

# C Community Development Committee

Business Item

Item: 2009-5

Meeting date: January 20, 2009

## ADVISORY INFORMATION

<b>Date:</b>	January 8, 2009
<b>Subject:</b>	Mississippi River Regional Trail master plan amendment realigning trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5)
<b>District(s), Member(s):</b>	District 16, Currently vacant
<b>Policy/Legal Reference:</b>	Strategy 4 (a) of 2030 Parks Policy Plan and MS 473.313
<b>Staff Prepared/Presented:</b>	Arne Stefferud, Planning Analyst—Parks (651-602-1360)
<b>Division/Department:</b>	Community Development/Regional Systems Planning and Growth Strategy, Parks

### Proposed Action

That the Metropolitan Council approve the Mississippi River Regional Trail master plan amendment realigning the trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5).

### Background

In 1999, the Metropolitan Council approved the development master plan for the Mississippi River Regional Trail between the cities of South St. Paul and Hastings. Dakota County has submitted a master plan amendment which changes the trail's alignment for the section between Hastings and Spring Lake Park Reserve (Referral No. 15553-5). The original alignment parallels Co. Rd. 42 in this section. The amended alignment parallels Co. Rd. 42 out of Hastings and then moves northwesterly along Co. Rd. 87 and 125<sup>th</sup> Street into Spring Lake Park Reserve.

### Rationale

The Dakota County Board's selection of the County Road 87/125<sup>th</sup> Street alternative was, as stated in the Board's resolution because, "it places the trail along a lower [traffic] speed and volume road, and utilizes the natural resources of the [Spring Lake] park [reserve] and private lands to increase the [trail's] recreational quality." Council staff's review of the master plan amendment found it to be consistent with the requirements of Strategy 4(a) in the *2030 Parks Policy Plan*.

### Funding

The projected acquisition costs to acquire fee title or easements on 8.75 acres for trail right of way are \$102,000. Projected development costs for the trail alignment is \$954,133 for a total of \$1,056,133. Dakota County has a \$696,000 federal transportation enhancement grant and has matched that with \$375,000 for a total of \$1,071,000 to acquire right-of-way and construct this section of the trail.

### Known Support / Opposition

The Dakota County Board solicited input from citizens, its own Park and Recreation Advisory Committee, and the Nininger Township Board over a two year period on this matter. The County Board approved this

new trail alignment in October 2008. During the Council staff's review of the master plan amendment Mr. Harrison Benjamin submitted a copy of a letter he had sent to the County Board during the master planning process that preferred the original alignment along Co. Rd. 42. Dakota County staff responded to Mr. Benjamin's issues and restated the County Board's position in support of the new alignment along Co. Rd. 87 and 125<sup>th</sup> Street.

On January 6, the Metropolitan Parks and Open Space Commission unanimously approved the recommendation to approve the master plan amendment for the new trail alignment.

**METROPOLITAN COUNCIL**  
**390 North Robert Street, St. Paul, MN 55101**  
**Phone (651) 602-1000 TDD (651) 291-0904**

**DATE:** December 23, 2008

**TO:** Metropolitan Parks and Open Space Commission

**FROM:** Arne Stefferud, Planning Analyst-Parks (651-602-1360)

**SUBJECT:** (2009-5) Mississippi River Regional Trail master plan amendment realigning trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5)

**INTRODUCTION**

In 1999, the Metropolitan Council approved the development master plan for the Mississippi River Regional Trail between the cities of South St. Paul and Hastings. Dakota County has submitted a master plan amendment which changes the trail's alignment for the section between Hastings and Spring Lake Park Reserve (Referral No. 15553-5). The original alignment paralleled Co. Rd. 42 in this section. The amended alignment parallels Co. Rd. 42 out of Hastings and then moves northwesterly along Co. Rd. 87 and 125<sup>th</sup> Street into Spring Lake Park Reserve.

The County has a federal transportation enhancement grant of \$696,000 and local matching funds of \$375,000 for a total of \$1,071,000 to acquire right-of-way and construct this section of the trail. The County estimates the cost for the amended alignment will be \$102,000 for trail right of way acquisition of 8.75 acres, plus trail construction for a total of \$1,056,133. The County requests Metropolitan Council approval of the trail realignment as an amendment to the trail's master plan. (See **Attachment 1**, letter from Steve Sullivan).

This memorandum analyzes the trail master plan amendment against the criteria for reviewing regional park master plans. It recommends approving the master plan amendment because it is consistent with applicable portions of the *2030 Regional Parks Policy Plan*.

