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APR 17 2009

after VII. B.
was prepared

SAVE NINE MILE CREEK TASK FORCE
Legal/Litigation Committee

April 13, 2009

Mayor James Hovland
Edina City Hall
4801 W. 50th St.
Edina, MN 55424

Dear Mayor Hovland

I am writing to follow up on my email to you of March 25, 2009, to which I have not had the courtesy of a response. I am enclosing a copy of that email to make good on my promise to send you a hard copy upon my return to the USA.

Developments since March 25 lead us to add to our request for information set out in my email. At the recent City Council meeting, Mr. Vlaming of 3RPD reported that after studies done in 1999 and 2004, "some segments were shown to have absolute barriers" and were eliminated. We would like to have access to the studies to which Mr. Vlaming referred. Since many of us have lived here in Edina since well before either study was conducted, and were never consulted in respect of a Regional Trail, we would like to know who did the studies and who made the decisions and why.

Also, we note that Segment 6 has suddenly disappeared from 3RPD's website map as an alternative. 3RPD's website says that "*Please note that Alternative Trail Route Segment 6 was removed from further consideration after the March 9, 2009 Open House. Representatives of the Edina School District, City of Edina, Bike Edina, and Park District reevaluated Segment 6 and determined that this alternative route is not feasible based on topography and impact to school property.*"

One of our many frustrations with this process has been that decisions have been and continue to be made without communication to Edinans in general and those of us most affected in particular. Where can we find the correspondence and notes that reflect the decision to eliminate Segment 6 as an alternative routing? What were the factors that led to that decision and who made it? What happened at the March 9, 2009 Open House that led to this quick decision? Clearly all of that information is public information and I hope we will not have to invoke MN's Public Data Statute to get prompt access.

Finally, I was not at the City Council meeting but understand that Mr. Vlaming communicated to all present on behalf of 3RPD that it is the Edina City Council that will decide the route of any regional trail through Edina. Will you please confirm your agreement, so that we can at least have a clear understanding of who is making the decisions that affect us and who will be accountable for those decisions?

While City Council persons and Nine Mile Creek Watershed Commissioners have all suggested previously that 3RPD will choose the route, Mr Vlaming has been entirely consistent that Edina's City Council will decide. If that is the case, why is Mr. Vlaming saying that there will be no further consideration of alternative routes? When did the Edina City Council make that decision?

WE ARE NOT OPPOSED TO HAVING BIKE TRAILS IN EDINA... JUST TO SACRIFICING THE ENVIRONMENT AND PAVING A SWATH OF NINE MILE CREEK WATERSHED TO ACHIEVE THOSE TRAILS. We see numerous "win-win" opportunities, but the current process has apparently closed the door to consideration of any alternative that doesn't run pavement down Nine Mile Creek Watershed.

Mayor Hovland, there is no question that there are strong differences of opinion over which is the better legacy for our generation of Edinans to leave to the next one – Nine Mile Creek as urban park or Nine Mile Creek preserved as wildlife habitat. We disagree with the BETF and 3RPD that the environment comes second to biking, but our primary complaint is with how this is being managed so far by the Edina City Council – apparently favoring one group of concerned citizens over another and appearing to rush towards a decision that reflects the voices of BETF and 3RPD and not those of us who see environmental preservation as our responsibility.

Will you please respond promptly to our request for information to which all Edina citizens are entitled and bring us into the process as we deserve?

Will you please honor our invitation to come walk at least Segments 9 & 11 of the proposed trail so that you can see what the proposal-to-pave means on the ground? We promise no press ambush or protesters with signs. This Saturday is Earth Day and we will be bagging garbage along Nine Mile Creek.

Please feel free to respond to me at my email address or send me one copy by regular mail. Either way, I will be responsible to ensure prompt delivery to the rest of the Legal/Litigation Committee and to the leadership of Save Nine Mile Creek Task Force.

Yours truly



H. Jed Hepworth
5509 Valley Lane
Edina, MN 55439
Email: osornino@comcast.net

cc.

