

POLICIES AND STRATEGIES

The policies presented in this document are the Metropolitan Council's priorities for the kind of regional recreation open space facilities and services it would like to see acquired, developed and operating in the future. The policies give definition and meaning to ongoing efforts to develop and operate the system.

The strategies are short- to medium-term actions that will advance the policies. Some of the strategies represent actions that the Council will take in developing the system or responding to particular sets of conditions. Other strategies are directed to various levels of government involved in implementation of the plan. The strategies are incremental actions; each makes a small contribution in moving toward achievement of the Council's policies. The strategies indicate the general nature of action-oriented decisions. Guidelines for implementation and administration are found in the Management Procedures portion of the Policy Plan.

This section of the Regional Parks Policy Plan lists the overall policies for siting and acquisition, finance, recreation activities and facilities, planning and system protection. Strategies for accomplishing each policy are stated briefly, explained in more detail, and followed by the history and development of each strategy.

Siting and Acquisition

Policy: Identify lands with high-quality natural resources that are desirable for regional parks system activities and put these lands in a protected status so they will be available for recreational uses and conservation purposes in perpetuity.

Strategy 1: Lands with natural resource features and/or access to water will have priority over other proposed park land.

Future Metropolitan Council designation of lands for the regional parks system should stress important natural resource features, access to water bodies and natural resource features that enhance outdoor recreation. Geographic balance or proportionate distribution tied to population distribution patterns can be given weight when natural resource features can be provided through restoration.

The legislative charge to the Council is to prepare a policy plan that “. . . shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities, which together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development.” (Minn. Stat. 473.147, subd. 1)

Regional recreation open space is defined as “. . . land and water areas, or interests therein, and facilities determined by the Metropolitan Council to be of regional importance in providing for a

balanced system of public outdoor recreation for the metropolitan area including but not limited to park reserves, major linear parks and trails, large recreation parks, and conservatories, zoos, and other special use facilities.” (Minn. Stat. 473.121, subd. 14)

Water is a major attraction in almost every unit of the regional parks system and an amenity along many regional trails. Most surface water is public, with the waterbeds owned by the state; it is appropriate to provide access to these water bodies through the regional parks system.

Major considerations in deciding which lands should be acquired for the regional parks system are:

- Natural qualities most desirable for the outdoor recreational activities.
- Protecting an important natural resource feature, such as linking other natural resource areas or water bodies together, which in turn provide a larger natural habitat opportunity; helping to protect or improving water quality; or habitat for protected or endangered species.
- Assuring that regional park facilities are evenly distributed around the metropolitan area or distributed in proportion to the existing and forecasted urban development.

The legislative directive is clear that the land should be of “regional importance.” Regional importance is not directly defined in the law, but the legislative directive requires that the regional parklands plus state facilities should reasonably meet the outdoor recreation needs of the people of the metropolitan area. Consequently, lands of “regional importance” would be comparable in size, draw users from rather large geographic areas and contain natural resources similar to the state parks and trails in the metropolitan region. Lands that only serve a municipality or neighborhood would not be of “regional importance.”

Past acquisition activity has tended to favor lands with high-quality natural resources over even geographic distribution. This has produced a regional parks system with more lands and facilities in the west and southwest portions of the metropolitan area than in other sectors.

This geographic imbalance in the regional parks system is considerably ameliorated by the presence of state parks in the St. Croix Valley and at Fort Snelling and by the existence of a high-quality highway system with most of the regional facilities within a drive of 30 minutes or less from the urbanized area. National standards for regional parks assume a one-hour driving time as acceptable. The rehabilitation of urban areas that include natural resource features (for example, Central Mississippi Riverfront Regional Park and Cedar

Lake Regional Trail) have provided opportunities to create regional park sites or regional trails that also address the geographic balance issue.

Strategy 2: Funding will follow priorities set by park implementing agencies in approved master plans.

The priority rating for acquiring park and park reserve lands identified in Metropolitan Council approved master plans is lands that are available for purchase now, which would be lost to the regional parks system if timely action is not taken, and that are:

- Essential to protect the natural resources that define a park or park reserve and make it usable to the public as planned.
- Essential for the park or park reserve to reach its full regional natural resource-based outdoor recreation service potential as defined in the Council's Regional Parks system plan and the park unit's master plan.

Matching non-state and non-Metropolitan Council funds to acquire land and the donation of land or sale at a discounted price is encouraged. Capital improvement program requests for funding that leverage non-state and non-Metropolitan Council funds, including the value of any donation, will be given higher priority for funding than similar projects that do not leverage non-state and non-Metropolitan Council funds.

Most master plans provide for a range of recreational activities and developments that require lands in addition to those strictly needed to protect and enjoy the prime natural resource base. The full intent of the master plan will not be realized until these additional lands have been acquired for the system.

All privately owned parcels within an approved master plan boundary are "inholdings" until they are acquired. Some parcels have homes on them and are called "residential inholdings." The acquisition of inholding parcels—especially those containing homes or those likely to be developed for residential or other urban uses—should be protected by first-right options to purchase, official mapping, life estates or other means. It is imperative that efforts are made to acquire these parcels because every time the land is sold to another private party, the land continues to remain unavailable for regional parks system purposes. If once-vacant land is developed for housing or other uses, it becomes unreasonably expensive to acquire and is essentially lost to the regional parks system.

The Metropolitan Council, with the advice of the Metropolitan Parks and Open Space Commission, will work with regional park implementing agencies to systematically review inholding parcels that have undergone development to determine whether the land is essential to protect the natural resources that define the park and make

it usable to the public as planned, or whether the land is essential for the park or park reserve to reach its full regional natural resource-based outdoor recreation service potential as defined in this policy plan and the park unit's master plan. The results of that review may conclude that some parcels, or a portion of a parcel, no longer meet those requirements and should be removed from the park's boundary through a master plan amendment. For example, small parcels with homes on the edge of parks have either been removed from the park boundary or subdivided, with the undeveloped land acquired for the park and the home removed from the park boundary.

Because of strong public attraction to water resources, acquisition of any additional public water frontage within the regional parks system should be given a very high priority. The high demand and rapidly escalating value of water frontage will only make those lands more costly in the future. The priority is to acquire water frontage lands when they are most affordable: when they are undeveloped or, at least, developed with less expensive homes. Trying to convert water frontage to public use after it's been fully developed is politically difficult and very expensive.

Strategy 3: New trails, or trail segments, that serve a regional audience are a significant priority for the regional parks system.

To qualify for regional trail status, an existing or proposed trail must serve a regional audience, based on visitor origin and service-area research on regional trails, and should not duplicate an existing trail. The trail may include part of an existing county or local trail if it is a destination itself, providing a high-quality recreation experience that traverses significant natural resource areas where the trail treadway will have no adverse impact on the natural resource base, and/or it links two or more units of the regional recreation open space system.

New Linking Regional Trails should be located within the developing or developed area of the region. For Linking Regional Trails, any two trails running parallel to each other and not separated by natural or human-built barriers should be at least 1.5 miles apart so as not to overlap the localized service area of those trails. For Destination Regional Trails or Greenways, there should be no spacing minimums or maximums; instead, the decision to locate the trail should be based on the availability of existing high-quality natural resources or the opportunity for natural resources restoration, enhancement and protection. Areas within the urban and urbanizing portion of the metropolitan area that are not within 3 miles of a regional trail should be identified as search sites for new regional trails.

Destination Regional Trails or Greenways should be located to reasonably maximize the amount of high-quality natural resources within the trail corridor boundaries. Whenever possible, Linking Regional Trails should be located to reasonably maximize inclusion of

high-quality natural resources and connections to local trails, areas of lifecycle and affordable housing, and areas of infill and redevelopment.

Funding priority for individual parcels of land within a trail corridor is to:

- Lands essential to protect the trail corridor and make it usable to the public as planned.
- Lands considered essential for the trail corridor to reach its full regional service potential as defined in the Council's system plan.

Matching non-state and non-Metropolitan Council funds to acquire land and the donation of land or sale at a discounted price is encouraged. Capital improvement program requests for funding that leverage non-state and non-Metropolitan Council funds, including the value of any donation, will be given higher priority for funding than similar projects that do not leverage non-state and non-Metropolitan Council funds.

The Minnesota Statewide Comprehensive Outdoor Recreation Plan (SCORP)¹ notes that trail recreation is becoming increasingly important; the interest and demand for more trails are being felt at all levels of government. This increased interest in trail recreation reflects the fact that it is a healthful form of exercise for people of all age groups, is suitable for all levels of physical conditioning, can be carried out by families, groups or individuals, and is often available close to home. It's also relatively inexpensive: There's no need to buy special equipment or supplies and usually there are no fees for trail use by individuals and families.

Demographic forecasts further accentuate the growing importance of trail recreation. The 45–65 age group is expected to grow significantly during the 2000–2010 period. Although many of these people would not or could not participate in more vigorous contact sports, the vast majority of them can walk, hike or ride a bicycle along a trail. Promotion of exercising and keeping fit well into advanced age also will stimulate trail development.

There are local trails in the metropolitan area, and a number of well-developed trails and walkways are within the confines of larger regional parks and park reserves. In 2000, there were 17 regional trails developed or in some stage of acquisition/construction in each of the seven counties and the two central cities.

The visitor origin data from the 1998-99 regional trail survey indicate that regional trails in the metropolitan area are used most by people who live nearby or can reach the trail in a short bicycle trip or drive.

¹ The Statewide Comprehensive Outdoor Recreation Plan is prepared by the Minn. Dept. of Natural Resources every five years. The most recent version (2008–2012) can be found at <http://www.dnr.state.mn.us/aboutdnr/reports/scorp/index.html>

The main criterion used to define regional parks and park reserves—the presence of high-quality natural resources—is also relevant to the location of a regional trail. Attractive settings contribute strongly to the quality of trail recreational experience. Since trails or greenways are linear elements, areas along rivers and streams or chains of lakes are excellent candidates for incorporation into the regional trail system.

Natural features in the greenway or adjacent to the trail treadway serve ecological and environmental educational purposes, too. Restoration and management practices emphasizing native species can maintain and enhance the aesthetic, habitat and other resource values of these areas.