**AUTHORITY TO REVIEW**

Minnesota Statute 473.313, Subdivision 1 requires Regional Park Implementing Agencies to, "prepare, after consultation with all affected municipalities, and submit to the Metropolitan Council, and from time to time revise and resubmit to the council, a master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council's policy plan." (i.e., the *2030 Regional Parks Policy Plan*)

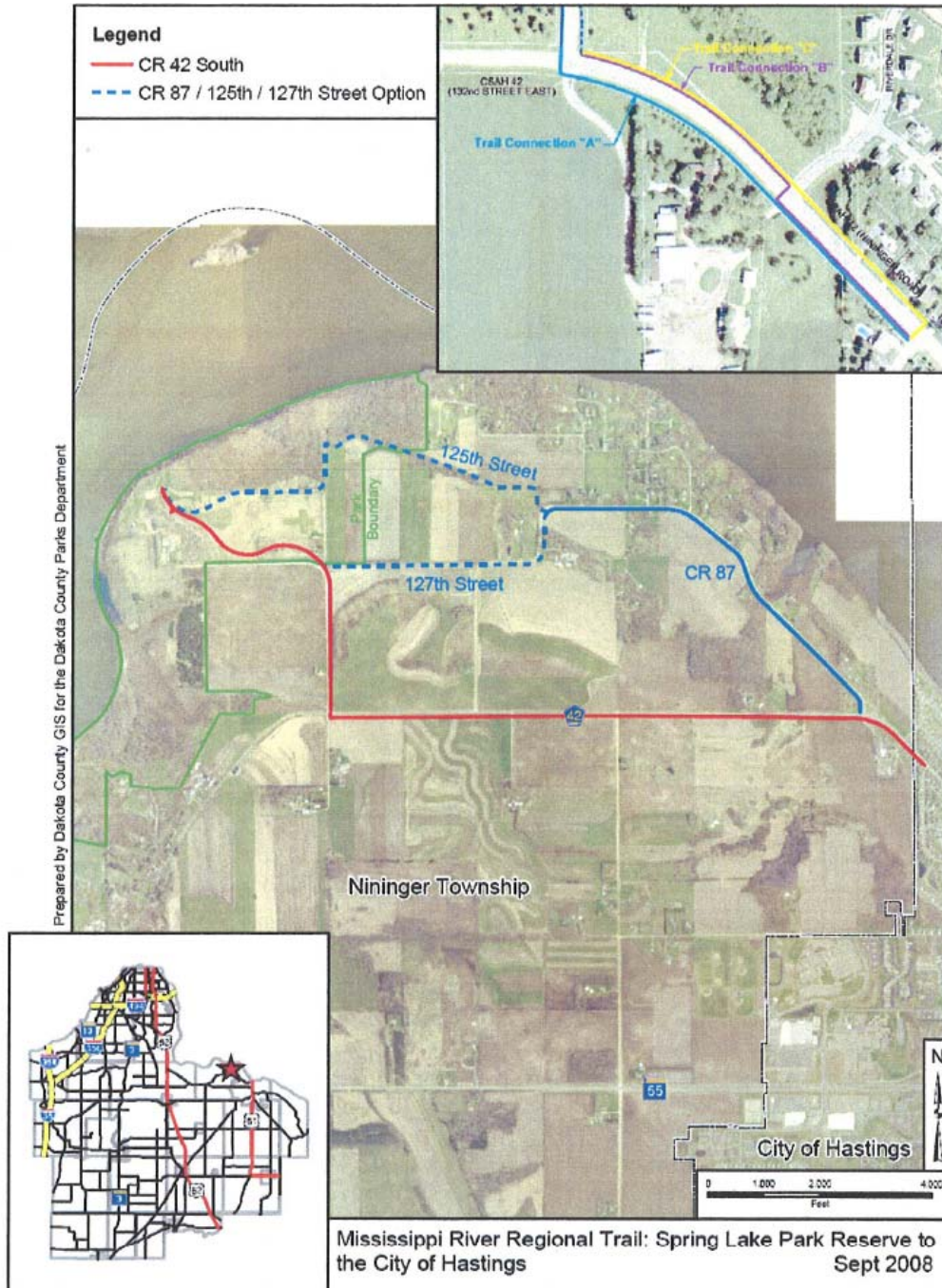
Minnesota Statute 473.313, Subdivision 2 authorizes the Metropolitan Council to review, with the advice of the Metropolitan Parks and Open Space Commission, master plans for the regional park system. Plans are reviewed for their consistency with the *2030 Regional Parks Policy Plan*. If a master plan is not consistent with Council policy, the Council should return the plan to the implementing agency with its comments for revision and resubmittal.

# ANALYSIS

## 1. Boundaries and Acquisition Costs

Dakota County has spent two years (October 2006 to October 2008) reviewing four alternative alignments in this section of the trail. **Figure 1** illustrates three alignments that were considered after dropping an alignment along 140<sup>th</sup> Street.