Joni Bennett, City Council
Mary Brindle, City Council
Ann Swenson, City Council
Scot Housh, City Council

cc. J.W. Borg /G. Ansem/P. Johnson/J. Hildebrand/JD Moe.

Hepworth, Jed H. - Jed_Hepworth@cargill.com

From: Hepworth, Jed H. - Jed_Hepworth@cargill.com
Sent: Wednesday, March 25, 2009 4:36 PM
To: edinamail@ci.edina.mn.us
Cc: jwborg@aol.com; Greg.Ansems@Honeywell.com; Hepworth, Jed H. - Jed_Hepworth@cargill.com
Subject: ATTN: MAYOR HOVLAND - Nine Mile Creek - protecting the watershed and wildlife

Dear Mayor Hovland:

I am writing to you as a member of the Legal/Litigation Committee of the Save Nine Mile Creek Task Force (S9MCTF). We are a group of citizens galvanized by recent events to organize to protect Nine Mile Creek along its full length in Edina. We share the vision of the 2008 Edina Comprehensive Plan that "More protective measures for wetlands, waterways and uplands in natural resource planning" is desperately needed.

We do not believe that Edinans want pavement at the price of destruction of habitat. As Richfield is already proving, the East-West corridor for bicycles is perfectly feasible on-road.

I will resend in hard copy upon my return to the US.

Conversations with you and John Vlaming of 3RPD at the recent Open House were illuminating.

We would like to follow up with you on some of the issues raised in those conversations and some subsequent research.

First, it is clear that all of the apparent invitation for public input on possible trail routes (see Alice Hulbert's recent letter to the Editor of the Sun Current) is in reality a carefully-planned artifice to sell the down-the-creek route as the public choice. When Jim Hildebrand and I mentioned 2 or 3 alternatives that would neither require paving the creek bank nor climbing the steep hills on either side, John Vlaming was very clear that 3RPD is not willing to look at routes other than those already on the table.

It is one of the oldest strategies going, but still effective: set up against your choice an alternative that is so patently unpalatable that your choice is the only one possible. The BETF and 3RPD are looking to generate the illusion of validation of their choice, not genuine public input.

We insist that public input must reflect the majority view in Edina that preserving and protecting wildlife habitat is as important as providing bicycle routes to the members of the BETF.

Second, we read about professional staff of the Edina Parks meeting with BETF and discussing "how to overcome opposition" to the plan to pave a path down Nine Mile Creek. We agree with your characterization of the BETF as "just another private interest group". So how do you justify having Edina Park & Rec staff serve as advisors to a private interest group pressing its private agenda? Who instructed the Park & Rec staff to assist BETF, not to identify alternatives or develop scenarios or generate ideas, but instead to "overcome opposition" to BETF's goal of shoving pavement down Nine Mile Creek? Can we have your commitment to have senior Edina staff counsel S9MCTF on how to achieve our goal of preserving Nine Mile Creek in Edina as a narrow ribbon of wilderness and in the midst of all the pavement? We don't object to having OUR employees work to frame issues, develop ideas, etc. But we think it is both inappropriate and illegal for them to be paid to support any private group's dream, and doubly so to be coaching private groups. BETF does NOT represent all Edinans.

Third, the City Council is going to be asked by BETF to permanently dispose of Edina land to 3RPD, without compensation.

John Vlaming told us at the Open House that 3RPD will only consider a trail project if given a PERMANENT easement. Since the land in question has only 2 possible use -

openspace as it is today, or some form of development as proposed by BETF, the grant of a permanent easement to 3RPD is the disposal of the land for legal as well as practical purposes. With no possible future tax revenue to be derived from this land, what is the difference between a permanent easement and ownership, except that Edina can continue to claim the land in its "park inventory" after it has ceded any control over or effective interest in it?

If the proposed trail runs 10 miles through Edina, you will be asked to approve giving 20 acres of Edina property to 3RPD. That is more than 10% of 157 acres of Nine Mile Creek Right of Way owned by Edina. We insist that all the procedures required under Edina's charter and the law for the disposal of City-owned land be followed.