Trail corridors planned and operated mainly to provide bicycle transportation such as trips to work, shopping, etc., are not emphasized as a part of this policy plan—the emphasis is on recreational trail activities—but new regional trails that are projected to serve both recreation and commuting uses are desirable as part of the regional trail system. Some regional trails also function as bicycle transportation corridors and have been funded in part with federal transportation funds. The selection, development and operation of bicycle transportation arteries are covered as a component of the Council's transportation plan. The commuter on a regional trail typically enjoys a more scenic travel experience compared to the experience offered on road-based bicycle transportation lanes, so commuting trips taken on regional trails have an inherent recreation component. Increased commuting opportunities by locating new regional trails benefit the region through reduced congestion and the health benefits associated with physical activity. Examples of existing regional trails that provide multiple benefits include the Southwest LRT Regional Trails, Cedar Lake Regional Trail, the Mississippi River Regional Trail, the Big Rivers Regional Trail and the Bruce Vento Regional Trail.

User surveys indicate that recreation trails draw heavily from nearby areas, so the priority is to concentrate on the acquisition of more trail corridors in the metropolitan urban service area, where more than 90 percent of the population lives. In this urbanized area, attention should be given to both high-quality natural resources and, in the fully built-up areas, to major human-built or developed resources. The interesting human-built developed resources include historical and architectural buildings and sites, education facilities, cultural facilities, and major public and private buildings. Utilizing the surface rights of underground utility corridors, such as large sewers, for trail purposes protects the utility for access/maintenance and provides a linear corridor for the trail.

The regional trail system in the metropolitan area is like the highway system, with regional and local components. The regional component consists of trails in the regional trail system and state-administered trails. This system is complemented by shorter, local trails, which may eventually feed into units of the regional trail system. The opportunities for interesting trail recreation experiences are substantially enhanced where local trails intersect with or are reached by elements of the regional system. Another priority for designation of regional trails is the existing or likely possibility of intersecting with the local trail system.

When determining the boundaries of regional trail corridors, regional park implementing agencies should consider Natural Resource Inventory lands adjacent to the trail treadway to enhance the natural resource values of the trail. This is especially appropriate when the trail treadway is primarily an abandoned railbed, in a power-line corridor or along a highway. These pockets of natural areas not only enhance the recreational experience of the trail user but also enhance the values of the primary land near the entire trail. Retaining these areas in their natural condition is the best use of the land, especially if it would be difficult to develop them anyway. An example would be including wetlands adjacent to the trail within the trail boundary. The wildlife habitat, water-quality values plus the aesthetic values of the wetlands enhance the trail user's experience and encourage best land-use practices, since the wetland could not be developed economically compared to "dry" land.

Some of the metropolitan area's inner-ring suburbs are not close to regional parks and don't have large tracts of land that would be available for future development of parks for the regional system. Regional trail development should be pursued in these suburbs when the need has been identified, to help achieve equitable geographic distribution of regional parks system facilities.

If parcels are needed to link trails to each other in a network and they are likely to be developed for residential or other urban uses, acquisition of them should be protected by first-right options to purchase, official mapping, life estates or other means.

Strategy 4: Special recreation facilities must enhance services and facilities already offered, not compete with or duplicate them.

Special recreation facilities proposed for inclusion in the regional parks system must:

- Be unique and complement or enhance the services already offered by the regional system.
- Be capable of functioning within the existing management structure of the regional parks system.

- Not duplicate or compete with recreation facilities adequately provided by the public or private sector.
- Not drain funds from other facilities in the system either because they have an existing or committed financial base or because a prior agreement for a public subsidy has been reached that is in the public's interest.
- Demonstrate the existence or potential for drawing a sizable number of people from throughout the metropolitan area.
- Be approved through the master plan process.

Regional parks system legislation indicates that the system should contain parks, park reserves and trails, and zoos, conservatories and "other special-use facilities." The term "other special-use facilities" is not defined in legislation. Discussion in previous Council policy plans suggests that "other special-use facilities," also referred to in the plan as special recreation features (SRF), are those facilities that:

- Contribute to the inventory of available and needed recreation opportunities.
- Are distinctive developments and/or unique natural landscapes not commonly found in the parks, park reserves and trails.
- Require special programming or management.

As of 2010, there are six special recreation facilities: Como Zoo, Como Conservatory, Noerenberg Gardens, Square Lake, Gale Woods and Silverwood. The Como facilities are found within Como Regional Park. Noerenberg Gardens was given to Three Rivers Park District with the understanding that it was a unique and regional-level attraction. Square Lake provides beach and boat access to the clearest lake in the metropolitan area. The land encompassing Gale Woods was originally proposed as a regional park. Silverwood is a former Salvation Army camp on Silver Lake that was acquired in 2001. It is programmed for environmental education to serve urban populations.

Finances

Policy: Provide adequate and equitable funding for the acquisition, rehabilitation and development of regional parks system units and facilities in a manner that provides the greatest possible benefits to the citizens of the region.

Strategy 1: Only projects included in capital improvement programs will be funded.

Council-administered funds for acquisition and development go only to projects included and ranked by priority in an adopted capital improvement program (CIP). Funding will be consistent with the established CIP priorities. Projects are eligible for inclusion in a CIP only if they are included in a master plan that has been found to be consistent with the policy plan.

Strategy 2: Funds will be granted only to regional park implementing agencies.

Any funds provided by or through the Metropolitan Council for regional parks system acquisition, development and operations/maintenance will be granted only to regional park implementing agencies for projects consistent with Council-authorized master plans, capital improvement programs or state law. The regional park implementing agencies are:

- Anoka County Parks and Recreation
- City of Bloomington Parks and Recreation
- Carver County Parks
- Dakota County Parks
- Minneapolis Park and Recreation Board
- Ramsey County Parks and Recreation
- City of St. Paul, Division of Parks and Recreation
- Scott County
- Three Rivers Park District
- Washington County Parks and Recreation

Strategy 3: Investment should be balanced between acquisition and development.

Whenever possible, a balance should be struck between investing in acquisition and investing in development. If a decision on fund allocations must be made, the priorities for those allocations are to:

- Acquire those lands essential to protect the natural resource that defines a park, park reserve or trail and to make it usable to the public as planned.
- Develop new or rehabilitated facilities or increase the capacity of existing facilities in places where there is a documented existing or projected high level of use and where the natural resource base will be protected.

If the metropolitan area, over the long run, is to have a fully usable regional parks system, it is necessary to make investments in both the acquisition of land and in the development of facilities that are used to deliver recreational services. Long-term focus exclusively on either acquisition or development makes little sense. If the region focuses all of its money and attention on acquiring thousands of acres of land and makes only minimal improvements, we will not have a usable system. Likewise, if only minimal land acquisitions are made and vast amounts of money are spent on improving this land, the end result may be an overdeveloped landscape that offers little opportunity for the individual outdoor recreational activities the regional system intends to provide.

One of the most important development and investment policies expressed in the Council's Regional Development Framework is to maintain existing facilities in good operating condition and to give priority to investing in new or improved facilities intended to serve the existing population.

Strategy 4: Any development should primarily benefit citizens of the metropolitan area.

Development in regional parks system units should be based on the principle of providing and maintaining quality public park areas and facilities primarily for citizens of the metropolitan area. The individual master plan process will balance the need to provide facilities in the park with the impacts of those facilities and their use on the natural resources in the park. The eligibility criteria (not in any priority order) for development and rehabilitation of regional park reserves, parks, trails and special facilities are:

- Projects that provide new facilities, rehabilitate facilities or increase capacity where there is documented existing or projected high use, and where there will be no adverse effect on the natural resource base.
- Projects continuing a phased high-priority project or one of relatively high-priority that is timed with other public improvement projects to achieve significant economies in cost of construction.
- A project providing a specific facility that meets a documented need, is currently not available or is significantly under-represented in the system where there will be no adverse effect on the natural resource base.
- Regional trails that connect to other trails or regional facilities or extend existing trails.
- Natural resource restoration, invasive species control and other types of resource restoration and protection projects.
- Matching non-state and non-Metropolitan Council funds to develop/rehabilitate recreation facilities or restore natural resource areas is encouraged.

- Projects that provide essential facility improvements and natural resource enhancements to allow for the initial public use of a regional park once there is adequate demand and acquisition base to support the development.

Early efforts of the regional parks system program focused on acquiring desirable tracts of land and incorporating existing park facilities that are valuable to the region. Since the lands in question were being used, or were intended to be used, for some form of recreation, it was recognized that eventually the new lands would require development and the facilities in the older parks would have to be redeveloped through replacement or reconstruction.

Implementing agencies are responsible for development and rehabilitation needs for their units in the regional parks system. The individual master-plan process will balance the need to provide facilities in the park with the impacts of those facilities on the natural resources in the park. Each implementing agency ranks its proposed development and rehabilitation projects for possible inclusion in the capital improvement program of the Council. All of the proposed development and rehabilitation projects may be desirable, but some, due to their location, their existing use or intended use, tend to be more valuable from a regional standpoint than others.

Adding recreational facilities to regional parks system units must not adversely affect the natural resource base that justifies the park or trail's regional designation. Park implementing agencies need to balance the carrying capacity of the recreational facilities against the carrying capacity of the park or trail corridor.

With regard to regional trails, implementing agencies are encouraged to connect existing trails to other trails or regional facilities or extend existing trails. Implementing agencies are encouraged to negotiate with local communities and landowners to provide fencing or vegetative screening to meet safety and local community concerns. Fencing and screening may be grant-eligible development costs. The Metropolitan Council and Commission will consider such costs when reviewing trail development master plans and trail development funding requests. Excessive screening or fencing beyond a reasonable minimum should be cost-shared with the adjacent landowner since the additional cost provides no benefit to the trail-using public.

Strategy 5: Some emergency funding requests will be considered.

The Metropolitan Council may consider "emergency requests" to finance capital improvement projects for regional parks system land acquisition and development that are not financed in the currently adopted regional parks system capital improvement program, if:

- The project is consistent with a Metropolitan Council-approved park or trail master plan.
- The regional park implementing agency can demonstrate that the opportunity for funding the project would be lost if action is not taken now compared to deferring it to a future biennium. For example, the opportunity to acquire land may be lost if funds were not provided at that time versus waiting for funding in a future capital improvement program.
- The delivery of outdoor recreation services would be severely affected if action is not taken now.