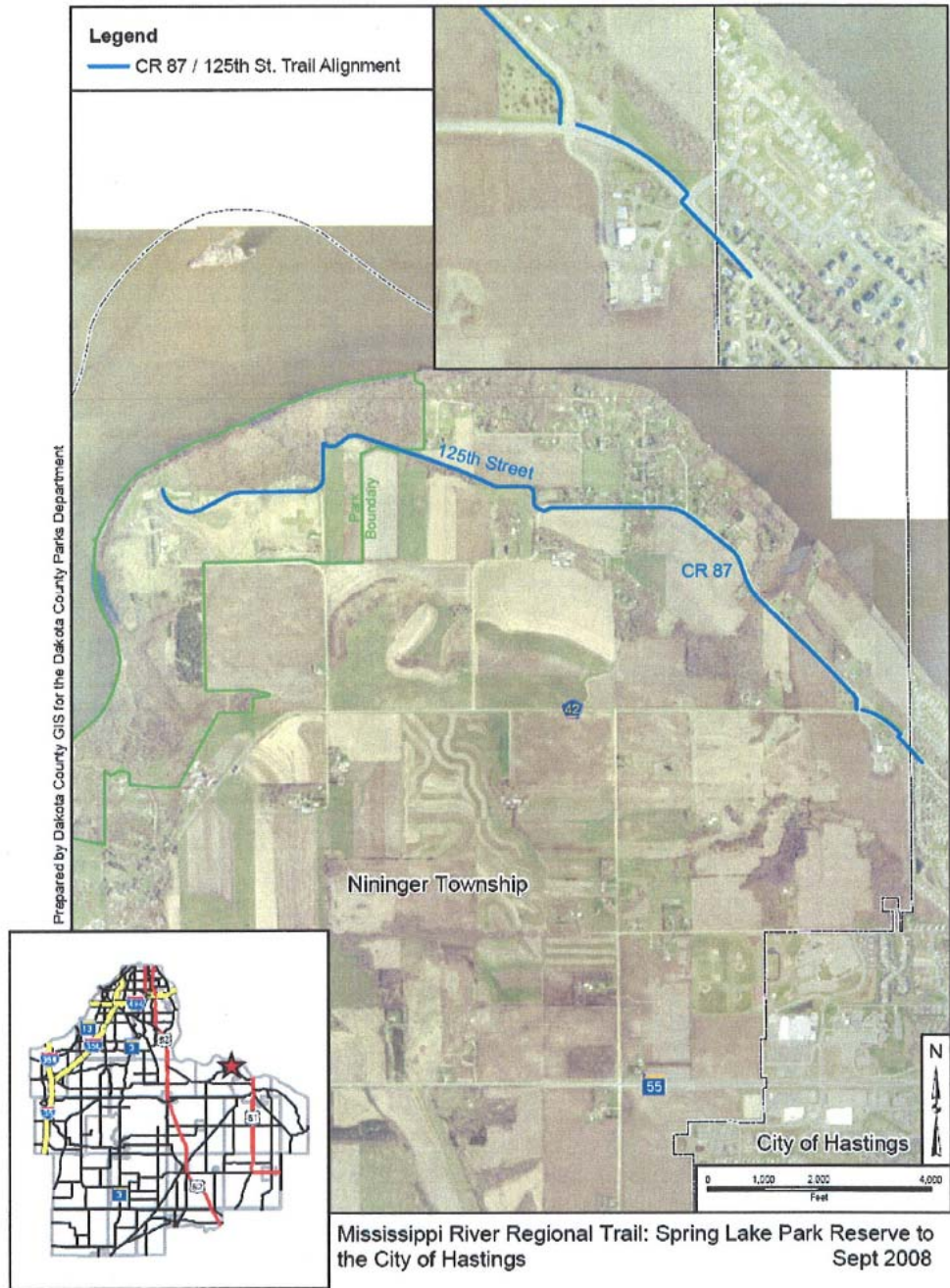
**Figure 1: Mississippi River Regional Trail Alternative Alignments**



On October 21, 2008, the Dakota County Board approved a final alignment as follows:

From Schaar's Bluff in Spring Lake Park Reserve, extend the trail easterly within the park boundary. Then proceed easterly along the north side of 125<sup>th</sup> Street to the junction of County Road 87. Then proceed easterly on the south side of County Rd. 87 to the junction of County Rd. 42. Cross County Rd. 87 and proceed southeasterly along the north side of County Rd. 42 to the junction of Riverdale Drive. Then cross to the south side of County Rd. 42 and proceed southeasterly to existing trails within the City of Hastings. This alignment is shown in **Figure 2**.

**Figure 2: Dakota County Bd. approved realignment for Miss. River Regional Trail from Spring Lake Park Reserve to City of Hastings (October 21, 2008)**





The total length of this trail is 3.3 miles. It will require the acquisition in fee or easement of 8.75 acres of right-of-way, which consists of a 40 foot wide strip “cross-country” on the border of agricultural fields that is used as a farm access road between the park reserve’s eastern boundary and 125<sup>th</sup> Street, and a 20-foot wide strip along the south side of County Rd. 87. The estimated acquisition cost is \$102,000.

## 2. Stewardship Plan

The master plan amendment focused solely on the study of alignment alternatives and the rationale for the final selection. However, a review of the Council approved master plan in 1999 states that Dakota County Parks Department would be primarily responsible for stewardship activities. These activities include, but are not limited to general clean up of a site, location and identification of property lines/trail boundary, ground maintenance, noxious weed control, and invasive species control.