Fourth, the "Needs Assessment Survey" is cited in the Working Draft Edina Comprehensive Plan for the proposition that ALL Edinans' top priority is more walking and biking trails, and the BETF and 3RPD use that as their mantra for the proposal to pave a trail down Nine Mile Creek.

However, we have not seen a copy of the Survey nor had an opportunity to review its methodology to confirm that 865 survey respondents meet the standard for accurately reflecting more than their own views. As we paid for the survey as Edina residents, I trust you will provide us a copy of the Survey and its review of the methodology and raw data.

We dispute the implicit corollary that any majority of all Edinans would support a paved trail where, as in this case, the pavement means the destruction of what the Survey labels Edina residents' second highest need/desire for "natural areas and wildlife habitat". Before the council votes to approve the grant of a permanent easement to 3RPD and the destruction of 20 acres of habitat on a 10 mile route (plus all the mature trees that will have to come down to make that path possible), we believe the consequences of "let's pave a trail" should be made clear to Edina residents.

Fifth, we want to reiterate our invitation to come walk Nine Mile Creek and see the wildlife that will be displaced by the BETF's vision of an urban trail, and see the mature trees that will have to be cut down for Nine Mile Creek to become the BETF's idea of paradise. We acknowledge that our conservationist vision and BETF's vision for Nine Mile Creek are not compatible. We think our vision of the preservation of Nine Mile Creek as a place for quiet and wildlife in the heart of the Twin Cities will be a much more important legacy for Edina than a 10 mile strip of pavement.

We would like from you:

1. A copy of the Needs Assessment Survey and related background information.
2. Your commitment that Edina employees in their professional capacity will no longer serve as agents of BETF and that we can count on the same access to their time and information about Edina resources and plans and proposals as BETF.
3. Your commitment that no interest in Edina land will be conveyed to 3RPD or any party without fully complying with the processes contemplated in the City's Charter and Minnesota Law.
4. Your commitment to come walk a section of Nine Mile Creek with us before you vote on any proposed path.

As John Vlaming told me at the last Open House that there will be "neighborhood assessment teams" formed to look at routing alternatives, and as the last announced schedule for determining a preferred route anticipated a decision by June, this is a matter of urgency. I trust we can count on your prompt response.

Yours truly,

H. Jed Hepworth

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APR 17 2009

Jim and Anne Hildebrand
6808 Brook Drive
Edina, MN 55439

April 14, 2007

Mr. James Hovland
Mayor, City of Edina
Edina, Minnesota

Subject: Proposed Nine Mile Creek Bike Path

Dear Mayor Hovland,

At the April 7, 2009 City of Edina Council meeting Jonathan Vlaming, Planning Manager from the Three Rivers Park District (TRPD), was on the agenda to give a Nine-Mile Creek Regional Trail Staff Report. In his words he was there for two reasons:

1. To give an update on the 9 mile creek planning effort, and
2. To recommend the next steps in this planning effort

Regarding the planning effort, Mr. Vlaming began by giving a trail history and a discussion of the connection of the trail to the surrounding area and suburbs. He cited a concept identified in 1999 where creek and road based trails were identified, and he then cited city council resolutions of support for a trail in 2000 and 2003. Following this, he discussed construction outside of Edina and proposed construction inside of Edina.

Citing another 2004 study, Mr. Vlaming stated that in work to date the team has removed "some segments (that) were shown to have absolute barriers." My question is what segments and what obstacles?

Thinking about and researching alternative routes, my attention was drawn to the most recent study of potential trails through the City of Edina, the **City of Edina Comprehensive Bicycle Transportation Plan¹** completed on September 19, 2007. On reading this plan, I learned that this study was commissioned by the City of Edina and was done by independent consultants with the involvement of the City of Edina Council, the Bike Edina Task Force, the City of Edina Engineer, the City of Edina Planning Department, and the City of Edina Engineering Department. . This comprehensive study identified numerous potential routes through the City. In summary:

The City of Edina Comprehensive Bicycle Transportation Plan was:

- Done with the help of independent consultants hired and funded by the City of Edina