If all criteria can be met, the Council may reallocate grant funds of the requesting regional park implementing agency and/or use any interest earnings on park grant funds on park projects consistent with state law.

If land acquisition financing or additional matching TEA-21 grants would be disbursed to another state if not obligated in Minnesota, the Council may use unmatched Council bonds from the previous biennial capital improvement program to finance up to 40 percent of eligible project costs.

If the Metropolitan Council approves funding for the emergency request by following the criteria stated above, it may amend the regional parks system capital improvement program without holding a public hearing in order to expedite the decision-making process for the funds.

The Metropolitan Council authorizes grant funds for land acquisition and development capital improvements based on its adopted regional parks system capital improvement program (CIP). Occasionally, regional park implementing agencies ask the Metropolitan Council to finance land acquisition or development projects that were not part of the adopted CIP and were not budgeted in the CIP because there was no need for funding them at the time it was prepared. For example, land may come up for sale in a park after the CIP was adopted. Or, a disaster such as a fire or flood may call for funding to replace structures at a cost beyond that covered by insurance.

When an existing grant is reallocated to another project, one of two outcomes is possible:

- A portion of a project that was originally planned may be deferred. The regional park implementing agency recognizes that it is more cost-effective to defer some work and do other work with the funds available. For example, acquiring land that would otherwise be lost to development or be much more expensive to acquire in the future would be a better use of grant funds.
- The regional park implementing agency may have been able to complete the originally planned project for less money and thus

wants to maximize the benefit of the entire grant by doing more capital improvements consistent with a Council-approved park or trail master plan. For example, estimates for the original project may be much higher than actual costs. The regional park implementing agency may be able to do more work with the existing funds for that park and utilize the current contractor on site with a change order in the work to be accomplished.

In both cases, the “emergency project” needs to be consistent with a Metropolitan Council-approved master plan for the park/trail unit involved. Due to the timing needed for funds in these cases, criteria are appropriate to allow the Council to amend its capital improvement program without an additional public hearing.

Strategy 6: The Metropolitan Council may reimburse implementing agencies for the costs of acquiring some lands before they have been made part of the regional parks system.

Reimbursement will be considered for early acquisition of land currently designated as regional recreation open space by the Metropolitan Council in the 2030 Regional Parks Policy Plan if the acquisition is in full agreement with a Council-approved master plan as required under MN Statutes 473.313 and the regional park implementing agency received Council approval prior to undertaking the acquisition.

If land is acquired or protected under an option to purchase by a regional park implementing agency, or an entity under contract with that agency while the Metropolitan Council considers adding the land to the Regional Recreation Open Space Policy Plan via a public hearing process, the Council will consider reimbursing the park agency for the costs to acquire or protect the land via an option to purchase under the following conditions:

- The Council is informed in writing of the land acquisition or option to purchase before it occurs.
- The Council makes a preliminary finding via staff analysis that the proposed regional park unit is consistent with Strategy 1 (a): siting criteria for units of the Regional Park System, and the size/service area requirements for the applicable regional park system unit are met.
- The Council conducts a public hearing to designate the acquired land as regional recreation open space based on a draft acquisition master plan containing the acquired land or land held under an option to purchase. The hearing is conducted under the requirements of MN Statutes 473.147.
- Based on the findings/conclusions of the public hearing, the Council designates the land as regional recreation open space and approves an acquisition master plan that contains the acquired land or land held under an option to purchase.

If these conditions are met as required by MN Statutes 473.147, and 473.313 the Council will consider reimbursing the park agency via a grant as permitted under MN Statutes 473.315 for the following costs:

- Appraisal costs incurred by the acquiring park agency or entity under contract with the agency.
- Surveying costs incurred by the acquiring park agency or entity under contract with the agency.
- Legal fees incurred by the acquiring park agency or entity under contract with the agency.
- Fees for service provided by an entity under contract by the park agency to negotiate and purchase the land or obtain an option to purchase.
- Principal payments made towards the purchase price including principal payments on a contract for deed or bond, or payments made on an option to purchase.
- 180 percent of township or city taxes due on the parcel at the time of closing as required by MN Statute 473.341

Since the acquisition of the land will primarily benefit the acquiring agency, to comply with MN Statute 16A.695 requirements on the expenditure of State bonds, to minimize the total costs of acquisition and to be consistent with reimbursements made on other projects, these costs are not grant eligible:

- Acquisition costs incurred to acquire a local park, which is later designated a regional park.
- Interest incurred by the acquiring agency or entity under contract with the agency on bonds it issued to buy the land, or interest incurred on a contract for deed payment.
- Projected investment revenue lost by the acquiring agency or entity under contract with the agency, based on what it might have earned on funds it spent to acquire the land or to buy an option to purchase the land.
- Interest on inter-agency or intra-agency loans used to finance the acquisition payment(s) or option to purchase.

Reimbursement will be considered based on whether the development or rehabilitation project fits the criteria—not on how the implementing agency plans to spend the reimbursement grant. However, agencies should state how they would spend the reimbursement grant so that State funds as well as Council bonds can be used when possible. This would eliminate any need for amendments to the Council’s Unified Capital Budget since the CIP would accurately reflect how the funds were being spent and inform the public and elected officials how the funds will be spent.

If an agency chooses to spend reimbursement grant funds on a Phase 1 project, the subsequent Phase 2 or continuing phased project request should not be ranked with other Phase 2 or continuing phased projects, but be ranked along with other unphased projects

in the parks CIP. Additional phases should be outlined in the first phase request and the Council must concur that this is one project versus several projects that could stand on their own.

Since Council bonds are limited to financing only 40 percent of the total biennial CIP, the following steps will be taken when considering reimbursement requests in a biennial CIP:

- Park agencies should submit their CIP funding requests with the understanding that reimbursement grants should not exceed 40 percent of an agency's biennial CIP allocation.
- If the total requests for reimbursement grants exceeds 40 percent of the total biennial CIP, agencies should submit plans to the Metropolitan Council as to how they intend to spend the reimbursement grant, in order to ascertain whether or not State bonds can also be used to finance the reimbursement grant in addition to Council bonds. If the amount of reimbursements requiring Council bond funding exceeds the amount of Council bonds available for that biennial CIP, park agencies will be asked to reduce their CIP requests for reimbursements for that biennium and request funds to finance new project(s).
- If the adjusted requests for reimbursements that require Council bonds still exceed the amount of available Council bonds for that biennium, the Metropolitan Parks and Open Space Commission will rank reimbursement requests according to the ranking criteria in place at that time.

The Metropolitan Council will use best efforts to implement this reimbursement policy as described above. However, the Council does not, under any circumstances, represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

Strategy 7: Trails that may be used for transit in the future should only be acquired if it is clear they will be used as trails for at least 10 years.

Regional parks system funds should only be used to acquire or develop a corridor identified for future transit use in a Council-approved transit implementation plan when there is a guarantee that the trail facility will be operational for its useful design life, as negotiated by the transit provider and the regional park implementing agency. In cases where trail recreation is to be a permanent partner with light-rail transit, busways or other uses in the use of the corridor, regional parks system funds will be used only for that part of acquisition and development attributable to trail use.

Occasionally, existing linear space previously used for railroad or road transportation becomes available for new uses. This is particularly true of railroad rights-of-way that are no longer required for service. The most likely new uses for these corridors at present are recreational trails, light-rail transit and busways.

The availability of these corridors may offer excellent opportunities for the regional trail system to expeditiously acquire links that would otherwise have to be assembled on a parcel-by-parcel basis. All

surplus corridors put on the market should be evaluated for their suitability as additions to the regional trail system.

If the available corridor traverses an area with high-quality natural resources, or if it constitutes part of a link in a more extensive regional trail system, there is interest in acquiring the trail for use as part of the regional trail system. In some cases, available corridors do not provide any linkages or offer any potentially interesting trail recreation experience. In these cases, the regional parks system has little interest in acquisition or use of the corridor.

However, where either the linkage or natural resources criterion or both are met, two potential problem situations occur. First is a situation where the surplus corridor is wide enough to accommodate permanent use both as a light-rail/busway transit right-of-way and for trail recreational purposes. Such areas are of substantial interest to the regional parks system. It is hoped that differences between the transportation use and the recreation use can be resolved so that both types of activity can become permanent, valuable additions to the metropolitan area. Planning, development and management arrangements, however, will have to be worked out among the various interests involved.

The trail use of rights-of-way owned by regional rail authorities is allowed as an interim use under agreements between the regional rail authority/transit provider and regional park implementing agencies. Signs on these trails inform the public of that fact and that trail use may be displaced or shared with transit in the future. In recognition of these conditions, an additional classification of regional trails is depicted—“interim trail use subject to shared use or displacement with transit use of this right-of-way.”

A more difficult situation occurs when the corridor right-of-way, on a permanent basis, can accommodate either light-rail/busway transit or trail recreation, but not both. Since light-rail/busway transit is in the early planning and implementation stages, it may be years or even decades before light-rail transit is actually constructed in a particular corridor. It is fairly common to suggest that, in the interim, the corridor be used for recreational trail purposes. The possibility always exists that the eventual conversion of the corridor to light-rail/busway transit will not occur and, presumably, the corridor will be available for permanent recreational uses.

However, it is also possible that light-rail/busway transit will eventually claim the facility after a period of several years. If the facility has been used as a recreational trail, it's entirely possible that the trail will become popular and be viewed as a permanent part of the regional trail system. The regional parks system will experience a substantial dislocation and deprivation if one of its links is suddenly

removed from the system. Public opposition over conversion from recreation to transportation use is likely. If the regional trail system and the transit system are to take this risk, it must be done with the clear-cut understanding that trail recreation may only be a temporary use. No significant long-term recreation investment will be made in the facility unless it will be in operation for its useful design life. As defined by the Federal Highway Administration, the useful design life of a trail is 10 years or more. Bridges have a useful design life of 50 years.

“Minnesota Abandoned Railroad Corridor Preservation Process” describes how railroad rights-of-way can be preserved for a variety of public uses. If regional railroad authorities decide to divest themselves of rights-of-way, this procedure should be used to determine future public uses of the right-of-way, including regional trails if the rights-of-way can generally meet regional trail criteria.