## 3. Needs Analysis

The Council approved master plan in 1999 included population projections in the service area of the trail. A comparison of the population data in the 1999 plan with actual 2000 census data and with projections for 2010 and 2020 correlate closely with each other. Consequently it appears that the demand forecasted for the trail in the 1999 plan is consistent with actual and forecasted population trends in this part of the region.

The following table illustrates trail visitation growth on the existing portion of the Mississippi River Regional Trail in South St. Paul and the Big Rivers Regional Trail in Lilydale and Mendota Heights from 2003 to 2007. It shows visitation growth on these trails over time as more people become aware of them and as the population in the service area of these trail’s has grown.

	2003 visits (1,000s)	2004 visits (1,000s)	2005 visits (1,000s)	2006 visits (1,000s)	2007 visits (1,000s)
Miss. River RT (South St. Paul)	22.1	21.5	22.5	21.8	27.8
Big Rivers RT(Lilydale & Mendota Heights)	85.3	98.2	120.8	133.9	149.8

Since this section of trail would link the City of Hastings to Spring Lake Park Reserve it is reasonable to conclude that trail visitation would follow the pattern shown above.

## 4. Development

The projected development costs for the County Board approved trail alignment are \$879,133 for construction with a \$75,000 contingency/other cost for a total of \$954,133. As noted in the introduction, the County has a \$696,000 federal transportation enhancement grant and has matched that with \$375,000 for a total of \$1,071,000 to acquire right-of-way and construct this section of the trail.

## 5. Conflicts

Siting this trail segment was done with an analysis of many alternative alignments and variations within those alternatives. Over the past two years the analysis eventually focused on three alternatives. The following table from the trail master plan amendment compares these three alternatives. .

Mississippi River Regional Trail Spring Lake Park Reserve to Hastings		Three Alternatives:		
		<u>County Road 87/125<sup>th</sup></u> West/South Side CR 87, 125 <sup>th</sup> and cross country	<u>County Road 87/127<sup>th</sup></u> West/South Side CR 87, Then 127 <sup>th</sup> to Park	<u>County Road 42</u> South side of 42, East side of Idell Ave.
Physical Aspects	Total Trail Length	3.3 miles	3.4 miles	3.4 miles
	New Right Of Way Required	8.75 acres	7.47 acres	12.21 total acres 9.29 acres road widening 2.92 acres trail
	Estimated acres and width	Along CR 87: 20' Cross-country: 40'	Along CR 87: 20' 127 <sup>th</sup> : 40'	Along CR 42: 40' Along Idell: 20'
	Estimated tillable acres within right-of-way	4.2 acres	6.0 acres	9.25 acres
	Number of property parcels	26	26	13
	Residences adjacent to trail	1 at 150 feet 1 at 200 feet	1 at 104 feet 2 at 120 feet	1 at 25 feet 1 at 104 feet 1 at 120 feet
	Driveway crossings	4	6	4
	Road Crossings	4	4	2
	Irrigation rigs impacted	0	0	1
Cost Estimates	Construction	\$879,133	\$893,950	\$704,773
	Acquisition Estimate	\$102,000	\$115,000	\$160,000
	Contingency/Other	\$75,000	\$75,000	\$75,000
	Total Cost Estimate	\$1,056,133	\$1,083,950	\$939,773
City Connection	Alternative A	Sight-line restrictions Nearest home: 35 feet Tree impact		
	Alternative B	No sight-line restrictions Nearest home: 200 feet Little tree impact		
	Alternative C	No sight-line restrictions Nearest home: 200 feet Little tree impact		

The County Board's selection of the County Road 87/125<sup>th</sup> Street alternative was, as stated in the Board's resolution, because "it places the trail along a lower [traffic] speed and volume road, and utilizes the natural resources of the [Spring Lake] park [reserve] and private lands to increase the [trail's] recreational quality."

The table also illustrates that the original alignment along County Rd. 42 also had less appealing characteristics compared to the County Rd. 87/125<sup>th</sup> Street alignment regarding impacts on adjacent tillable farmland and nearness to homes.

## **6. Public Services**

The Council approved 1999 master plan noted that existing public services currently in place such as utilities would be considered in determining trail alignment decisions as well as in trail construction. No new public services are needed for the trail's construction.

## **7. Operations and Maintenance**

The Council approved 1999 master plan notes that Dakota County would be the primary agency responsible for operations and maintenance of the trail. Cooperative agreements with affected municipalities would be made in cases where the trail crosses a municipal park or other city-owned property. Also agreements with local law enforcement agencies would be made, which has occurred for enforcing local laws and ordinances at Big Rivers Regional Trail and Lebanon Hills Regional Park.

Presently Dakota County maintains and operates the Big Rivers and North Urban Regional Trails, and will maintain and operate the Mississippi River Regional Trail (MRRT) once segments have been completed. Predominant maintenance tasks include:

- Mowing
- Sweeping
- Snow plowing, packing, or grooming (depending upon winter use preference)
- Bituminous maintenance
- Vegetation management (hazard trees, noxious weed and invasive species control, view maintenance, etc.)
- Maintenance/replacement of signs, benches, vehicle barriers, etc.
- Adjacent landowner impact mitigation (screening, water management, etc.)
- Trail access maintenance
- Other (ditch and culvert maintenance, fence repair, etc.)

