



# **The Greenway**

**Grand Forks, ND • East Grand Forks, MN**

## **Chapter Four Greenway Operations**

**May 2001**

## **Chapter 4.**

# **Greenway Operations**

Operating, maintaining and managing a system of greenways in Grand Forks/East Grand Forks will require a coordinated effort among the cities of Grand Forks and East Grand Forks, Grand Forks Park District, the Minnesota Department of Natural Resources, and other public and private sector partners. The following text defines the key aspects of greenway system management, beginning with operational policies and followed by facility management, land management, safety and security, trail user rules and regulations, an emergency response plan, and a risk management plan.

A Greenway Division has been established within the City of Grand Forks Engineering Department and will report to the City Engineer. The Greenway Division will manage the development and implementation of the Greenway Master Plan, managing the 800 acres on the Grand Forks side. Responsibilities of the Greenway Division include management, maintenance, coordination, planning, design, events programming, and marketing. The Greenway Division shall engage in proactive partnerships with federal, state, and local government agencies, private sector organizations, institutions, community groups, and individuals to realize the full potential of this Plan in order to enhance the livability and quality of life for residents of Grand Forks, ND and East Grand Forks, MN. The Greenway Division of Grand Forks will assist 501 (c) 3 non-profit organizations in writing grants and seeking resources to implement the Greenway Master Plan and/or to funds for the operation and management of the Greenway. There is an agreement with the City of Grand Forks and the Grand Forks Park District that states the City of Grand Forks will own all the land within the Greenway and the Park District will lease and manage four areas in the Greenway. These areas are Riverside Park, Lincoln Park, Central Park rest area, and the Lincoln Park Golf Course.

The Minnesota Department of Natural Resources will own and manage the State Recreation Area which encompasses close to 1200 acres within the city limits of East Grand Forks. The City of East Grand Forks will own and manage approximately 200 acres in downtown East Grand Forks.

The following pages of this Chapter outline key issues that should be addressed by each of the principal management entities: the State of Minnesota, City of Grand Forks, City of East Grand Forks and the Grand Forks Park District. A uniform method of maintenance, management and operations should be developed that all agencies adopt and follow.

## Operations

Over the course of time, Grand Forks/East Grand Forks will encounter a variety of issues that are important to the successful management and operation of the greenway system. The following operational policies are defined to assist the Cities in responding to typical greenway implementation issues. More specific problems and issues may arise during the long-term development of the system that result in additional policies being considered and adopted.

### Public Access and Use of Trail Lands

The general public should have access to and use of those greenway lands that support public use (i.e. trail development), and that are owned by Grand Forks/East Grand Forks or on land that the Cities have secured the right of public access and use. All access and use is governed by existing Cities policies and should also be governed by a new Greenway Trail Ordinance (found in this chapter). New management agencies, such as the MN Department of Natural Resources, would bring their existing rules, regulations and policies to the operations and access. The use of all trails during the non-winter months should be limited to non-motorized uses, including hiking, bicycling, running, jogging, wheelchair use, skateboarding, in-line skating, mountain biking, and other uses that are determined to be compatible with the greenway trails.

### Vegetative Screening

Grand Forks/East Grand Forks will work with landowners adjacent to the Greenway, on an individual basis, to determine if screening is required and appropriate.

*Figure 24: Vegetation can be used to screen views from the Greenway to private residences on adjacent lands.*



### Adopt-a-Greenway Program

Grand Forks/East Grand Forks may work with implementing stewards to encourage community groups, families, businesses, school groups, civic clubs and other organizations to join in managing the greenway system. The agencies should continue and expand this program for each greenway facility and work closely with local organizations to manage and maintain trails in a manner that is consistent with overall Greenway objectives. The agencies should develop written agreements for each Adopt-a-Greenway entity and keep a current record of this agreement on file. Adopt-a-Greenway entities will be assigned a specific section of the greenway system, defined by location or milepost. The activities of each organization should be monitored by the steward. Agreements for management can be amended or terminated at any time by either party, giving 30 days written notice.

### Management Agreements

Management Agreements will be established between the four management agencies. Agreements will be established as needed

and may not involve all parties. The objective of these agreements is to define areas of maintenance and management that are compatible with existing land management activities, especially where greenways intersects with public or private properties and/or rights-of-way. Management agreements spell out specific duties, responsibilities and activities of the Cities and public or private organization that wishes to assist with management activities.



*Figure 25: Organizing Adopt-a-Greenway Programs will greatly assist local agencies in managing the Greenway.*

## Greenway Facility Management

Greenway facilities shall be maintained in a manner that promotes safe use. All facilities should be managed by Grand Forks, East Grand Forks, Grand Forks Park District, MNDNR, or other public agency wishing to assist in Greenway management. Trail heads, points of public access, rest areas and other activity areas should be maintained in a clean and usable condition. All trail surfaces should be maintained in a safe and usable manner.