Strategy 8: The Council will support the activities of its non-profit partner, the Regional Parks Foundation of the Twin Cities in order to raise awareness of the regional parks system and to raise private funds to help acquire lands planned as part of regional park system.

Although deciding what lands should be purchased for the regional parks system has been carefully determined through individual park and trail master plans and prioritized for regional funding, the ability to acquire the land is dependent on having enough funds available when landowners are ready to sell. Regional park agencies have had to estimate how much money to budget to buy the land, not knowing when it will be available and what land prices will be. In several instances, regional park agencies have not had sufficient regional acquisition grant funds to meet the demand for funds and have had to use their own funds to acquire the land and then seek reimbursement with regional grants in the future.

These reimbursement grants are financed with Metropolitan Council bonds because state bonds cannot be used to reimburse a local government for land that has already been purchased. In other cases, if the regional park implementing agency did not have sufficient funds, the land was sold on the private market and homes or other structures were built or rebuilt on the land. It then became unreasonably expensive to acquire and was lost for park or trail purposes.

In order to have sufficient funds on hand when needed to acquire regional parks system land, the Regional Parks Foundation of the Twin Cities was formed in 2008. The mission of the Regional Parks Foundation is to raise awareness of the regional park system, and to

help raise private funds to supplement and leverage public resources for the acquisition of regional parks and trails.

Strategy 9: The Council actively will seek funding from the state and other sources.

The Council will seek continued state funding for acquisition, development and rehabilitation of all elements in the regional parks system. The Council will also pursue other sources of funding where appropriate. Continued State supplemental support to finance 40 percent of operation and maintenance costs of the regional system will also be sought.

The regional parks system has been funded through a combination of state and local funding sources over the last 30 years. Funding for operations and maintenance of the regional system has been provided primarily by implementing agencies through local taxes available to them and, to a lesser extent, user fees. Since 1985, the state has provided some supplemental funding to implementing agencies to help fund their O&M costs. Minn. Stat. 473.351, subd. 3, states that:

- Each regional park implementing agency must receive no less than 40 percent of its actual operation and maintenance expenses to be incurred in the current calendar year budget as submitted to the Metropolitan Parks and Open Space Commission. If the available operation and maintenance money is less than the total amount determined by the formula including the preceding, the implementing agencies will share the available money in proportion to the amounts they would otherwise be entitled to under the formula.

Any changes in the formula used to distribute state funds for operations and maintenance will require legislative action.

Planning

Policy: Promote master planning and help provide integrated resource planning across jurisdictions.

Strategy 1: Acquisition and improvement projects must be part of approved master plans, or their amendments. Importance of accurate master plans, and for local government to guide land shown within master plan boundary as intended for future park use.

The basic unit of Council control is at the master-plan level for the allocation of regional acquisition and development funding. As a condition to request development funding in the first biennium of the regional parks capital improvement program (CIP), regional park implementing agencies must assess and report to the Metropolitan Council whether sufficient information on the cost of the facility has been provided in the master plan or subsequent amendments and that the facility's construction can begin if funds are provided. Alternatively, the regional park implementing agency may choose to request capital improvement funds to finance the final design/engineering of the facility in the first biennium of the CIP and a separate grant for the facility's construction in the second biennium of the CIP. The amount of the construction grant will be based on the results of the final design/engineering phase.

If a master plan amendment is needed prior to funding construction of a facility, the regional park implementing agency must provide the general public and agencies that have an effect on the particular park or trail an opportunity to participate in the process. The opportunity for public input must also be provided in the final design/engineering phase of any project.

Minn. Stat. 473.313 requires a master plan to be developed by each regional park implementing agency in consultation with all affected municipalities. While the statute requires only one master plan per regional park implementing agency, the Council requires individual master plans for each regional park, park reserve, trail and special recreation feature. Master plans prepared by the implementing agencies are critical in defining the specifics of acquisition, development and operation of regional facilities. The plans include the regional park implementing agency's and Council's estimates of use and costs. The master plan process allows other units of government and citizens to know what is planned for a park and how it affects them. Collectively, these master plans form the implementing agencies' part of the regional system plan. For a regional park implementing agency to receive a Council grant for acquisition or development, the proposed project must be consistent with a Council-approved master plan.

Master plans will be reviewed and approved by the Council for consistency with this and other Council policy plans. Inconsistent plans will be returned with comments to the regional park

implementing agency, which must revise and resubmit the plan to be eligible for Council funding.

Minn. Stat. 473.313 provides for the state mandate on master plans; however, it does not provide guidance on timeliness of revisions/updates. A plan is revised/updated when the regional park implementing agency submits a plan amendment to the Metropolitan Council to change its original proposal for acquisition and/or development, or when it has developed significant additional detail. The Metropolitan Council may approve or reject the plan amendment.

With regard to financing the construction of recreation and visitor support facilities proposed in a master plan, it is important that there is sufficient detail about the facility in the master plan and that the regional park implementing agency is ready to construct the facility when funds become available. As a condition for requesting regional parks system development funds in the first biennium of the regional parks capital improvement program (CIP), the Council will require implementing agencies to assess and report to the Council whether sufficient information on the cost of the facility has been provided in the master plan and that the project's construction can begin if funds are provided. Alternatively, the regional park implementing agency may choose to request capital improvement funds to finance the final design/engineering of the facility in the first biennium of the CIP and a separate grant for the facility's construction in the second biennium of the CIP. In either case, the regional park implementing agency must provide an opportunity for the general public and agencies that have an effect on the particular park or trail to participate in the process to amend a master plan or the final design/engineering phase of a facility prior to funding its construction.

The outcome of this assessment, which may result in an amended master plan or separate financing of final design/engineering of a facility, will provide adequate information to determine the proposed facility's consistency with the Council's policy plan and help justify the priority and timing of funding in the regional parks capital improvement program.

Master Plan Content Requirements and Funding Process

Each master plan must include information for each of these items:

- Boundaries and acquisition costs. A list of parcels to be acquired and the estimated total cost and schedule for their acquisition, and information on natural resources, site suitability, special assessments and other conditions that affect acquisition of the site or location of the boundaries.

- Stewardship plan. A program for managing park property, including activities, expenses and anticipated revenue prior to developing the property for recreation purposes. Planned non-recreation uses and disposition of revenue from such use should be detailed.
- Demand forecast. The recreational demand to be met by the site as identified by the Council, the regional park implementing agency or other sources.
- Development concept. A plan for recreational development and natural resource management, including schedule and cost estimates for each project and the approximate capacity of each facility. Conflicts between recreational and natural-resource management needs in developing the park/trail unit should be addressed and resolved. Amendments to an acquisition-phase master plan should be made prior to funding recreation and visitor support facilities if there is insufficient detail on the scale and cost of the facility. Alternatively, the final design/engineering phase of a proposed facility should be funded first, with construction funding provided in a separate capital improvement grant.
- Conflicts. Identification of conflicts with other existing or proposed projects or land uses affecting the park/trail unit, including steps necessary for their resolution.
- Public services. A description of any non-recreational public services and facilities, such as roads or sewers, needed to accommodate the proposed recreational use, including the timing of these services and the arrangements necessary to provide them.
- Operations. Rules, regulations or ordinances affecting the site, including estimated operations and maintenance costs and sources of revenue to operate and maintain recreation facilities and to manage natural resources in the park/trail unit. The operations plan should indicate how energy to operate and maintain the park unit is being managed and conserved. The plan should also state how solid waste from park users is recycled and disposed of consistent with applicable laws.
- Citizen participation. A process to involve affected municipalities and the general public in the master planning. The process must include, but not be limited to, timely notice to the affected municipality with an opportunity for the public to be heard. The master plan should include a summary of comment received, with emphasis on issues raised.
- Public awareness. Plans for making the public aware of services available when the regional park is open.

- Special needs. A plan that identifies special populations to be served by the facility and addresses accessibility, affordability and other measures designed to ensure that the facility can be used by members of special population groups.
- Natural resources. As part of the master plan, there should be a natural-resource management component that includes:
 - Natural Resources Inventory (NRI) as a part of the master plan process. An NRI should include a land cover inventory that is consistent with the Minnesota Land Cover Classification System developed by the Minnesota Department of Natural Resources and the *MetroGIS* – a consortium of government entities in the region that create, manage and share digital geographic data in a GIS (Geographic Information System). The natural resource inventory should include native plant communities mapped in the Minnesota County Biological Survey and listed (rare, endangered, and threatened) species documented in the Natural Heritage Information System. The natural resource inventory may include other land-based information. The Metropolitan Council has created the Natural Resources Digital Atlas (*NRDA*) – (<http://gis.metc.state.mn.us/topics/nrda/index.asp>) an easy to use mapping application designed to assist communities and other organizations and users in the Twin Cities metropolitan area to identify and protect locally or regionally significant natural resources. Using consistent, region-wide information based on the above data or tool will assure compatibility with other natural resource inventories that have been completed or will be done in the metropolitan region.
 - The Natural Resource Inventory should be a basis for projects/proposals to restore degraded resources and maintain high-quality natural resource features, including the estimated capital costs of natural resource restoration projects. Implementing agencies should consult with natural resource professionals in the design and final construction of park facilities, especially trails, that are adjacent to or cross over natural resource areas. The final design and construction should allow the public to view and enjoy these natural habitats with minimal adverse impact on that habitat.
 - Information on how surface water and groundwater resources in the unit, including wetlands, will be protected. This should include standards and requirements that are consistent with the Council’s model ordinance for stormwater management. The master plan should include provisions to, first, avoid wetland impacts; second, minimize impacts; and, finally, mitigate impacts when no other options are available.
 - Information on how vegetation will be managed.

- Each regional park implementing agency is responsible for preparing a master plan for each regional system park that it owns or operates. The regional park implementing agency shall present the master plan and planned amendments to affected local units of government, as well as local, state and federal recreation providers with facilities within the primary service area of the park or trail, and address their concerns prior to submitting the plan to the Metropolitan Council. (The primary service area of a park or trail is the area in which 75 percent of the unit's visitors come from.) The master plan submitted to the Council shall include a summary of comments received that identifies issues raised.