- Had participation from the Bike Edina Task Force
- Had participation from branches of Edina City Government

The City of Edina Comprehensive Bicycle Transportation Plan's guiding principals were:

- Improving safety
- Connecting to local and regional destinations
- Safe routes for all, including the sizing of trail, and
- Bicycling as a base for community health

The City of Edina Comprehensive Bicycle Transportation Plan:

- Provided recommended routes and detailed analysis of the basis for their selection.
- Included detailed recommendations for planning and managing the TRPD regional trail
- Provided operating and maintenance recommendations

Following his planning remarks, Mr. Vlaming then recommended that the City Council appoint a task force composed of citizens along the routes that the Three Rivers Park District has now selected. That this task force would then make recommendations from only routes the TRPD has already preselected. And ultimately, for the City council to choose from these recommendations.

In effect he is asking the City Council to assign a task force to select from the routes the TRPD has already chosen, thus eliminating other possibilities identified in the City of Edina Comprehensive Bicycle Transportation Plan with no discussion or justification of the selection process to the City of Edina and its citizens.

In effect he is asking the City of Edina to ignore its own Comprehensive Bicycle Transportation Plan and its trail alternatives and choose from predetermined TRPD choices.

Taking into account the above noted **City of Edina Comprehensive Bicycle Transportation Plan** of September 17, 2007, then, it would seem fair to ask that:

1. any new bike and trail criteria in addition to those used in the **City of Edina Comprehensive Bicycle Transportation Plan** should be made public and approved by the Edina City Council with public hearings before any trail evaluation process proceeds.

2. that the **City of Edina Comprehensive Bicycle Transportation Plan** with its recommended trails and criteria be used as the base, with any additional trail options undergoing an Edina task force evaluation, and
3. that following the determination of possible additional routes from step 2 above, the City Council of Edina could hold public hearings and make a decision on a preferred route.

Now that TRPD is turning trail evaluation over to the City of Edina, I feel strongly that the basis for planning going forward should be based on the thorough, independent, and professional **Edina Comprehensive Bicycle Transportation Plan**.