Annual costs to maintain the MRRT are estimated to be similar to existing maintenance costs at the Big Rivers Regional Trail, which is \$7,790/mile (includes all labor, equipment operation expense, supplies, materials, vegetation management, allowance for deferred maintenance, etc.). Therefore, the estimated annual maintenance cost for 3.3 miles of the MRRT is \$25,707.

Funds for MRRT maintenance costs are included in the Dakota County Parks and Open Space Department operating budget and is derived from county levy. The Department's capital improvement program budget also includes county levy funds for bituminous and other facilities maintenance. Metropolitan Council O&M and lottery-in-lieu funds received by Dakota County also benefit the development and maintenance of natural resources, including within trails.

## **8. Citizen Participation**

As noted in Dakota County's cover letter to the trail master plan amendment, there was extensive citizen review of the trail alignment alternatives during the past two years. An excerpt from the County Board's resolution lists the review activities that led to the County Board's final approval of a realigned trail.



**WHEREAS, by Resolution No. 06-428 (October 17, 2006), the County Board authorized a contract with WSB & Associates (WSB) for the MRRT design from Spring Lake Park Reserve to Hastings; and**

**WHEREAS, WSB developed three MRRT alignment alternatives that were reviewed by the Park and Recreation Advisory Committee (PARAC), the Nininger Township Planning Commission, and the Nininger Town Board; and**

**WHEREAS, on March 18, 2008, the Nininger Town Board requested that Dakota County evaluate a potential alignment alternative that followed a portion of 140<sup>th</sup> Street; and**

**WHEREAS, WSB investigated the 140<sup>th</sup> Street alignment alternative and during May 2008 the findings were presented to PARAC, the Nininger Township Planning Commission, and the Nininger Town Board; and**

**WHEREAS, concurrent with the alternative review process, citizen interest developed in an alternative alignment along CR 87; and**

**WHEREAS, on June 17, 2008, the Nininger Town Board received two petitions, one requesting another alignment alternative along CR 87 and a second opposing CR 87; and**

**WHEREAS, on June 17, 2008, the Nininger Town Board approved a resolution to direct the petitions to the Dakota County Parks Department; and**

**WHEREAS, on July 2, 2008, the PARAC reviewed the alignment alternatives and petitions and recommended alignment one; and**

**WHEREAS, on July 8, 2008, the Dakota County Physical Development Committee (PDC) reviewed the alternatives and recommended to the County Board alternative number one; and**

**WHEREAS, on July 15, 2008, the Nininger Town Board approved a resolution to support the County conducting a feasibility study on the potential use of CR 87 for the MRRT alignment; and**

**WHEREAS, by Resolution 08-346, (July 22, 2008), the County Board directed staff to prepare a feasibility study of the CR 87 MRRT alignment alternative and to return to a future PDC meeting for selection of a preferred alignment, based on a comparison of the CR 42 and CR 87 findings; and**

**WHEREAS, on September 16, 2008, the Nininger Town Board approved a resolution without recommendation and directed the County to make the alignment decision; and**

**WHEREAS, on October 1, 2008, the PARAC reviewed the alignment alternatives and recommended alternative one; and**

**WHEREAS, staff recommends alternative three because it places the trail along a lower speed and volume road, and utilizes the natural resources of the park and private lands to increase the recreational quality.**

Notices to landowners who lived adjacent to the alternative trail alignments were sent on several occasions to receive input throughout this planning process.

As part of this master plan amendment review the Metropolitan Council received the following statement from Mr. Harris Benjamin, who prefers that the alignment parallel County Rd. 42:

To: Dakota County Commissioner Joe Harris

Sept 26<sup>th</sup>, 2008

Subject: MRRT alignment in Nininger Township

Cc: Dakota County Board of Commissioners  
Parks and Recreational Committee, PARAC  
Bruce Blair, Manager, Park Development

From: Harrison Benjamin  
13120 Lock Blvd. Hastings, MN 55033 651-437-4353

Dear Commissioner Harris,

I own property in Nininger on CR 87 and CR 42 and I am one of many potentially impacted by the bike trail thru Nininger. As you are well aware, progress on making the MRRT trail alignment decision was delayed on July 15<sup>th</sup> 2008 when the Nininger Town board voted their preference, without citizen comment permitted, for the CR 87 trail alignment. This was a reversal of the Town Board vote at their May 2008 Board meeting when they voted to oppose the CR 87 trail alignment and left the alignment selection to the County Board. It is also a reversal of the Town Board approved Policy Regarding Regional Trail Corridor, dated March 17<sup>th</sup> 1998, opposing the CR 87 alignment. The County Board selection of the south side of CR 42 trail alignment in Sept. 1999 supported the Nininger Town Board.

With input from the Dakota County Parks and Open Space Department and giving consideration to the Town Board vote of May 2008, both the Parks and Recreation Committee, PARAC, at their June 4<sup>th</sup> 2008 meeting, and the Commissioners at the Physical Development Committee of the Whole July 8<sup>th</sup> meeting voted to approve the south side of County Road 42 alignment for the MRRT Nininger segment between Spring Lake Park Reserve and the City of Hastings.