Master plans for regional linking trails:

Each master plan for a regional linking trail must include information for each of these items:

- Boundaries and acquisition costs. A list of parcels to be acquired and the estimated total cost and schedule for their acquisition, and information on natural resources, site suitability, special assessments and other conditions that affect acquisition of the site or location of the boundaries.
- Demand forecast. The recreational demand to be met by the trail as identified by the Council, the regional park implementing agency or other sources.
- Development concept. A plan for development, including schedule and cost estimates for the project and the approximate capacity of the trail.
- Conflicts. Identification of conflicts with other existing or proposed projects or land uses affecting the park/trail unit, including steps necessary for their resolution.
- Public services. A description of any non-recreational public services and facilities, such as roads or sewers, needed to accommodate the proposed trail, including the timing of these services and the arrangements necessary to provide them.
- Operations. Rules, regulations or ordinances affecting the trail, including estimated operations and maintenance costs and sources of revenue to operate and maintain the trail.
- Citizen participation. A process to involve affected municipalities and the general public in the master planning of the trail. The process must include, but not be limited to, timely notice to the affected municipality with an opportunity for the public to be heard. The master plan should include a summary of comment received, with emphasis on issues raised.

- Special needs. A plan that identifies special populations to be served by the facility and addresses accessibility, affordability and other measures designed to help ensure that the trail can be used by members of special population groups.

Each regional park implementing agency is responsible for preparing a master plan for each regional system park or trail assigned to it by this policy plan. The regional park implementing agency shall present the master plan and planned amendments to affected local units of government, as well as local, state and federal recreation providers with facilities within the primary service area of the park or trail, and address their concerns prior to submitting the plan to the Metropolitan Council. (The primary service area of a park or trail is the area in which 75 percent of the unit's annual visitors come from.) The master plan submitted to the Metropolitan Council shall include a summary of comments received that identifies issues raised.

Master plans for regional destination trails or greenways:

Master plans for regional destination trails or greenways shall include all of the elements outlined above for regional trails as well as a stewardship plan, and natural resource inventory:

- Stewardship plan. A program for managing the surrounding greenway areas and natural resource features.
- Natural resources. As part of the master plan, the natural resource management component should include:
 - Natural Resources Inventory (NRI) as a part of the master plan process. An NRI should include a land cover inventory that is consistent with the Minnesota Land Cover Classification system developed by the Minnesota Department of Natural Resources and Metro GIS – a consortium of government entities in the region that create, manage and share digital geographic data. Using the same NRI format will assure compatibility with other natural resource inventories that have been completed or will be done in the metropolitan region. The natural resource inventory should include native plant communities mapped in the Minnesota County Biological Survey and listed (rare, endangered, and threatened) species documented in the Natural Heritage Information System
 - The Natural Resource Inventory should be a basis for projects/proposals to restore degraded resources and maintain high-quality natural resource features, including the estimated capital costs of natural resource restoration projects. Implementing agencies should consult with natural resource professionals in the design and final construction of the trail/ greenway, that are adjacent to or cross over natural resource areas. The final design and construction should allow

the public to view and enjoy these natural habitats with minimal adverse impact on that habitat.

- Information on how surface water and groundwater resources in the unit, including wetlands, will be protected. If appropriate, this should include standards and requirements that are consistent with the Metropolitan Council's model ordinance for stormwater management. The master plan should include provisions to, first, avoid wetland impacts; second, minimize impacts; and, finally, mitigate impacts when no other options are available.
- Information on how vegetation will be managed.
- Each regional park implementing agency is responsible for preparing a master plan for each regional system park or trail that it owns or operates. The regional park implementing agency shall present the master plan and planned amendments to affected local units of government, as well as local, state and federal recreation providers with facilities within the primary service area of the park or trail, and address their concerns prior to submitting the plan to the Metropolitan Council. (The primary service area of a park or trail is the area in which 75 percent of the unit's annual visitors come from.) The master plan submitted to the Council shall include a summary of comments received that identifies issues raised.

Strategy 2: Joint-powers agreements for regional trails are encouraged.

Regional park implementing agencies are encouraged to enter into joint-powers agreements with local governments regarding the acquisition and operations/maintenance of regional trails. The joint-powers agreements should address who has control over the trail right-of-way and how that control is exercised, and who will operate and maintain the trail and how operations and maintenance will be accomplished.

The trail must be available to all users (not restricted by residence) with only controls on the type of use and timing/season of the permitted use(s).

The duration of the joint-powers agreements should last the expected life of the trail and should be included in the trail master plans submitted to the Metropolitan Council as an assurance that any funds provided by the Council for the trail would be spent consistent with the Council-approved trail master plan.

Regional trails generally extend through several communities. Unlike regional parks, where the regional park implementing agency owns the park and usually deals with one or two local governments, regional trails affect several local governments and may not be "owned" by the regional park implementing agency. The regional park implementing agency may lease the trail land and manage it with a local government through a joint-powers agreement.

Joint-powers agreements need not be identical, but regional park implementing agencies are encouraged to negotiate arrangements that deal with the primary issue of how trail land ownership is controlled

and how the trail is going to be managed, and that insure the trail will be open to all people (not restricted by residence). The trail should be treated as a truly regional facility, since regional and state funds are or will be used to finance its acquisition, development and operations/maintenance.

Including these joint-powers agreements in trail master plans assures the Metropolitan Council that any funds it provides or passes on for the trail's acquisition, development or operations/maintenance will be consistent with Council-approved trail master plans.

Strategy 3: Projects may share costs, if they are consistent with a master plan.

Projects that are consistent with a master plan but exceed regional need as determined by the Council may proceed on a cost-sharing basis. Agencies must obtain Council approval in advance of undertaking cost-shared developments.

It is possible that a regional park implementing agency may wish to make improvements that substantially differ in type, size, scale or cost from those in the approved master plan and the adopted CIP, in order to meet expanded local recreational demands or satisfy above-average quality standards. Two conditions must be satisfied before such activity can be approved: First, the responsible regional park implementing agency must request an amendment to the master plan to reflect the new proposal; then the Council must review and, if in accord, accept the amendment.

If a new master plan is adopted, there also must be a funding proposal under which regional funds will be used only for the regional service facilities, not for facilities intended to serve local needs. In fairness to other users of regional funds, it is necessary to limit the amount to what is necessary to cover average improvements that will deliver adequate services, and not to pay for excessively ornate or elaborate facilities.

A master plan amendment followed by final Council approval for regional park implementing agency action is required, even if all of the improvement funds come from regional park implementing agency sources or are raised through cost-sharing arrangements with other governments or the private sector. The improvements are to be put on regional system lands that are committed to specific long-term planned uses. These lands must be protected from the intrusion of activities and developments that are incompatible with the planned uses of the park, park reserves and trails, irrespective of who pays the development bill.

The regional park implementing agency may be required to pay the full amount or the extra portion of the project cost when a regional park implementing agency wants to develop a facility sooner than the Council has determined that it is needed to meet regional demand, or

at a scale greater than regional demand warrants, or at a higher cost than the Council finds necessary to serve the regional interest.

- Projects funded by cost sharing must meet the same requirements of master planning and Council approval as any other regional recreation system projects.
- Costs incurred by the regional park implementing agency as the local share of the project are not reimbursable.
- The Council will not consider the availability of local funds in establishing the ranking of projects by priorities in the CIP.
- Where funds are available from private sources or sources other than the regional park implementing agency to share in project costs, the Council will work directly with the affected regional park implementing agency.

Recreation Activities and Facilities

Policy: Provide a regional system of recreation opportunities for all residents, while maintaining the integrity of the natural resource base within the regional parks system.

Strategy 1: Activities in regional parks must be tied to the natural resources of the parks, but not impact them negatively.

Minn. Stat. 473.147 requires the Metropolitan Council to prepare a policy plan that “. . . shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities, which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development.”

Minn. Stat. 473.121, subd. 14 defines regional recreation open space as “. . . land and water areas, or interests therein, and facilities determined by the Metropolitan Council to be of regional importance in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks and trails, large recreation parks, and conservatories, zoos, and other special use facilities.”

Based on the legislative directive and definition of “regional recreation open space,” activities in the regional parks system should:

- Be strongly tied to high-quality natural resources and to the distribution of these resources around the area.
- Require land and acquisition efforts generally found at the regional level.
- Be reasonably, feasibly and safely accommodated without detriment to existing uses as determined through master plans for facility improvements to accommodate the use, or through regional park implementing agency policy board decisions on park/trail use management issues.
- Be protective of the environment/ecology of the site and not negatively impact its natural resources.

Recreation includes many different kinds of activities and pursuits, some of which can be done individually and alone, and others that involve many people. Some activities are inexpensive—or even free—needing little more than sensible clothing and shoes. Others require a substantial personal outlay of funds. A number of activities can and do take place on lands and in facilities usually provided at public expense. Others are provided on a for-profit basis and require admission and user charges.

Activities that should be accommodated in the regional parks system include:

- Picnicking.

- Camping.
- Swimming.
- Conservations.
- Nature interpretation.
- Fishing.
- Boating.
- Ski-touring.
- Hiking/walking.
- Bicycling.
- Horseback riding.
- Snowmobiling, in some cases.

This list does not include unique activities such as those offered by the Como Park Zoo and Conservatory, because these two facilities are, by law, to be included in the regional parks system.

The regional activities selected require large tracts of land, or land endowed with unique natural resources, or both. The land needs are easier to meet at the regional level than at the municipal level and the associated activities are more likely to be developed or provided at a regional level than by cities and towns.

When the regional system was being developed in the 1970s, several existing parks were included that had activities not currently considered appropriate for inclusion in the regional system. Many of these activities continue to operate legitimately today, but they are not eligible for regional funding for improvement or expansion.

Land is acquired at the regional level for inclusion in the system with the intent that it may eventually be developed in a way that provides for the recreational activities listed above. Adherence to this basic list of activities has served the regional system well over the years and has helped to fend off efforts to acquire and develop regional parks system lands for other ventures.

Potential New Uses of Trails

Some new uses for parks and trails should be considered by regional park implementing agencies when determining whether to accommodate them in trail development master plans.