Very truly yours,



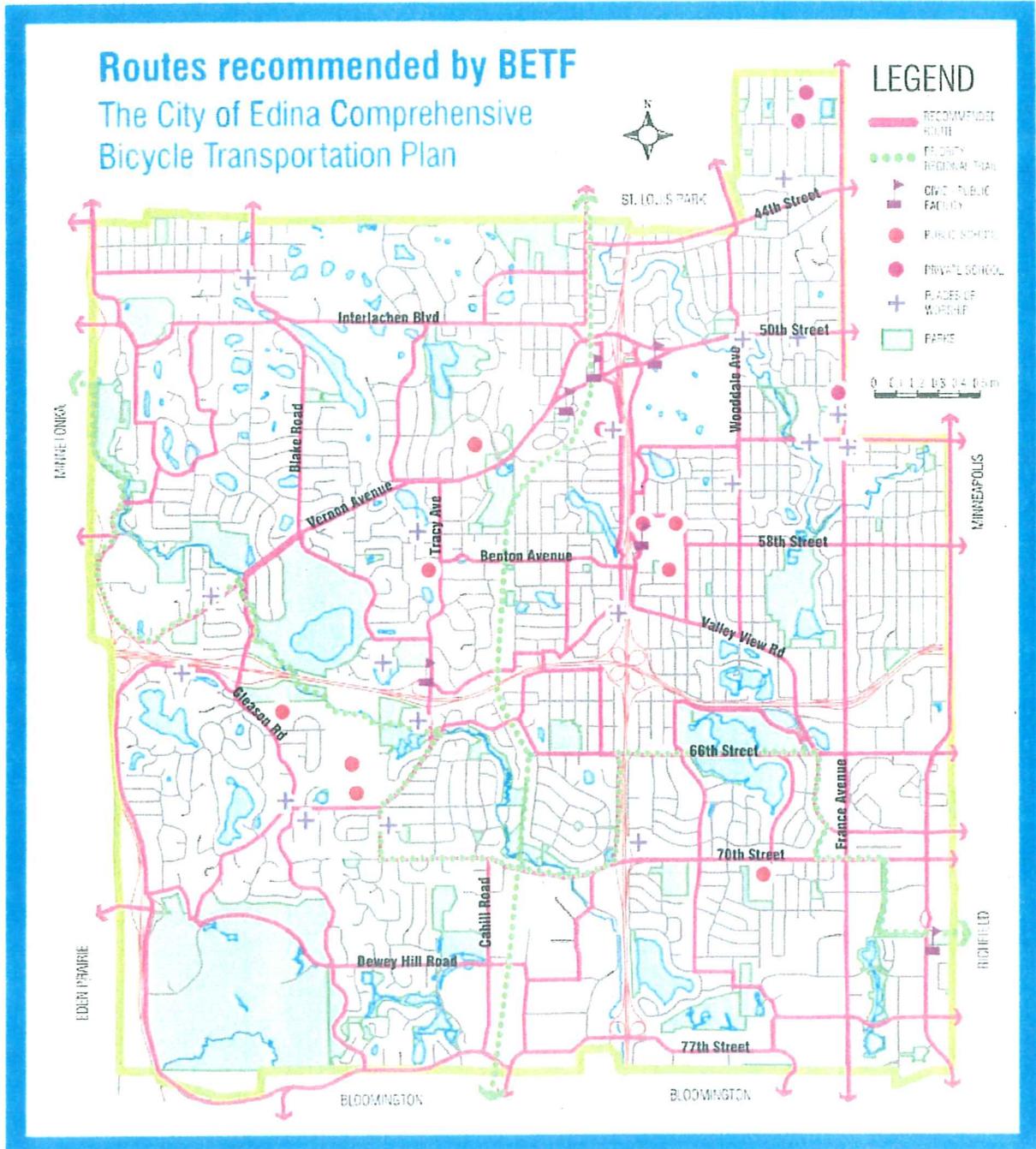
Jim Hildebrand
6808 Brook Drive
Edina, MN

ⁱ-Attachment: Attached is page 35 from the September 17, 2007 **City of Edina Comprehensive Bicycle Transportation Plan** showing all possible alternatives to be considered. The report may be found on the web at:
http://www.ci.edina.mn.us/traffic/L5_BikeTaskforce.htm

FOUNDATION

The routes recommended in this Plan are based on the routes identified, selected and recommended by the Bike Edina Task Force (BETF) as part of the work they completed in Fall 2006. All of the routes selected and recommended by BETF are carried forward and identified for designation as recommended routes (with some additions, route hierarchy and implementation recommendations) by this Plan as included in Chapter 2.2 (Recommended Routes).

A map of the original routes developed by BETF follows below:



DAVID & TAMI THOMPSON

5517 Valley Lane
Edina, MN 55439
(952) 942-3384

E-mail: thompson_davidj@yahoo.com



April 19, 2009

Edina Park Board, Edina City Hall, 4801 W. 50th Street, Edina, MN 55424

John Keprios	Keeya Steel
Todd Fronck	Randy Meyer
Jennifer Kenney	Ray O'Connell
Benjamin Fox Pobuda	Daniel Peterson
Joseph Hulbert	Rob Presthus
Bill Lough	Jeff Sorem

Dear Edina Park Board:

We are writing to encourage you, the Edina Park Board, to recommend AGAINST the construction of the Regional Bike Road in the 9 Mile Creek Floodplain between Tracy and 70th (Sections 9 & 11). We encourage you to support an on-road route through this portion of Edina to minimize the destructive impact on our neighborhoods and on the habitat that surrounds the creek in this area. Richfield has adopted this on-road option very successfully, according to Mr. Vlaming from Three Rivers Park District.

First, we hope you understand the full magnitude of the construction being proposed. The "trail" will be paved 10 feet wide plus a 3-foot "shoulder" on each side and will include "highway striping" to separate traffic in each direction. At 16 feet overall width, this is more accurately called a road than a trail. Recklessly routing this corridor would needlessly destroy our neighborhoods and much of the creek habitat.

