

**MEMORANDUM**

To: MCWD Board of Managers
From: Laura Domyancich, Project and Land Technician
Date: February 20, 2018
Re: Big Island Nature Park Easement Engagement Framework

Purpose:

To present a framework for the District's engagement in the City of Orono's potential improvements to Big Island Nature Park, for Board discussion at the February 22, 2018 Board Meeting.

Background:

On February 8, 2018, District staff provided the Board of Managers an update on the City of Orono's recent efforts to develop a concept plan for improvements within Big Island Nature Park. The District holds a Conservation Easement over the 56-acre property. In 2011, the District and City approved a Management Plan that articulates the maintenance and use of the Nature Park for conservation and passive recreational purposes consistent with the Easement. Under the Easement framework, the District's role in the City's improvement plan would fall into three categories:

- Certain improvements or uses may be prohibited by the Easement;
- Others may be subject to District review and approval, with the District's judgment based on consistency with the conservation values articulated in the Easement;
- Others may be allowed and can be undertaken by the City without District involvement, though the City can accept the District's cooperative engagement.

Following Board discussion, staff was directed to develop an engagement framework for timely District engagement in, review of, and as appropriate, approval of the City's concept plan and implementation of improvements. This memorandum analyzes the proposed actions, which actions are subject to District review or approval, and a schedule for points of contact between the District and the City as the concept plan is refined and improvements are implemented. The analysis is derived from careful review of the Easement and Management Plan.

Proposed Action Analysis

The table below identifies 1) specific actions contemplated by the City's current draft of the concept plan for improvements within either the easement Natural Area, Recreation Area, or in both areas, 2) restrictions the District's Conservation Easement places on the actions, 3) guidance provided by the Management Plan regarding those actions, and 4) if the actions are subject only to District collaboration and input.

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PROPOSED ACTION	ACTION IN NATURAL AREA, RECREATION AREA, OR BOTH	EASEMENT RESTRICTIONS	MANAGEMENT PLAN GUIDANCE	DISTRICT INPUT ONLY
Conversion of existing trails to meet ADA requirements	Both	<i>Widening, lengthening, relocating allowed with MCWD approval only</i> ; trail from dock to pavilion building may be reconstructed to provide ADA access	Identify areas of park to make ADA accessible; assess feasibility and requirements to make selected trail segments ADA accessible	
Maintenance or improvement of existing unpaved trails	Natural Area	May be maintained for non-motorized uses that do not negatively impact the Conservation Values	Limited to addition of limestone or crushed gravel in selected areas where necessary to provide stable walking surface	
Establishment of new unpaved paths or foot trails	Both	May be established in Recreation Area and Natural Area for recreational uses in accordance with terms of Management Plan	Assess feasibility and requirements to make selected trail segments ADA accessible; evaluate need to provide erosion control where trail(s) are threatened by erosion, where erosion is caused by trail(s), or consider relocating trail segments; consider improved safety	
Restroom facility construction	Recreation Area	Structures constructed, maintained, or replaced in accordance with Management Plan	Consider if feasible given history of vandalism; existing septic system will require inspection and pumping if used in future; provide only facilities and amenities compatible with level of recreational activities intended	
Provide for park-wide security measures to prevent vandalism	Both	No temporary or permanent structures or other improvements of any kind may be placed or constructed on the Protected Property except as specifically allowed by the Easement and as consistent with the terms of the Management Plan	Needed given history of vandalism; easement references that improvements are not allowed except as consistent with terms of Management Plan	
Refurbishing existing building near dock area for visitor center	Recreation Area	City may maintain and replace existing improvements without increasing their dimension	Need to assess/determine future use and if it is possible to suitably renovate and secure for "entry point" function; Big Island Committee (2011) determined maintaining structural facilities at Park was not a reasonable expectation with costs outweighing public value; a visitor kiosk or similar is to be considered to provide information	
Interpretive signage	Recreation Area	No temporary or permanent structures or other improvements of any kind may be placed or constructed on the Protected Property except as specifically allowed by the Easement and as consistent with the terms of the Management Plan	Recommended; assess need and appropriate format; designs should be consistent; easement references that improvements are not allowed except as consistent with terms of Management Plan	
Installing trail bollards to prevent illegal vehicle use	Both	No temporary or permanent structures or other improvements of any kind may be placed or constructed on the Protected Property except as specifically allowed by the Easement	Management Plan notes other options to consider to prevent vehicle use: public education, signage, establishment and publication of steep penalties; easement references that improvements are not allowed except as consistent with terms of Management Plan	
Erecting a veteran's memorial	Recreation Area	No temporary or permanent structures or other improvements of any kind may be placed or constructed on the Protected Property except as specifically allowed by the Easement and as consistent with the terms of the Management Plan	To be considered; easement references that improvements are not allowed except as consistent with terms of Management Plan	
Construction of overlooks/picnic areas; *picnic table proposed in <i>Natural Area</i> at Point Charming Beach	Both	Structures constructed in accordance with Management Plan; no structures or other improvements in <i>Natural Area</i>	Consider grassy picnic sites within defined <i>Recreation Area</i> ; no picnic tables or benches unless vandal-proof	
Application for grant funding	Both	No restrictions	No guidance	X

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Schedule for Points of Contact

District and City staff are currently drafting a Letter of Understanding that affirms both parties' responsibility to coordinate throughout the planning process. This includes seeking District Board and City Council approval of the proposed improvements at specific junctures. The letter will include a schedule which determines specific points of contact between the District and City that allows for District input to the development of improvement plans. This contact is anticipated to include:

- a. District staff involvement at a March 2018 Orono Park Commission meeting and associated public meeting where the current concept plan for improvements will be presented; and
- b. Orono staff involvement at a March 2018 District Board of Managers meeting where the current concept plan will be presented and Board approval of the concept plan will be sought; and
- c. District staff involvement at an April Orono City Council meeting where the concept plan will be advanced for Council approval; and
- d. Procedures for District staff engagement during design and Board approval of design; and
- e. Future involvement and oversight by District staff as improvements are implemented to ensure adherence to terms of prior Board approval.

Next Steps

At the February 22, 2018 Board Meeting, District staff will facilitate a discussion with the Board of Managers to consider the proposed engagement strategy regarding the City of Orono's potential improvements to the Big Island Nature Park.

District staff will attend a March 5 Orono Park Commission meeting and public meeting and provide an update on the outcomes of that meeting to the Board of Managers. If there are questions in advance of the meeting, please contact: Laura Domyancich at ldomyancich@minnehahacreek.org or 952-641-4582.

Attachment A: Big Island Master Plan—Concept Plan

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LEGEND

- PRIMARY TRAIL (ADA ACCESSIBLE) (0.9 MILES)
- SECONDARY TRAIL (1.6 MILES)
- MCWD CONSERVATION EASEMENT
- PROPERTY LINE
- PRIVATE PROPERTY
- THREE RIVERS PARK DISTRICT PROPERTY



SINGLE STALL VAULT/PIT TOILET APPROXIMATE COST: \$75,000.00



SINGLE STALL SEPTIC TOILET APPROXIMATE COST: \$160,000.00



APPROXIMATE COST: \$160,000.00



STONE PICNIC TABLE APPROXIMATE COST: \$2,000-\$4,000



DIRT TRAIL LOWER COST/HIGHER MAINTENANCE



CRUSHED GRANITE TRAIL HIGHER COST/LOWER MAINTENANCE



LARGE PICNIC SHELTER



COVERED PICNIC TABLE