



MCPB Item # _____

Date: 5/12/16

MEMORANDUM

DATE: May 5, 2016

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Director of Parks *MFR*
Mitra Pedoeem, Acting Deputy Director, Administration *Mitra*
Dr. John E. Hench, Ph.D., Chief, Park Planning and Stewardship Division (PPSD)

FROM: Charles S. Kines, Planner Coordinator (PPSD) *CSK*
Brooke Farquhar, Supervisor (PPSD) *Brooke Farquhar*

SUBJECT: **Worksession #1, Countywide Park Trails Plan Amendment**

Attached is a copy of the public hearing draft of the plan amendment. Board members are asked to bring this version of the draft plan amendment to the worksession on May 12 (**Attachment 1**).

Recommended Planning Board Actions:

- Review public hearing testimony and preliminary staff responses. Discuss possible changes to recommendations based on public testimony.
- Discuss schedule for future worksessions for the plan amendment.
- Discuss schedule for topics to bring back to the Planning Board following plan approval.

Previous Planning Board Action

- Approved the staff draft plan as the public hearing draft plan on January 21, 2016
- Received testimony during the public hearing on March 3, 2016, and the public record closed on March 17, 2016.

Summary of Public Testimony

Attachment 2 is a matrix of the official public testimony on the plan amendment between March 3 and March 17, both oral/spoken and written. This matrix identifies each testifier's name, organization/affiliation (if known) as well as, their comments, and preliminary staff responses to each comment.

Issues to Clarify/Discuss

Staff distilled comments and grouped them into the following issues/topics. During the worksession, we will walk the Board through each topic and recommend a course of action.

1. Relationship between this plan amendment and other planned park trails (GIS exercise)

During the staff presentation to the Board on January 21, 2016, the Board requested a map showing all the planned park trails recommended by other master plans, in order to see how trails recommended in the plan amendment relate to other park/trail policy that the plan amendment may not be addressing directly. We will distribute this map at the worksession. The map shows that there are few park trails recommended in area/functional/park master plans that are not included in the plan amendment, but that the park trails plan amendment does not represent the entire universe of trails on county parkland.

Staff Recommendation: Add a map to the plan amendment showing all master planned park trails.

2. Parks with separate master plans

Related to Issue #1, in response to public testimony, the Board requested staff clarify the relationship between this plan amendment and other policy/guidance documents for specific parks. The Board requested staff propose a process for which trail planning criteria could be universally applied to all other park/trail master plans, specifically determining multi-use versus limited use trails in these parks. Staff is developing the criteria for determining trail user types, which can then be used to evaluate and recommend changes to park master plans. The trail user criteria will be presented to the Planning Board at worksession #2.

Staff Recommendation: Add text to the plan amendment clarifying that parks with separate master plans/guiding policy documents – for which changes to trail alignments and/or trail user designations may be desired – will be addressed separately from this plan amendment. During worksession #2, discuss and consider text changes related to the proposed criteria for determining trail user types for all park trails.

3. Relationship between this plan amendment and Master Plan of Bikeways Update

Many residents testified that this plan should be closely coordinated with the Master Plan of Bikeways Update. Staff assures the Planning Board and residents that the Parks Department and the Planning Department talk regularly about issues affecting bikeways and park trails. Many park trail policy issues can only be addressed by a County Council approved functional master plan such as the Master Plan of Bikeways rather than during this plan amendment process. For example, there are numerous legacy stream valley bikeways recommended in the 1978 Master Plan of Bikeways that were not explicitly deleted by the 2005 Countywide Bikeways Functional Master Plan. Therefore, the Master Plan of Bikeways Update will include recommendations for these facilities. Most will be deleted where it no longer makes sense to construct paved trails. Some, however, may be retained in the Bikeways Plan as part of the overall strategy for addressing park trails as transportation. See comment X below.

Staff Recommendation: Add a section to the plan amendment that will guide work on the Master Plan of Bikeways. Explicitly identify the issues/topics the Master Plan of Bikeways will be expected to address, and provide any necessary guidance for that work.