- In-line skating. This activity requires a wider trail treadway (wider than 8 feet) if pedestrian, bicycling and in-line skaters are on the

same treadway and going in two directions. In-line skating also requires a smoother/harder surface than bicycling and pedestrian uses. In-line skating is more popular on flat-terrain trails, such as abandoned railroads, than on hilly terrain trails going cross-country. In-line skating seems to be more popular on looped in-park trails than on long-distance park-to-park trails. However, skaters will go out and back on linear trails at a distance that meets their physical conditioning. Based on these factors, in-line skating could be added as a primary use on a regional trail if:

- The trail treadway was or could reasonably be made sufficiently wide, smooth and flat to safely accommodate skaters, pedestrians and bicyclists.
- Few or no other in-line skating opportunities were being provided nearby on regional trails (in-park or inter-park) or could not be provided on non-regional trails (in-park or inter-park).
- Mountain biking. Challenging, hilly terrain is attractive to mountain bicyclists, but the trail treadway must be designed to minimize soil erosion. In some cases, mountain biking on turf trails may be permitted only during drier times of the year if the underlying soil and slopes isn't able to withstand mountain bike use when it is seasonally wet. Mixing mountain biking and pedestrian users on the same trail treadway should be carefully evaluated during the trail design process. Trail user rules may be needed to provide a safe and enjoyable experience for both kinds of users. Mountain bike trail terrain is best provided in closed loop trails within regional parks or park reserves rather than in cross-country trails between parks. Mountain biking (off-road, nonpaved trails) could be added as a primary use on a regional trail if:
 - During drier seasonal time periods, mountain-bike use can be accommodated if the trail treadway surface and design permits it without causing excessive erosion.
 - The trail treadway can safely accommodate either bicyclists alone or a mix of pedestrians and bicyclists through appropriate trail design and/or trail user rules.
- Night trail use. Opening trails at night allows those who work during the weekdays to use them more frequently. Walking and cross-country skiing at night increases trail uses during the off-peak spring, fall and winter seasons. Trail lighting projects are encouraged where appropriate, especially on trails with high demand. When considering lighted trails, however, it's important to assess lighting's impact on adjacent land uses.

Mixing motorized and non-motorized trail uses, such as snowmobiling and hiking, requires appropriate trail design and possibly speed

controls and signage to safely accommodate both uses. Regional park implementing agencies are encouraged to use public participation processes to develop solutions to any multi-use trail conflicts.

Trail uses such as motorized wheelchairs or three-wheel bicycles should be reasonably accommodated to serve persons with mobility impairments wherever possible.

There has been a demand for organized amateur athletic facilities that serve several municipalities or organized league play within a municipality. Municipal recreation departments and/or school districts provide these athletic field complexes. The Minnesota Amateur Sports Commission (MASC) is responsible for elevating the social and economic benefits of sports to enrich the lives of all Minnesotans. Grants for such facilities go through the MASC, not the Metropolitan Council. Such athletic field complexes do not require a high-quality natural-resource land base; they are easier to develop on formerly disturbed lands. As such, athletic field complexes are inappropriate for development on regional parks system lands.

When new recreational activities become popular, parks implementing agencies need to see if it's appropriate to accommodate them on regional parks system lands. For example, in the last 10 years, field archery, ski-joring, paint ball, BMX biking, skate parks, dog exercise areas and dressage have become increasingly popular. These activities may preclude the use of an area for other uses, but this doesn't mean they are unacceptable within regional parks system lands in all cases. To accommodate new recreation activities on regional parks system lands, the regional park implementing agency must first assess how well the proposed activity meets the standards for recreational activities and then incorporate any physical changes to the regional parks system landscape through a master plan revision process that includes significant public input.

In some instances, there may be no need for any physical change to the park or trail unit, but a change in visitor or park management rules or policies, as might be required for allowing off-leash dog use on a trail, for example. Another management issue might be permitting a limited controlled hunt as a means of maintaining the health of a park's deer herd. In both cases, there are no physical changes to the park/trail unit requiring capital improvements, simply a change in how the park/trail unit is used or managed. Such park/trail management issues should be resolved by the regional park implementing agency's policy board after appropriate public input and consideration of how these management changes affect the park's environment, park users and adjacent property.

Some new recreation open-space uses may be compatible with the long-range basic mission of the regional park and open-space program.

In some instances, new uses may enhance the viability of the regional system and expand the range of opportunities available in the parks, park reserves and trails. Other recreation open-space uses may substantially reduce the ability of the regional facilities to carry out their planned roles or may diminish the quality of the recreational experience.

Off-road vehicles (ORVs) are defined as all-terrain vehicles (ATVs), off-road motorcycles (ORMs) and four-wheel-drive vehicles being used off designated roads. For the purpose of this policy plan, snowmobiles are not considered to be ORVs. Snowmobiles have been permitted on regional trails and in some regional parks when local ordinances and the regional park implementing agency have authorized such use. Local units of government in the rural areas of the region also work with the Minnesota Department of Natural Resources and snowmobile clubs to provide rights of way for snowmobile trails which link to other trails outside the seven county Metropolitan Area.

The number of ORVs is expected to continue to increase, eventually creating significant demand for ORV recreation facilities within the metropolitan area. ORV use has been shown to have negative impacts on the experiences of those taking part in outdoor recreation without motorized vehicles when both activities occur in the same area. ORV use also can cause environmental damage such as soil erosion, inappropriate use in wetland areas and stream crossings, noise and air pollution. ORVs—other than snowmobiles—are inappropriate in regional parks, park reserves and regional trails because of their adverse impact on existing recreational activities and the natural environment.

The Metropolitan Council acknowledges that the Minnesota Department of Natural Resources (DNR) has statutory authority under Minn. Stat. 84.03 to provide for regulated use of off-road vehicles through its management of several legislatively dedicated accounts that contain license receipts and a portion of Minnesota gas tax revenues from the use of these vehicles. Siting and managing an off-road vehicle use area in the seven-county Metropolitan Region that doesn't adversely affect nearby land uses and natural resources will require cooperation between the affected local unit of government and the DNR. Regional park implementing agencies may participate in siting an off-road vehicle use area, but the lead responsibility for siting and funding the area will be provided by the DNR under the authority its granted in statute.

The initial decision on whether a new activity can and should be accommodated is up to the regional park implementing agency responsible for the park, park reserve and trail. The Council will become involved if the regional park implementing agency decides it

would like to accommodate a new activity but finds that a master plan amendment is necessary before it can act.

Strategy 2: Most heavy recreational use should be in the more urban regional parks.

The development of facilities that attract many users, which require larger capacity roads and connection to a municipal sewage treatment system, should be confined to parks and park reserves located in the urban and urbanizing area of the region unless the demands for heavily used services cannot be adequately met at regional parks system units in those areas. If facilities need to be developed in more rural areas, the master plan should justify facilities that will attract large numbers of users and indicate how support services and facilities, such as roads and sewers, will be provided.

When feasible, transit system elements should be developed to provide access to regional parks system units. Transit planners should prepare specific transit system elements that are sensitive to parks, park users, park development plans and local agencies' rules and regulations.

The metropolitan urban area is the land already urbanized or planned to accommodate urban development in the next 20 years. This area has or will receive a full complement of regional and local services, such as central sewers, transit, parks and playgrounds, a dense road network, and full-time fire and police protection. People and the businesses in the urban area that will receive these services are also the ones who will pay for their development and delivery.

The rural area consists of lands that are to be retained for agriculture, natural resource conservation and related recreation and other low-density types of uses. Its residents can do without urban services and normally will not receive them. They are not expected to pay for the facilities that will deliver services to people in the urban area. The rural area contains 50 percent of the total land acreage in the metropolitan area and, of necessity, must contain some facilities intended primarily to deliver services to people living within the urban area. Several regional parks, park reserves and trails are located in the rural area.

This is because the presence of a high-quality natural resource base has long been a major criteria for the definition of lands to go into the regional park and park reserve system. The distribution of high-quality natural resources bears little or no resemblance to the designated urban and rural areas. In order to build up a large recreational land reserve to be used for future populations, it has been necessary to acquire land in the rural area.

The Regional Development Framework integrates plans for regional parks, park reserves and trails in the rural area. These regional parks and trails should primarily serve the demands of residents of the urban

area; they should not interfere with agricultural activities or natural resource conservation and hunting, and should be planned in a way that discourages urban-density developments from occurring around their peripheries.

Much of the regionally generated demand for recreational facilities, especially those that attract large numbers of users, can be adequately accommodated at properties in the urban area. Some activities, such as nature study, camping and water recreation, because of their resource demand, will likely be accommodated at parks or park reserves located in the rural area. Intense developments at parks and park reserves in the rural area should be the exception rather than the rule and should be considered on a property-by-property basis. Developments intended to enhance the protection and preservation of natural resources, whether in the rural area or the urban area, advance the strong conservation role of park reserves.

Strategy 3: Regional parks facilities and programs should encourage use by special populations.

The regional park implementing agencies should act to remove or reduce barriers to use of the regional system by special populations. Barriers may include safety problems, cost, transportation and lack of information about programming and facilities. If needed, new facilities and/or programs (including marketing programs) should be designed to increase use of the regional parks system by special populations. Capital improvement funding requests should include strategies for meeting the needs of special populations.

Metro Transit and other transit providers are urged to work with the regional park implementing agencies to identify any transportation barriers for special populations and design programs to increase the level of access to the regional parks system.

The regional parks system has been designed and developed to provide services for all of the residents of the metropolitan area, with facilities and services geared to meet the demands and abilities of the general population. A 1989 study, *Recreational Interests and Needs of Special Need Groups*, which surveyed regional park use by special populations, indicated that some 30 percent of the metropolitan area's population are members of special population groups. Special population groups identified in the study were: people with physical and mental disabilities, those with low incomes, racial-ethnic minorities, single parents and elderly people. Findings from that study were reconfirmed in the 2008 *Regional Parks Visitor Study*, which found that racial-ethnic minorities underuse the regional system.

The Americans with Disabilities Act (ADA), passed by the U.S. Congress in 1990, has created specific requirements for development and rehabilitation projects in the regional parks system. All new

projects and updated master plans for the system now include extensive ADA review. Consequently, barriers to persons with disabilities have been reduced since the original 1989 study. Additionally, implementing agencies are encouraged to provide physically challenged participants with similar park/trail experiences through adaptive programs.