Unlike abandoned rail corridors elsewhere in the metro, the creek floodplain (sections 9 & 11) has been the centerpiece of our neighborhood and a refuge for wildlife within the community. Giving this area to Three Rivers Park District for the purpose of building a Regional Bike Road would essentially destroy one of Edina's last undeveloped wetlands and forever damage the neighborhoods that have been built around it and treasure it so much.

Please ask yourselves these questions.....

1. If a creekside bike road is such a wonderful community and neighborhood resource, why are our neighborhood residents nearly unanimous AGAINST such a route?
2. If the Regional Bike Road is so safe and neighborhood friendly, why do the overwhelming majority of adjacent homeowners elsewhere in the metro erect privacy and security fences between their properties and the bike road? Imagine our beautiful, wild creek area paved with a road and lined with unsightly, rusting chain-link fences like as it is in other metro neighborhoods that border the Regional Bike Road.

The answer is quite clear. Like a freeway, the bike road is a REGIONAL asset that puts REGIONAL wants above local and neighborhood interests. The Regional Bike Road works quite well on abandoned rail lines. This makes sense. But retrofitting through a pristine wetland and the private areas of an existing neighborhood doesn't make sense. It doesn't fit. Almost nowhere else in the metro has this been done. Even the Edina School Board objected to the proposed route near the schools.

Briefly, our concerns include:

- 1) Safety and Security of the Neighborhood: For the past 45 years, the backyards in our neighborhood have provided a safe, secure area for children....separate and private from busy pedestrian and car traffic in the front that travels in excess of 40 mph. The safety and security that we have come to expect and appreciate would be forever lost with the addition of a public regional bike road and the thousands of strangers it would funnel through the hidden and unpoliced areas of our neighborhood.
- 2) Habitat and Wetland Destruction: Unlike Minnehaha Creek through Edina, most of 9 Mile Creek remains undeveloped in the midst of the asphalt and manicured lawns of the city. Despite its narrow swath, most adjacent landowners have left the creek banks wild in order to enjoy the beauty of the habitat and the wildlife it supports including Wood Ducks, Deer, Egrets, Herons, Beaver, Muskrat, Hawks, Turtles, and Fox. A 16-foot wide Regional Bike Road through the narrow floodplain would essentially eliminate much of the last undeveloped wetland and wildlife habitat in Edina.
- 3) Loss of Privacy and Loss of Property Values: We would suffer a SIGNIFICANT loss of privacy and property value with the construction of a Regional Bike Road adjoining our backyard. We vehemently disagree with those who say that we accepted this risk by buying property adjacent to city land. This land was established and reserved for the control of the floodplain. Changing the use and control of this land for a regional "road" is a breach of covenant by the city with homeowners along the creek. Since our neighborhood was platted, the city and county have been happy to value and tax these properties as waterfront properties. Further, our quality of life and our privacy would be dramatically compromised. Our family frequently bikes on metro trails and city streets without issues. But we would NEVER wish to use a trail that is so intrusive to homeowners & neighborhoods. Bike roads that are mere feet from backyard decks and swing sets are uncomfortable for both the homeowner and the road user. Like us, most of the homeowners along the creek would not have purchased these homes had they known that a Regional Bike Road would adjoin the private back yards.
- 4) The Public was NOT Given Input in Selecting Routes: Three Rivers Park District is indicating that the existing route alternatives are the ONLY possibilities to transverse Edina. They are wrong. There ARE other alternatives. Further, the Park District has narrowed the routes down to these few alternatives without any input from the Public. Our neighbors on both sides of Valley Lane would like our street to be a considered route. It has a separate sidewalk for pedestrians and very few cross streets to compromise rider safety. Why no consideration? Why no public input until the "final" alternatives have been set?