4. Clarify the term “sustainable” in the context of this plan amendment.

Some testimony suggested residents were confused with the term “sustainable.” The plan uses the term sustainable in two different contexts, intended to convey two different concepts:

- a. Sustainable trail **system**. This concept is about long-term viability of the countywide park trail policy framework. The plan amendment proposes a network of trails for which the Department of Parks believes will endure the test of time. These trails can be designed, constructed and maintained long-term in a cost-effective manner that both serves residents well while also protecting resources.
- b. Sustainable trail **design and construction**. This concept refers to trail slope and tread and the trail’s ability to adequately shed water. A sustainable tread will not lose much soil due to erosion, and thus is considered low maintenance. Water will not pool on the trail, and cause muddy areas, and thus also cause multiple parallel trails created by trail users to bypass muddy areas. This definition also incorporates the department’s stewardship ethic, which relates to trail alignments that avoid, minimize, and where necessary mitigate, adverse impacts to sensitive cultural and natural resources.

Staff Recommendation: Add the above text to Appendix 7 of the plan, and refer to it on page 47 of the plan.

5. Sustainable, multi-use natural surface trails do not mean paved trails

Some testimony also suggested that in order to make a natural surface trail sustainable it must be paved. Staff assures residents, and also the Board, that sustainable natural surface trails are defined as above in Issue #3, nothing more.

Staff Recommendation: Add text to the plan on pages 7 and 47 that clearly states multi-use natural surface trails have a dirt surface.

6. Sustainable trails open to all users

A few residents testified that the plan was not clear on which natural surface park trails will be open to all users (people on foot, people on bikes, people on horses). The plan amendment recommends, as a general blanket policy, that wherever natural surface trails can be designed and built sustainably, these trails should be open to all user groups. There are exceptions, however. Trails that are heavily programmed for natural or cultural interpretation may be open only to hikers. Additionally, there may be parks or park facilities for which a certain user type should be prohibited, to promote safety, cultural and natural resources stewardship, or a certain type of trail user experience. For a more detailed discussion, see page 47 of the draft plan amendment.

Staff Recommendation: Clarify text on page 47 to convey the discussion above.

7. Matthew Henson Trail design

At least one resident testified that the Matthew Henson Trail project violated federal laws during construction. Park Development Division staff who managed the Matthew Henson Trail project strongly denies this claim. Matthew Henson had the following permits:

- MCDPS Floodplain
- MDE Authorization Letter

- NPDES
- SWM
- Sediment Control
- DOT/SHA ROW

There were both Department of Permitting Services and Maryland Department of Environment inspectors visiting the site throughout the project's duration. All sediment control facilities were done to plan and were kept in good working order throughout the project. M-NCPPC was never cited for any violations. Multiple stormwater facilities are built along the trail to treat water from the trail. All work was done within the project limit of disturbance (LOD) as specified in agency permits. A total of 997 trees and shrubs were planted for this project.

Staff Recommendation: No changes to the plan amendment are needed. This issue is discussed in this staff report simply to accurately clarify the public record for this trail project.

8. Trail alignments and environmentally constrained land

Several residents testified that the Department of Parks should align and design all trails to avoid environmentally constrained land, consistent with the Environmental Guidelines. Staff agrees, and this has generally been standard practice for the past decade or so. This plan amendment specifically addressed "implementation difficulties," by using a decision making matrix to evaluate whether proposed trails not yet built should remain or be removed from the plan. The decision making criteria included many topics associated with resource protection. See discussion starting on page 20 of the plan amendment.

For new hard surface (paved) park trails, the Department avoids environmentally sensitive resources wherever feasible, including buying land to bypass them or routing trails along sidewalks or sidepaths. Where it is not possible to avoid these areas, low-impact designs are applied, such as board walks with helical piers. When sensitive resources are impacted, mitigation measures for affected resources are folded into the project, in close coordination with Resource Analysis staff as well as environmental engineers in the Park Development Division. Natural surface park trails are designed/aligned as described above under Issue #4.

Staff Recommendation: Ensure the above information is clearly conveyed in the section discussing Plan Methodology starting on page 20, as well as Appendix 5, Trail Planning Process.