The situation changed on July 15<sup>th</sup> 2008. Following the Town Board switch vote of July 15<sup>th</sup> 2008, you requested and the County Board voted, at your July 22<sup>nd</sup> meeting, to direct staff to prepare a feasibility study of the CR 87 trail alignment and return to the Physical Development Committee with the study results suggesting the preferred alignment, based on a comparison of the CR 42 and CR 87 study findings.

On Aug. 13<sup>th</sup> 2008 we were advised by letter from Bruce Blair, Manager, Park Development, of two meetings at the Nininger Town Hall to preview the results of the CR 42 vs. CR 87 study findings. At the first meeting on Sept 15<sup>th</sup> Bruce Blair presented his findings to the Nininger Planning Commission and concerned citizens. The presentation resulted in considerable response from the citizens. The Planning Commission did not have a quorum and could not vote on their recommendation to the Nininger Town Board. But, at the request of a citizen, a show of hands of those citizens in attendance indicated 35 were in favor of the CR 42 alignment and 10 were in favor of the CR 87 alignment.

On Sept 16<sup>th</sup> the same presentation was scheduled with the Town Board. Several citizens also were in attendance, many that were unable to attend the Sept 15<sup>th</sup> meeting. However, Blair was not given the opportunity to present his study findings to the Town Board. Instead the Nininger

Town Board changed their stance again and voted to withdraw it's preference for the CR 87 alignment and voted to defer the final trail alignment decision, without further comment, to the County Board. The Town Board meeting continued on other unrelated topics and further citizen discussion with Bruce Blair about the trail continued in the Town Hall parking lot!

In my view the findings point to the CR 42 alignment as the preferred selection for the following reasons:

1. CR 42 is less costly (CR 87 costs exceed the \$700K Fed grant and \$175K County 80%/20% cost share). It should be noted that shown cost estimates for the CR 42 trail alignment include R/W property costs and possibly some construction costs associated with future widening of CR 42 in addition to trail costs. So true CR 42 trail related costs are even less than the estimates presented. No future road upgrades are planned for CR 87. CR 87 has a large ravine which must be bridged for a trail, a significant cost factor.
2. CR 42 impacts less acreage. Of the 12.21 acres estimated in the findings for CR 42, only 2.92 acres are attributed to the trail. The 9.29 acre balance is for future CR 42 road widening. The two CR 87 options consume 4.2 or 6.0 acres for the trail.
3. Fewer property owners and only one close residence are impacted on the CR 42 trail alignment.
4. The fewest trail crossings, two, apply to the south CR 42 alignment. If the trail is extended from the existing Hastings trail on the south side of CR 42 at Monroe St. to Idell the two crossings are Jacob Ave at the intersection with CR 42 and across CR 42 at Idell. Both south CR 42 alignment crossings meet safety standards according to facts given us at one Parks Dept. public meeting.
5. One irrigator comes to no less than 50 feet from the power line on the east side of Idell. This irrigator has a controlled flow end nozzle necessary to prevent water from contacting the existing power line and Park road. The irrigator should not be impacted by the trail along Idell.
6. The CR 87 alignment would impact centuries old oak trees and possibly a private sanitary drain field.
7. CR 87 alignment options in the City of Hastings could impact several homes and driveways.

Other factors that should be considered include:

8. CR 42 is safer than CR 87. Both roads have the same speed limits but CR 42 is straight and CR 87 has several sharp curves which have and continue to result in many off road accidents over the years (including two deaths in my time).
9. No hill on CR 42 exceeds trail specs of 5% maximum grade (slope), much less than parts of the City Trail in Eagle Bluff, from the Dam to CR 42, which are 5 ¼ % to 8% grades.
10. There are no scenic overlooks and no visual or physical access points to the Mississippi River from the CR 87 alignment. Trees, hills and several residences restrict and block views along all of this alignment. There are far more stunning panoramic views

from the CR 42 alignment extending to the River, Hastings, Dakota County, Washington County, Prescott WI and beyond.

**11.** Petitions have been gathered representing both sides of the issue. These indicate that Township citizens are essentially split on their preference for CR 42 vs. CR 87. Only one Town Board Supervisor signed a petition. That member signed in opposition to the CR 87 alignment.

**12.** The CR 42 alignment does impact one private residence. Several evergreen trees, many of which appear to have been planted on the road R/W after the recent CR 42 upgrade, would be removed. Consideration should be given to a creative, less invasive trail design here much like trails adjacent to traffic lanes on space restricted highway bridges for example.

I have attended all of the referenced meetings and I believe I have accurately summarized the facts and issues. I support and the study results support the south CR 42 trail alignment. This has been the most controversial and divisive issue for Nininger Township in years, perhaps decades. I trust that a final decision will be made in October. Without any doubt, half the citizens will still be upset no matter the outcome.