## Land Management

Property owned or used by the managing entities for the greenway system shall be maintained in a condition that promotes safety for greenway users and adjacent property owners. To the extent possible, the property shall also be maintained in a manner that enables the corridor to fulfill multiple functions (i.e. passive recreation, alternative transportation, stormwater management and habitat for wildlife). Property that is owned or managed by other entities should be managed and maintained in accordance with the policies of that public body responsible for the affected parcel.

Vegetation within each greenway corridor shall be managed to promote safety, serve as wildlife habitat, buffer public trail use from adjacent private property (where applicable), protect water quality, and preserve the unique aesthetic values of the natural landscape. Removal of native vegetation shall be done with discretion, removal of exotic species should be accomplished in a systematic and thorough manner.

## Safety and Security

The managing entities should work together to cooperatively develop and implement a Safety and Security Program for the Greenway. This program should consist of well defined safety and security policies; the identification of trail management, law enforcement, emergency and fire protection agencies; the proper posting, notification and education of the trail user policies; and a system that offers timely response to the public for issue or problems that are related to safety and security. The safety and security of the greenway system will need to be coordinated with local law enforcement officials, local neighborhood watch associations, and Adopt-a-Greenway organizations.

Important components of the safety and security program include the following. The managing entities should:

- 1) work with law enforcement agencies to establish a Greenway Safety and Security Committee that can meet periodically to discuss management of the greenway system.
- 2) prepare a Greenway Safety Manual and distribute this to management agencies and post it at all major trail heads.
- 3) post User Rules and Regulations at all public access points to greenway trails.
- 4) work with the management agencies to develop Trail Emergency Procedures.
- 5) prepare a Safety Checklist for the greenway system, and utilize it monthly during field inspection of greenway facilities.
- 6) prepare a Greenway User Response Form for complaints and complements and provide copies at all trail heads.
- 7) work with management agencies to develop a system for accident reporting analysis.
- 8) conduct a regular Maintenance and Inspection Program, and share the results of these investigations with all management agencies.
- 9) coordinate other Public Information Programs that provide information about greenway events and activities that Cities residents can participate in.
- 10) have an ongoing evaluation of greenway program objectives.



*Figure 26: Reestablishing the riparian forest along the Red River and Red Lake River should be one of the priorities for the communities. (Courtesy of Urban Edges, Inc.)*

## User Rules and Regulations

Trail segments should not be considered officially opened for public use until construction has been completed. Individuals who use greenway segments that are under construction, without written permission from the managing entities should be deemed in violation of this access and use policy and treated as a trespasser.

## Trail Code of Conduct

Multi-use conflict is a national problem for community and regional greenway systems. Typically, conflicts are caused by overuse of a greenway trail, however, other factors may be problematic including poorly designed and engineered trail alignments, inappropriate user behavior, or inadequate facility capacity. The most effective conflict resolution plan is a well conceived safety program that provides the user with a Code of Conduct for the greenway trail. Several communities across the United States have adopted progressive trail ordinances to govern public use and keep trails safe for all users. The following Rules and Regulations are recommended for the Greenway trails. These rules should be publicly displayed and disseminated.

- 1) **Be Courteous:** All Trail users, including bicyclists, joggers, walkers, wheelchairs, skateboarders and skaters, should be respectful of other users regardless of their mode of travel, speed, or level of skill. Never spook animals; this can be dangerous for you and other users. Respect the privacy of adjacent landowners!
- 2) **Keep Right:** Always stay to the right as you use the Trail, or stay in the lane that has been designated for your user group. The exception to this rule occurs when you need to pass another user.
- 3) **Pass on the Left:** Pass others going in your direction on their left. Look ahead and behind to make sure that your lane is clear before you pull out and around the other user. Pass with ample separation. Do not move back to the right until you have safely gained distance and speed on the other user. Faster traffic should always yield to slower on-coming traffic.
- 4) **Give Audible Signal When Passing:** All users should give a clear warning signal before passing. This signal may be produced by voice, bell or soft horn. Voice signals might include "Passing on your left!" or "Cyclist on your left!" Always be courteous when providing the audible signal - profanity is unwarranted and unappreciated.
- 5) **Be Predictable:** Travel in a consistent and predictable manner. Always look behind before changing position on the Trail, regardless of your mode of travel.
- 6) **Control Your Bicycle:** Lack of attention, even for a second, can cause disaster - always stay alert! Maintain a safe and legal speed at all times.
- 7) **Do not Block the Trail:** When in a group, including your pets, use no more than half the trail, so as not to block the flow of other users. If your group is approached by users from both directions, form a single line or stop and move to the far right edge of the Trail to allow safe passage by these users.
- 8) **Yield when Entering or Crossing Trails:** When entering or crossing the Trail at an uncontrolled intersection, yield to traffic already using the other trail.
- 9) **Do not Use this Trail Under the Influence of Alcohol or Drugs:** It is illegal to use this Trail if you have consumed alcohol in excess of the statutory limits, or if you have consumed illegal drugs. Persons who use a prescribed medication should check with their doctor or pharmacist to ensure that it will not impair their ability to safely operate a bicycle or other wheeled vehicle.
- 10) **Clean-up Your Litter:** Please keep this Trail clean and neat for other users to enjoy. Do not leave glass, paper, cans or any other debris on or near the Trail. Please clean up after your pets. Pack out what you bring in - and remember to always recycle your trash.