9. Municipal trails and levels of service

Residents living near, or within, the City of Gaithersburg requested that the plan consider identifying in the plan both hard surface and natural surface trails located within the city. Doing so would not only offer a better picture of overall trail connectivity in this area of the county, but also may prompt the Planning Board to consider changes to plan recommendations. For example, the hard surface park trail recommended for the upper third of the Muddy Branch Stream Valley Park may duplicate service already provided by trails built in the Kentlands and Lakelands communities. Including the trails in the Kentlands and Lakelands in our service area analysis may result in deciding the Muddy Branch Trail is no longer needed, and deleting it from the plan amendment. Staff agrees that the plan amendment should reference municipal trails, however, the proposed hard surface park trail in the upper 1/3 of Muddy Branch Stream Valley Park was a compromise solution to protect the lower 2/3. While short stretches of the proposed hard surface trail may replace the natural surface trail, staff feels the tradeoff is

worthwhile and necessary in order for the department to fulfill promises made in the Muddy Branch Trail Corridor Plan.

Staff Recommendations: Recognize in the plan amendment the paved pathways in the Lakelands and Kentlands, both on level of service maps as well as in related text.

10. Maintenance standards for hard surface park trails

The plan proposes a “Trails as Transportation Policy,” and notes that most park trails are primarily recreational facilities. See page 46. Some testimony suggested that recreational trails are not maintained with the same level of care of transportation trails. With the exception of the snow plowing program along the Capital Crescent Trail, all hard surface park trails receive the same level of maintenance, according to our Region staff. For example, within 24 hours after each storm teams are required to check each hard surface trail and remove/clear any debris, and check for damaged trees/branches. Maintenance staff either remove the limbs or submit work orders to the tree crew. The Managers on Bikes program also serves in trail inspection efforts.

Staff recommendation: Add text to the plan on page X that clarifies recreational trails are maintained uniformly without regard to any dominant type of use or user types.

11. Addressing areas of county with low level of trail service.

Some testimony also highlighted the relative lower levels of service for certain areas of the county, most notably the upper eastern county (Burtonsville, Cloverly). The plan acknowledges and discusses areas of the county that would result in the lower level of service due to plan deletions, but it does not prioritize the order in which these areas will be addressed in the future. The Plan prioritizes only unbuilt loops and links. The Upper Paint Branch offers the best opportunity to deliver trails sooner than later. Parkland in the Upper Paint Branch features numerous unsanctioned (unofficial) trails. These trails are currently being evaluated to determine which ones are suitable to bring into the park trails system now, which can be added to the system with some minor reconstruction or repairs, and which should be closed.

Staff recommendation: Staff will present a plan for the Upper Paint Branch at a future worksession following the approval of this plan amendment.

Plan Amendment Schedule

- **Worksession #2 – June/July 2016**
 - Discuss remaining issues from Worksession #1
 - Discuss and reach an agreement on criteria/decision making process for trail user designations on natural surface park trails
 - Highlight, clarify and discuss portions of trail corridor plans that are modified by this plan amendment
 - Clarify which trails, previously closed to mountain biking, are now open to mountain biking

- **Worksession #3 – July 2016**
 - Review final plan document, including appendices
 - Straw vote
- **Plan Approval – July 2016**

Future Discussion Topics with the Planning Board

After the approval of this plan amendment, staff intends to schedule (TBD) separate worksessions on the following topics:

1. Draft policy for weather-related/seasonal natural surface trail closures on county parkland
2. Strategy for evaluating unsanctioned natural surface trails on county parkland
3. Strategy for evaluating trails for 24 Hour Use on county parkland
4. Strategy for administering recorded/official trail easements on private land for which M-NCPPC has an identified role

Attachments

Attachment 1 - 2016 Countywide Park Trails Plan Amendment - Public Hearing Draft

Attachment 2 - Summary of Public Comments/Testimony

CC:

M-NCPPC, Department of Parks

John Nissel, Deputy Director - Operations
Bill Tyler, Chief, Southern Parks Division
Doug Ludwig, Chief, Northern Parks Division
Antonio DeVaul, Chief, Park Police, Montgomery County Division
Michael Ma, Acting Chief, Park Development Division
David Vismara, Chief, Horticulture, Forestry and Environmental Education Division

Kristi Williams Chief, Public Affairs and Community Partnerships Division

Christy Turnbull, Chief, Enterprise Division
Jim Poore, Chief, Facilities Management Division
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M-NCPPC, Planning Department

Robert Kronenberg, Chief, Area 1
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Lawrence Cole, Functional Planning and Policy Division
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Patricia Shepherd, Transportation Engineering Division