Sincerely,  
Harrison Benjamin

Dakota County Parks staff reviewed Mr. Benjamin's statement and submitted the following response:



---

Dakota County Parks Department  
14955 Galaxie Avenue · Apple Valley MN 55124  
Phone 952.891.7000 · Info Line 651.438.4671 · Fax 952.891.7097 · [www.co.dakota.mn.us](http://www.co.dakota.mn.us)

## MEMORANDUM

**DATE:** December 19, 2008  
**TO:** Arne Stefferud, Planning Analyst, Metropolitan Council  
**FROM:** Steve Sullivan, Director, Dakota County Parks and Open Space Department  
**SUBJECT:** Mississippi River Regional Trail Alignment in Nininger Township, Dakota County  
Response to Citizen Interest

As requested, the following is our Departments response to issues raised by Mr. Benjamin regarding the alignment of the Mississippi River Regional Trail (MRRT) within Nininger Township. The two alignments considered are along County Road 42 (CR 42) and County Road 87 (CR 87). On October 21, 2008 the Dakota County Board of Commissioners selected CR 87 as the preferred alternative.

*Response to Correspondence from Mr. Benjamin to Dakota County Commissioner Joseph Harris, dated September 26, 2008*

This letter accurately describes predominate public review and political actions. We offer these clarifications to the twelve findings presented in the letter:

1. The CR 87 alternative cost estimate is higher than the CR 42 route. The County Board has approved funds believed to be sufficient for the CR 87 route.
2. The CR 42 alternative required 12.21 acres of right of way for both future road widening and the trail, whereas the CR 87 alternative requires 8.75 acres for the trail. During design, every effort will be made to reasonably reduce the right of way required.
3. Measuring from trails edge to structure drip line, the CR 42 alternative has one residence with a separation of about 35 feet, while the CR 87 alternative has one residence with a 104 foot separation.
4. The CR 87 alignment has four road crossings, compared to two for CR 42. However, the MRRT crossing of CR 42 at Idell Avenue, while meeting design standards, is not desirable. There was considerable conversation about installing a grade separated crossing when CR 42 was upgraded, which would add considerable project expense.
5. During the 2008 growing season, the irrigation rig along Idell Avenue did spray water on the power line and park entrance road. However, it is believed that with landowner cooperation and perhaps equipment modification, this existing overspray and potential overspray of the trail could be avoided.
6. Both alternatives would result in some tree loss, and the CR 87 alignment will impact more oaks than CR 42. The private drain field mentioned is a design challenge but alternatives for trail realignment or drain field relocation are being considered. The landowner must have a functioning drain field when the trail project is complete.

7. Due to refinement of the CR 87 alternative, no residential driveways are crossed within the city of Hastings.
8. The MRRT will be off-road along CR 87. While this does not guarantee a risk free trail environment, the trail design will be responsive to the potential safety issues.
9. In general, the CR 42 alignment has to climb 50 feet higher in elevation than CR 87.
10. We concur that there are no visual or physical access points from CR 87 to the Mississippi River. However, the rural, lower traffic volume of CR 87 contributes to an environment that many consider more desirable than along CR 42.
11. No comment.
12. Extensive consideration was given to reducing potential impact to the evergreen trees screening the residence from CR 42. Had this alternative been chosen, we would have explored the least invasive options.

## **9. Public Awareness**

The Metropolitan Council approved 1999 master plan as well as the list of public meetings noted in the “Citizen Participation” section of this memorandum included media notifications and a strategy for making the general public as well as adjacent landowners and affected local government officials aware of the trail. Like other regional park system features in Dakota County, informing the public of trail planning, construction and availability for public use will continue to be done through print and electronic media, as well as through contacts with individuals and groups.

## **10. Special Needs**

The Metropolitan Council approved master plan includes a section on addressing deterrents to special populations in using outdoor recreation facilities and the County’s approaches remove those deterrents to special populations in the following ways:

1. Free access to the trail would ensure that it is available to the economically disadvantaged.
2. Appropriate signage in English and other languages provides a welcoming environment to non-English speaking persons
3. Design of the trail to meet Americans with Disabilities requirements to the greatest extent practicable to provide access to persons with disabilities.

## **11. Natural Resources**

The proposed trail route along CR 87 presents three predominate vegetation management opportunities. These opportunities, and the preferred vegetation management strategies of each, are:

1. Parallel to County Rd. 87.

The county anticipates purchasing an average of 20’ of right of way width parallel to CR 87. This 20’ will be occupied by a 10’ wide bituminous trail, with mowed clear zones on each side of about 5’ wide. Vegetation management will focus on mowing for safety (no impaired sightlines at intersections as an example), to control noxious weed species, and to prevent erosion. Vegetation management will be coordinated with the Dakota County Transportation Department as they will be responsible for road clear zones and ditches.

2. Connection between County Rd. 87 and Spring Lake Park Reserve

The county anticipates purchasing up to an average of 40’ of right of way width to accommodate the trail and mowed clear zones. The extra right of way will allow ditches as required to manage drainage,



which is also an opportunity for native grass, forbs and woody vegetation to create wildlife habitat, add color, reduce maintenance, and provide shade.