*Figure 27: Trails should be built in such a manner that park ranger or police patrol is possible.*

- 11) **Keep Pets on Leashes:** All pets must be kept on secure and tethered leashes. Keep pets off of adjacent private property. Also, clean up after pets. Failure to do so may result in a fine.

**Emergency Response Plan**

In order to effectively patrol the greenway system and respond to the potential for fire, floods and other natural or human-caused disasters, the managing entities shall jointly develop and adopt a Greenway emergency response plan. This plan defines a cooperative law enforcement strategy for greenways based on services required and those that are typically provided by police, sheriff, fire and EMS agencies. Specifically, all trails should be provided with an address system that denotes specific locations along the length of a trail corridor. A site plan that illustrates points of access to each trail corridor should be produced and kept on file at the offices of the managing entities and provided to each agency. Each trail should be designed to permit access for law enforcement, fire and EMS agencies and vehicles that are not in excess of 6.5 tons gross vehicle weight. Typically, inter-governmental agreements are executed for this. A system of cellular-type emergency phone should be located in remote sections of the system, providing users with access to the area 911 Emergency System. All emergency phone should be placed above the flood elevation to ensure long term usage.

*Figure 28: Rules on trail use should be clearly posted at the entry to trail segments.*



The emergency response plan should also define the agencies that should respond to 911 calls, and provide easy to understand routing plans and access points for emergency vehicles. For long distance trails, access points for emergency and maintenance vehicles should be located at reasonable distances from trail heads (approximately every 2-3 miles). Local hospitals should be notified of these routes so that they may also be familiar with the size and scope of the project. The entire greenway system should be designed and develop to support a minimum gross vehicle weight of 6.5 tons.

**Risk Management Plan**

The purpose of a Risk Management Plan is to increase safety for the users of the Greenway trails system and reduce the potential for accidents to occur within the system or on lands adjacent to the system. While it is impossible to guarantee that all risk will be eliminated by a Risk Management Plan, implementation of a plan is in fact a critical step to reduce liability and improve safety. A Risk Management Plan establishes a methodology for greenway management that is based on current statutes and case laws related to the development, operation and management of public use greenway lands.

The ultimate responsibility for managing the greenway system, as defined within this Plan, rests with the managing entities. The Risk Management Plan has as its major goals:

- 1) Risk Identification: determining where risk (threat to safety or potential loss) exists within the corridor.
- 2) Risk Evaluation: conducting appropriate examination of areas defined as a risk and determining the factors that contribute to risk.
- 3) Risk Treatment: defining and implementing an appropriate solution to the area of risk in accordance with one of the three options:
  - a) risk avoidance: limiting exposure to laws.
  - b) risk reduction: limit use exposure where it can not be avoided.
  - c) risk retention: obtain waivers from all potential users of the risk area.

The following sixteen step plan should be implemented by the managing entities to establish a Risk Management Plan for the Greenway.

- 1) Develop a policy statement about risk management.
- 2) Conduct a needs assessment for the greenway program.
- 3) Determine goals and objectives for risk management
- 4) Develop specifications for site and facility development.
- 5) Establish a clear and concise program for risk management.
- 6) Define supervision and responsibility for risk management.
- 7) Define appropriate rules and regulations that govern the use of the trail system.
- 8) Conduct routine/systematic inspections and investigations of the trail system.
- 9) Develop an accident reporting and analysis system.
- 10) Establish procedures for handling emergencies.
- 11) Develop appropriate releases, waivers and agreements for use and management.
- 12) Identify best methods for insuring against risk.
- 13) Develop a comprehensive in-service training program for employees of the managing entities.
- 14) Implement a public relations program that can effectively describe the risk management program and activities.
- 15) Conduct periodic reviews of the Risk Management Plan by outside agents to ensure that the Plan is up to date.
- 16) Maintain good legal and insurance representation.



## Liability

Liability may occur when a facility has been under-designed to handle its intended volume of use; when management of the facility is poor; or when unexpected accidents occur because the trail manager failed to recognize the possibilities of a potentially hazardous situation. To reduce the possibility and exposure to liability, the Cities should have in operation the following measures prior to opening the first segment of greenway:

- 1) a thorough Maintenance Program that provides the appropriate duty or level of care to greenway users;
- 2) a Risk Management Plan that appropriately covers all aspects of the greenway system, and as necessary adjacent landowners;
- 3) a comprehensive working knowledge of public use laws and recent case history applicable in North Dakota and Minnesota.

The City of Grand Forks, City of East Grand Forks, Grand Forks Park District and MNDNR should exercise reasonable care in the design and construction of all greenway facilities to reduce hazardous, public nuisance and life threatening situations. Recreational Use Statutes in North Dakota and Minnesota may serve to reduce the exposure that adjacent landowners might expect to realize from the proximity of trails to private property.

*Figure 29: A thorough safety and security plan should be implemented by both communities for the Greenway.*