The Council further defined potential barriers to participation for racial-ethnic minorities in the second half of 2004. Members of these special populations were part of focus group meetings that helped identify barriers to participation. Further work needs to be done to address this issue.

Strategy 4: Bicycle and pedestrian access and trails must be part of the regional parks system.

Safe, high-quality, continuous, barrier-free bicycle and pedestrian systems shall be developed, maintained and improved to function as integral parts of the region's transportation and recreation systems.

Regional trails may serve a transportation function as well as a recreation function—especially for bicycle commuting. Where bicycling can safely be accommodated with pedestrian traffic, it will be allowed. The selection, development and operation of bicycle transportation arteries is covered as a component of the Council's Transportation Policy Plan rather than the Regional Parks Policy Plan.

The Metropolitan Council's Transportation Policy Plan, adopted in January 2009, contains a policy and related strategies that address these issues. That policy has been included in this plan, since it is an important consideration when planning for the regional parks system. For the purposes of this plan, the policy has been updated to recognize recreational use of trails.

The regional trails system will provide primarily these bicycle facilities:

- Off-road facilities, which are paths within the roadway rights-of-way but separated from the roadway surface. They may be used for hiking and in-line skating as well as bicycling.
- Independent trails, such as trails using abandoned railroad corridors or utility easements that exist in their own independent rights-of-way.

These facilities are intended to serve:

- Group B bicyclists, who are casual or new adult and teenage riders who prefer comfortable access, preferably by a direct route, on low-speed or low-traffic streets where having the right-of-way as a

moving vehicle is not critical. Group B bicyclists are most comfortable on designated bikeways, off-road facilities and independent trails.

- Group C bicyclists, who are pre-teen riders whose roadway use is usually accompanied by a parent. They need access to local schools, libraries, recreation facilities, shopping or other residential areas. They need separation of bicycles and motor vehicles through off-road facilities or independent trails, or access to streets with low vehicle speeds and volumes.

In addition to Group B and C bicyclists, the regional trail system may occasionally serve Group A bicyclists, who are experienced riders, including regular bicycle commuters, messengers and racers/trainers who can operate under most traffic conditions. They want direct access to destinations at maximum speed with minimum delays. Group A bicyclists primarily rely on the road system for routes and value having the right-of-way like other vehicles, but occasionally enjoy independent trails if they are relatively continuous and not overly crowded.

The majority of regional trail miles should be off-road. However, in some instances it may be necessary for a short stretch of trail to be adjacent to or on a road in order to bypass natural or man-made barriers or private property. These portions of trails should be designed to safely accommodate Group C bicyclists.

Regional parks system funds and federal TEA-21 grants may be used to finance parts of the regional trail system where the system serves a transportation function as well as a recreation function. Transportation funds for highway and bridge construction/reconstruction should be used to provide on-road and off-road facilities, including striped bike lanes that exist within the extent of the actual road surface and bicycle/pedestrian bridge lanes to provide safe routes over rivers, freeways or railroad tracks to provide continuity to the regional trail system. The appropriate sources of funding for local trails are the local tax base and the Minnesota Department of Natural Resources Local Trails Grant Program.

A comprehensive network of trails that serves both recreation and transportation needs is desirable. This network links state, regional, county and local trails, and integrates the trail system with other transportation modes such as the bus and light-rail transit systems. Regional trails are primarily recreation trails, though some of the urban regional trails also have important commuter functions. County and local trails serve as recreation and transportation routes for the immediate local population. They may also serve as “feeder” trails into the larger regional system of trails. To help integrate the network, the

Council is responsible for reviewing the comprehensive plans of all cities and townships within the metropolitan area. This review includes an assessment of local trails and their relationship to the regional trail and transit systems. Enhanced dialogue between recreation providers at all levels will be promoted by the Council and should result in a well-designed comprehensive system of trails throughout the metropolitan area.

The Metropolitan Council is responsible for regional transportation planning, including bicycle transportation facilities. Since regional trails also serve non-motorized commuters, it is important that the regional trail system and the regional transportation system work in unison when developing trail and transportation plans. Regional trail projects that would serve transportation needs qualify for additional funding with TEA-21 grants and are given priority for funding in the Regional Parks Capital Improvement Program.

System Protection

Policy: Protect public investment in acquisition and development by assuring that every element in the system is able to fully carry out its designated role as long as a need for it can be demonstrated.

The Council has in place several mechanisms that protect the integrity of the regional parks system and of individual parts of the system:

- Master plans. The master plan defines acceptable activities within a system unit; the implementing agencies must receive Council approval before proceeding with any activities inconsistent with the existing approved master plan.
- Restrictive covenants. Implementing agencies are required to place restrictive covenants on lands purchased with regional funds, to ensure that all land in the system remains in regional recreation open space use unless a change is agreed to by the Council.
- Land Planning Act. Proposed plans of local governments that have a substantial effect on or represent a substantial departure from the regional parks system plan will be subject to a required modification by the Council to ensure that the system is protected.
- Metropolitan significance. Proposed development projects that have a substantial effect on or represent a substantial departure from the regional parks system plan may be required to undergo a review for metropolitan significance, with up to a year's delay in development if the project is found to adversely affect the system.

These standards in the metropolitan significance rules and in the plan amendment guidelines are currently used to determine an effect on or a substantial departure from the regional parks system:

- Impacts on the use of regional parks system facilities include, but are not limited to: traffic, safety, noise, visual obstructions (for example, to scenic overlooks), impaired use of the facilities or interference with the operation or maintenance of the facilities. Impacts on natural resources include, but are not limited to, the impact on the level, flow or quality of a facility's water resources (lakes, streams, wetlands, groundwater) and impact on a facility's wildlife populations or habitats (migration routes, breeding sites, plant communities).
- A proposed project is considered to have an impact on the system if it may preclude or substantially limit the future acquisition of land in an area identified in the system plan of the Council's Regional Parks Policy Plan.

Strategy 1: Local comprehensive plans may need to be changed if planned land uses would have a negative impact on current or planned regional park lands or facilities.

The Metropolitan Council may require plan modifications to local comprehensive plans, updates or amendments that will more likely than not have adverse and substantial impacts on the current or future intended uses of the regional parks system lands or facilities, or are likely to have adverse and substantial impacts on lands that are officially recommended for acquisition in an adopted policy plan.

There is a strong case for intervention in situations where potentially adverse land uses are proposed after a site for a regional parks system facility has been adopted by the Council in the system plan element of this policy plan. Local governments will be notified of any changes to the regional recreation open space system plan following Council adoption of the changes and will be given nine months to bring local plans and ordinances into conformance with the Council's plan. The Council will review local comprehensive plan amendments and environmental documents to ensure that regional parks system sites are protected from land uses or projects that represent substantial departures from the Council's adopted policy plan or that are likely to have a substantial impact on the regional parks system.

Substantial departures from or impacts on the Council's adopted regional recreation open space system plan may include, but are not limited to, plans that don't acknowledge the presence of the regional parks system unit; projects that create safety issues for park system users; projects that impair the use and enjoyment of the park system unit due to excessive noise, air pollution or water pollution; and projects that interfere with the operation and maintenance of the park system unit.

Where appropriate, the Council will initiate or accept for initiation a metropolitan significance review of specific projects if it is necessary to help protect the regional parks system. A project that is consistent with a Metropolitan Council-approved local comprehensive plan is

exempt from metropolitan significance reviews for metropolitan system effects.

In accordance with the Council's 2030 Regional Development Framework principles, increasing population densities in urban areas is preferable to scattered developments throughout the rural and agricultural areas of the metropolitan region. Increasing population densities adjacent to urban regional parks system units is not a detriment to those units if the urban development is designed in ways that are sensitive to areas that enjoy scenic views and the natural features of the regional parks system unit, and do not interfere with the operation and maintenance of the unit. The Metropolitan Council will work cooperatively with local governments to help ensure urban development and land uses in areas adjacent to regional parks system units occur in ways that preserve the integrity of the regional parks system.

Strategy 2: Release of restrictive covenants.

Restrictive covenants are placed on regional parks system lands, trails, and greenways to ensure that these lands are available for regional park uses, and that the regional investment in these lands is protected. Under certain exceptional circumstances, the Metropolitan Council will release restrictive covenants on regional park land, if equally valuable park land is added in exchange for the released park land. "Equally valuable land" is defined as land that is contiguous to the regional parks system unit containing the land proposed to be exchanged (within the same park/trail unit) and the land has comparable or better natural resource characteristics and could provide comparable or better recreation opportunities than the land being released from the covenant. In exceptional circumstances, the Metropolitan Council may accept as equally valuable land the addition of land to another unit of the regional parks system where that replacement land has comparable or better natural resource characteristics and comparable or better recreation opportunities than the land being converted, where no other reasonable alternative exists and where all other provisions of this policy can be met.

"Equally valuable facility" is defined as an exchange of land for facilities when recreational benefits and/or natural resource benefits are increased as a result of the exchange. For example, some land in a regional trail corridor may be exchanged to widen a highway if a highway department constructs a trail overpass or underpass of the widened road at no cost to the regional park implementing agency.

When land is acquired for the regional parks system, restrictive covenants on that land ensure that it is used only for regional parks system purposes. These covenants cannot be broken or amended unless the Metropolitan Council approves. The only restrictive covenant amendments approved by the Council in which no land was exchanged were for small strips of land needed for public highway improvements. The land was needed to make roads safer and there was no alternative. These projects also improved access to the adjacent regional parks system unit. The Metropolitan Council will consider land exchanges for other uses only if the exchanges will not harm the regional parks system.

For those changes that represent a potential system impact, the Council will use a process comparable to the review period for plan amendments with a potential impact on the regional system. For conversions such as small exchanges of land to provide right-of-way for access, an expedited review comparable to the 10-day waiver will be used. The following criteria will be used to determine whether regional parks system land may be exchanged for other parkland:

Before releasing a restrictive covenant, the Metropolitan Council will make findings with respect to the existing park system unit which consider the following factors:

- Whether the park system unit can continue to meet Council site and site attribute standards established for the particular type of park system unit (regional park, park reserve, trail greenway or special recreation feature)?
- Whether the park system unit will continue to function as originally planned?
- Whether environmental features (wildlife habitat, water quality) will be adversely affected?
- Whether the loss of site or function will be made up through acquisition of a site with comparable characteristics adjacent to or in the immediate area of the current location.
- Whether the need for the conversion, as in the instance of transportation improvements, is generated by the recreational park system unit?

