official approval or denial.

Is there a type of surface (pavement, Ag lime or crushed Rock, natural surface or other) which most closely fits with regional objectives or objectives for TE funds?

The applications for bicycle/pedestrian trails in the Transportation Enhancements program are evaluated on the degree to which they improve the experience and mobility of traveling by bicycle or by walking. Paved trails are far more useful for bicycling than the other surface materials you describe. However, there is not a type of pavement that is required. The only design requirement for bicycle/pedestrian facilities funded with TAB-administered federal transportation funding is that it be designed to meet the Mn/DOT State Aid Rules and Mn/DOT Bicycle Facility Design Manual.

The County's application to pave the trail is consistent with work planned and completed on the Dakota Rail Regional Trail in Hennepin County. Does consistency with another project improve an applicant's score for TE funding?

Yes. A major portion of the evaluation for trail projects is the degree to which the project helps to complete a new connection between destinations and existing trail systems.

Please address how TE funds for horse trails are considered in terms of regional planning objectives?

The TAB has never funded a horse trail with transportation funding. The criteria for bicycle/pedestrian trails in the Transportation Enhancements program are aimed at making regional connections for recreational and commuter travel. Because it is transportation funding, this region has placed priority on projects that serve a transportation purpose either by improving the experience of traveling by non-motorized modes or by making new connections.

My understanding of Metropolitan Council role in TE funding is to gather information (applications) and rank proposed projects. Is this correct?

This is correct. The Metropolitan Council approves the Transportation Advisory Board's recommended projects for inclusion in the Transportation Improvement Program.

My understanding once projects have been selected that MNDOT State Aid administers the project and ensures approved projects are completed as submitted?

This is correct. However, the body in charge of making decisions on scope changes rests with the funding agency, which is the TAB.

Concerning possible changes in scope of a project, there is a process to consider changes called Change of Scope. The applicant would need to apply for a change of scope. Once submitted it goes through the same process as the original application starting at the Funding and Programming Committee, then to Technical Advisory Committee, and then to the Technical Advisory Board requiring all to approve before it would be passed along to MNDOT State Aid to Administer? My understanding is that the process of review takes approximately 2 months once a change of scope application is submitted.

The entire process takes one month. The TAC Funding & Programming Committee meets on the third Thursday of each month. The TAC meets on the first Monday of each month. The TAB meets on the third Wednesday of each month. The Change of Scope does not need to be approved by the Metropolitan Council.

There is also the possibility for an initial informal review process to present a proposed change of scope project to the Funding and Programming Committee. This would add approximately one month to the change of scope process but would provide direction as to whether or not the project has merit to continue a proposed change of scope process?

Yes. Applicants are always welcome to request advice from the Funding and Programming Committee at the pleasure of the Chair.

Are there any guarantees that a project would be approved if it went through a change of scope process?

No. Scope changes are not always approved.

What is the probability of our pedestrian/bicycle trail project being approved through a change of scope process to add a parallel horse trail and utilize approved TE funds for a horse trail?

The applicant could change the design of the project or the scope of the project (termini) if approved but would not be able to use federal TE funds for new project elements not related to the original application. The TE funds could only be used for those elements that complete the project as proposed in the application. In this case, that would mean only the bike/pedestrian trail. The County could include a horse trail in addition to the bike/pedestrian trail but it would have to be funded through another source.

Suppose the County choose to change the scope of the project to include a horse trail and not pave the trail. Could funds that would be saved by not paving the trail be applied to the horse trail?

No. The horse trail was not what the County applied for and was awarded funding for. Any funds that would be saved by a reduced scope, if approved, would likely be given back to the region to fund other Transportation Enhancements projects.

If through the process of change of scope the county decides not to pave the trail, will the funding amount for the trail be adjusted to reflect a reduction in funding because the trail would not be paved?

Yes. Most likely, the TAB would reduce the amount of federal funding to reflect the reduced scope of the project.

What would need to be demonstrated in order for a horse trail to meet the requirements for TE funding and be competitive with other TE projects in the metro area?

Horse trails are not a regional priority for federal transportation funds. It is possible that a project could be submitted for a combined purpose of bicycle/pedestrian trail and a horse trail if the horse trail were on a separate alignment and added to the overall experience of all users on the trail.

If the county desires to add a horse trail and seek TE funds, should the county submit an application for this project separate from the approved trail project?

Our suggestion would be to look for other sources of funding to complete a horse trail. This region has prioritized bicycle trail system improvements, historic preservation of transportation-related structures and sites, environmental clean-up, and urban beautification for Transportation Enhancements funding.