### 3. Within Spring Lake Park Reserve

Natural resource management needs and opportunities are major criteria for locating the trail within the park boundaries. The trail will be located to minimize negative impact and to create the boundary between management of high quality forest to the north, with future restored oak savanna landscape to the south. The area disturbed by trail construction will be restored to reflect these preferred vegetation communities. The trail will also serve as a permanent firebreak for prescribed burning of the restored oak savanna, reducing risk and labor to manage.

Similar to the other trail sections, there will be a mowed clear zone.

#### **REVIEW BY OTHER COUNCIL DIVISIONS:**

**Environmental Services** –(Jim Larsen and Kyle Colvin)—No impacts.

**Metropolitan Council Transportation** (Ann Braden) – No impacts.

#### **CONCLUSIONS:**

The Mississippi River Regional Trail master plan amendment realigning trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5) is consistent with the requirements for regional park system master plans as found in the *2030 Regional Parks Policy Plan*.

#### **RECOMMENDATION:**

That the Metropolitan Council approve the Mississippi River Regional Trail master plan amendment realigning the trail from Hastings to Spring Lake Park Reserve, Dakota County (Referral No. 15553-5).

**Attachment 1: Letter from Steve Sullivan, Dakota County**



NOV 24 2008

**Physical Development Division**  
Lynn Thompson, Acting Division Director  
Dakota County  
Western Service Center  
14955 Galaxie Avenue  
Apple Valley, MN 55124

952-891-7000  
Fax 952-891-7031  
[www.dakotacounty.us](http://www.dakotacounty.us)

Environmental Mgmt Dept  
Farmland & Natural Areas Program  
Office of GIS  
Parks Department  
Office of Planning  
Surveyor's Office  
Transit Office  
Transportation Department  
Water Resources Office

November 17, 2008

**Arne Stefferud**  
Planning Analyst - Parks  
Metropolitan Council  
390 N Roberts Street  
St. Paul, MN 55101

METROPOLITAN COUNCIL  
REVIEW  
FILE NO. 1553-5

Dear Arne:

Dakota County requests Metropolitan Council approval to amend the approved County Road (CR) 42 alignment of the Mississippi River Regional Trail (MRRT) from Hastings to Spring Lake Park Reserve (SLPR) to CR 87 and then along 125<sup>th</sup> Street.

The MRRT is planned to connect South St. Paul to Hastings. On September 21, 1999 (Resolution 99-526), the County Board adopted the draft development plan for the MRRT. The approved alignment for the MRRT segment from SLPR to Hastings is along Idell Avenue then parallel to County Road 42 (CR 42) to Hastings.

Construction of this segment is scheduled in 2009. The existing Dakota County Parks and Open Space Capital Improvement Program (CIP) budget includes a federal transportation grant in the amount of \$696,000 and a local match of \$325,000, for a combined total of \$1,021,000 for project costs. The draft 2009 CIP includes an additional \$50,000 for the project. The combined amount (\$1,071,000) is sufficient to cover the estimated construction and right-of-way acquisition costs.

Nininger Township and the Dakota County Board have recently evaluated an array of regional trail alignment alternatives (Attachment A: Alignment Alternative Map and Attachment B: Alignment Comparison). On October 17, 2006 (Resolution 06-428), the County Board authorized a contract with WSB & Associates (WSB), to prepare a feasibility study for three MRRT alignments along CR 42. At the request of Nininger Township, a fourth alternative was evaluated along 140<sup>th</sup> Street. On June 17, 2008, the Nininger Town Board received two petitions, one requesting MRRT alignment along CR 87 and a second opposing this alignment. The Town Board did not support either request. On July 2, 2008 the Park and Recreation Advisory Committee (PARAC) reviewed the alignment alternatives and recommended the alignment on the south side of CR 42. On July 8, 2008, the Dakota County Physical Development Committee (PDC) recommended the alignment on the south side of CR 42.

On July 15, 2008 the Town Board voted to support the County preparing an additional feasibility study of CR 87 for the MRRT alignment. On July 22, 2008, the County Board directed staff (Resolution 08-346) to prepare a feasibility study of the CR 87 alignment alternative and to return to a future PDC meeting for selection of a preferred alignment, based on a comparison of the CR 42 and CR 87 findings. On September 16, 2008 the CR 87 alternative alignments were considered by the Nininger Town Board which expressed no preference and resolved to let the County decide the alignment. On October 1, 2008 the PARAC reviewed the CR 87 alternative alignments and recommended CR 42 alignment. On October 14, 2008, the Dakota County PDC recommended the alignment on the west side of CR 87 to 125<sup>th</sup> Street. On October 21, 2008 the Dakota County Board of Commissioners approved the PDC recommendation (Attachment C: Report and Resolution). The approved alignment alternative along CR 87 and 125<sup>th</sup> Street places the trail along a lower speed and volume road and utilizes the natural resources of the park and private lands to increase the recreational quality.

Thank you for the consideration to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Sullivan", with a long horizontal flourish extending to the right.

Steve Sullivan, Director  
Dakota County Parks and Open Space