Before releasing a restrictive covenant, the Metropolitan Council will make findings with respect to the transportation alternatives which consider the following factor:

- Whether the proposed project of greater benefit to the region than continuance of the regional parks system unit?

Lands in the regional parks system may be subject to use-conversion proposals for a number of reasons.

Some very limited conversions may be accommodated and still not affect the ability of the remaining area to offer the facilities and services planned. A well-designed transit waiting station or a properly located and operated yard waste compost site could be of positive value to the regional system and can be worked out between the proposing parties, the implementing agencies and the Council in accordance with the system management guidelines.

However, most conversions are likely to detract from the ability to provide the type and quality of outdoor recreation experiences promised in the master plan. Some of the undesirable conversion impacts will be obvious and direct, such as unsightly landscapes or structures, barriers to movement, loud noises, night light or obnoxious odors. Other conversion impacts are more indirect, such as those that affect water quality and plant and animal life. In addition to adversely affecting the regional parks system's ability to deliver service, removal of lands for non-recreation open space uses also sets a bad precedent.

The Council has long indicated it considers lands intended for outdoor recreation activities to be in their highest and best permanent use. The Council requires restrictive covenants to be put on all lands acquired with regional funds. The covenants ensure nondiscriminatory regional parks system use is continued in the future.

Strategy 3: The Council will reimburse implementing agencies for contamination cleanup only when there is no real alternative for the park or trail function.

The Metropolitan Council will not consider funding soil contamination cleanup or capping abandoned wells that have contaminated their ground water aquifer on regional park land unless all of the following criteria are met:

- The land is already under regional park implementing agency ownership or control via a joint powers agreement or lease, and was acquired or was under the park implementing agency's control before Phase 1 environmental audits were required.
- The land is essential to make the regional park or trail function as intended according to a Council-approved master plan, and no reasonable alternative exists to relocate the park or trail facilities elsewhere.
- The park or trail is essential in contributing to strengthening neighborhood vitality consistent with the Regional Development Framework.
- The cost of cleanup is not eligible to receive federal or state soil contamination cleanup funds or abandoned well-capping funds from any other program or funding has been denied.
- The regional park implementing agency has an agreement with the party that will remediate/clean up the contamination or cap an abandoned well that absolves the regional park implementing agency from any future liability of pollution caused by the contaminated soil or contaminated groundwater.

Strategy 4: Phase 1 environment site assessments must be done for land that may be contaminated or that may have abandoned wells on it.

Regional park implementing agencies must conduct Phase 1 environmental site assessments on land that is suspected to be contaminated or land suspected to have abandoned wells as part of the master planning process. The Phase 1 environmental site assessments will determine the likelihood of soil contamination or abandoned wells, including the likelihood of contaminated groundwater aquifers. The findings of the site assessments should be included in the master plan submitted to the Metropolitan Council.

The cost of the Phase 1 environmental site assessments is eligible as an acquisition cost.

Prior to the Council determining whether the contaminated land, including lands with abandoned wells, should be part of the proposed park or trail, the Council will make findings of fact regarding the following factors:

- The likelihood and extent of the contamination.
- Whether the land is essential to make the regional park or trail function as intended according to a Council-approved master plan and the existence of a reasonable alternative to relocate the park or trail facilities elsewhere.
- Whether responsible parties have been identified who will remediate the site.
- Whether the estimated costs to clean up the contamination or cap the abandoned well(s) outweigh the need versus the recreational, economic and social benefits the park or trail would provide.
- If the Council concludes that the land should be added to the regional parks system, this does not imply that the Council will use park funds to clean up the site or cap abandoned wells. Park funds will only be used for contaminated soil cleanup or capping abandoned wells if the four preceding conditions have been met.

Strategy 5: Telecommunication towers will only be allowed in regional parks or reserves if there is no alternative site and if mitigation efforts are made to minimize the impact on park lands and users.

Antennae towers for telecommunication services and the Metropolitan Emergency Radio System are generally prohibited on lands within the Metropolitan Council-approved master plan boundaries of regional parks system land already acquired and land proposed to be acquired unless:

- The communication system is not able to function without placement of the tower on regional parks system land. Before locating any tower on park system land, however, all other alternatives must be considered for placement within the grid in order to avoid placing any tower on regional parks system land. The communication service provider must satisfy this criterion in requesting Metropolitan Council and regional park implementing agency approval to place a tower on regional parks system land. The only exception to this condition is that a tower for the Metropolitan Emergency Radio System may be placed on regional parks system land even if it could be placed on private land instead, but the tower placement must meet mitigation conditions.
- If there is no feasible alternative to placing the tower on park land, the tower's impact on the regional parks system land must be minimized:
 - The tower must be screened from view of park/trail users as much as possible through tower placement and design features agreed to by the regional park implementing agency.
 - The tower must be located on land already affected by park/trail development and accessible through the existing park road system. Land in park reserves or regional parks conserved for habitat restoration and interpretation must be avoided.

- Co-location of antennas on one tower is preferred over constructing several towers if co-location has less visual and other environmental impacts on regional parks system land. The only exception to this condition is if co-location would result in frequency interference between antennas.
- Payments for placing telecommunication towers in regional parks or reserves should be dedicated to the park agency, which owns the park or reserve for operations and maintenance of its regional parks system units.

Regional park implementing agencies can submit a park/trail master plan amendment to the Commission and Metropolitan Council for review/approval that would propose a tower placement. The park/trail master plan amendment should state how the conditions listed above have been met. The Commission and Council will then review the master plan amendment for consistency with the conditions of this policy and either approve, modify or reject the master plan amendment.

If the land for the tower's location has a restrictive covenant on it (required for land acquired with Metropolitan Council acquisition grants), the regional park implementing agency shall amend the covenant to recognize the temporary use of the tower with any conditions required for the tower's lease and submit the amended covenant to the Metropolitan Council as part of the master plan amendment. The Council will consider the master plan amendment and the restrictive covenant amendment concurrently and either approve or disapprove them. The communication service provider shall pay the cost of amending the covenant.

If a regional park implementing agency believes that a tower should not be placed on regional park land because the tower could not meet the conditions of this policy, the regional park implementing agency has the authority to deny the application.

Tower placement on regional parks system land shall be considered a temporary non-recreation use. Any lease revenues for the tower easement must be used by the regional park implementing agency to further the acquisition, redevelopment, development or operations/maintenance of that regional park implementing agency's portion of the regional parks system. The regional park implementing agency must report the annual lease revenues to the Metropolitan Council and how the revenues were spent if they exceed \$2,500 per year. Regional park implementing agencies are encouraged to charge "at cost" fees for public safety radio equipment on towers located on regional park land.

The growth in cellular telephone, personal communication system (PCS) telephone business and implementation of the Metropolitan Emergency Radio System has resulted in requests that regional parks system land be leased for antennae towers or that towers be located near regional parks system lands.

Impacts on the use of regional parks system facilities include, but are not limited to: traffic, safety, noise, visual obstructions (for example, to scenic overlooks), impaired use of the facilities or interference with the operation or maintenance of the facilities. Impacts on natural resources include, but are not limited to: the impact on the level, flow

or quality of a facility's water resources (lakes, streams, wetlands, groundwater) and the impact on a facility's wildlife populations or habitats (migration routes, breeding sites, plant communities). When applying this standard, the Council will evaluate visual obstructions created by telecommunication towers that are not screened from park visitor view.

A proposed project is considered to have an impact on the system if it may preclude or substantially limit the future acquisition of land in an area identified in the system plan of the Council's Recreation Open Space Policy Plan.

With increasing expansion of telecommunication markets and the implementation of the Metropolitan Emergency Radio System network, there may be situations in which regional parks system land will be proposed for antennae tower placement. Each of these radio frequency communication systems relies on a grid placement of towers. Co-location of antennae on fewer towers is not always possible, however, because the size of a particular grid varies from one system to another. In addition, co-location of antennas on one tower may not be possible if it causes frequency interference between the antennas.

Federal laws allow local governments to regulate the placement of towers as long as there is no ban preventing reasonable market access for that communication system. As a partner in the planning and financing of the regional parks system, the Metropolitan Council has a policy position on telecommunication towers.

Strategy 6: Regional wastewater conveyance facilities and other utilities on park lands should be placed in ways that minimize negative impact on the park, its facilities and its users.

To provide sanitary sewer services to regional parks system facilities and/or to implement the regional wastewater system plan, the Metropolitan Council's Environmental Services Division will work cooperatively with regional park implementing agencies to locate regional wastewater conveyance facilities on regional parks system lands in a manner that minimizes the impact on existing and planned park system facilities and natural resources.

For wastewater conveyance facilities located in existing park system units, the Metropolitan Council, with the advice of the Metropolitan Parks and Open Space Commission, shall have the option to purchase an easement (property right) or to accept a permit (license). For new regional parks system units, the Metropolitan Council reserves the option to include an easement for a future regional wastewater conveyance corridor as a condition of a Council grant used to acquire land for the new park system unit provided the conveyance is consistent with the approved new park unit's master plan. If the

Council requires an easement for a future regional wastewater conveyance corridor as a condition of its park acquisition grant, the Council will waive the Sewer Availability Charge for that park unit.

In order to distribute electricity, natural gas, oil and drinking water, it may be necessary to place underground conduits/pipes or aboveground transmission poles/towers on regional parks system lands. Such utilities may be needed to serve visitors at that park system unit, and to serve other land. Regional park agencies should collaborate with the utility provider to determine where these utilities should be placed that minimizes impacts on the park system unit's natural resources and on its existing and future recreation and visitor support facilities while providing reasonable access to the utility line for repair and maintenance.

Park agencies may either sell or grant an easement (property right), or sell or grant a permit (license) to the utility provider that spells out where the utility may be located, conditions for access to the utility, how impacts to the park for placement, repair or relocation of the utility will be mitigated and any time limit on the easement or permit. The utility provider may have to pay for the easement or permit based on the benefit the utility provides to the park system unit.