We support Three Rivers Park District in its efforts to create a regional trail through Edina. But we believe that the 9-Mile Creek habitat and the Neighborhoods that surround it would be best served by an On-Road Route between Tracy Avenue and 70th Street. Please DO NOT TAKE such a valuable natural asset away from the neighborhoods and community and give it to the County Park District to pave over when so many better alternatives exist. Bicycle routes on city streets are less expensive to create & maintain, less invasive, more accessible throughout all seasons and have the advantage of slowing auto traffic. Please preserve the creek. Please preserve our neighborhoods. Thank you for your thoughtful consideration.

Sincerely,



David Thompson



Tami Thompson

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From: Jane Weiss [mailto:jezweiss@yahoo.com]

Sent: Monday, April 20, 2009 5:51 PM

To: Lynette Biunno

Subject: Londonderry Townhouse Assn. Request and Mailing List - re: Nine Mile Creek

To: John Keprios, Park & Recreation

From: Jane Weiss

I was at the Park Board Meeting on April 14 at which I stated that homeowners in our complex had not be notified of the first open house.

At the meeting I requested a list of the 11 segments of the trail and also the list of homes that would be sent a mailing inviting homeowners to nominate a person to represent the segment I did not receive an assurance that I would receive this information, so I am requesting it, again, via this email. My address is 5704 Duncan Lane, Edina MN 55436.

The president of our association requested that I forward a list of homeowners in Londonderry whose homes are on the creek so that they will be notified of meetings, etc.. I have sent it as an attachment. If there is a problem with getting this information to you this way, please contact me and I will mail it to you.

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April 21, 2009

Park & Rec director John Keprios
Edina City Hall
4801 W. 50th St.
Edina, Mn. 55424

Edina, Mn 55424

Dear Mr. Keprios:

I am very opposed to the new 9 Mile Creek bike path. Everyone I talk to is not in favor of this either.

Why should a small select few determine what the majority of the people of Edina would like for our city.

A bike path 16' wide – 4' high – will not be cost effective, especially when it gets older and the cost for maintaining it continues to go up.

Edina has one of the few natural habitats of wilderness in the city with a creek and a pond where nature thrives. There are lots of deer, wild turkeys, red fox, raccoons, rabbits and small furry animals who live here plus the birds, turtles, (two of which are endangered) crayfish, toads, frogs, fish, and many other water inhabitants. I had 13 large wild turkeys in my driveway and I live across the street from the creek.

We have a pristine, quiet, and peaceful environment which should not be tampered with. I do not see how this could even be considered for something like a small tar road running through private property which the property runs down to the water.

We live in a dangerous world right now and most of the children around this area do not play in their front yards, they play in the back yard. This bike path, from what it sounds like, will run through private property, sometimes up to a persons deck. Also past three schools, near the football field bringing 24/7 strangers into our childrens most vulnerable area to watch them play.

There was an incident within a week ago where a sex predator tried to get two little girls in his car over by Concord School and they ran away. He then tried to get a little girl who was walking alone into his car. A Mother happened to be there and took down his license number and

called the police and he was arrested. This was lucky, but with all the people who will be coming into our city – we may not be so lucky the next time.

This bike path is going to take an enormous amount of money. I cannot imagine the amount of money it will take to build three bridges, one over Highway 62 around Gleason Road, over Tracey, over Hwy. 100 plus a tunnel under Hwy. 100. The map is hard to read, so my areas may be different, but this is the general planning for bridges. This is mind bogling.

We are in a time of downsizing, unemployment, and a credit crunch where people are pinching their pennies and a project this tremendous in cost should not even be considered, even if you could get stimulous money. This money does not come free either. There is a large interest rate to be paid when you do get it. This is not in the best interest for the people of Edina. The amount of money spent for recreational enjoyment should not be spent for the amount of summer hours used and the loss to wildlife, eroding house values, privacy, traffic, and an increase in crime. This means more police will have to be hired to manage all this.

I have not mentioned the flooding of the pond on 9Mile Creek and other areas along the creek where sometimes the water comes up almost to the houses. This will be another maintenance expense when the path becomes eroded from the water. No one will be able to cross safely during this time of the year.

Edina is a unique city that is why our property values have stayed up during the downward trend of almost every other area. This bike path is not for Edina, it is for long bike riders.

Thank You.

A handwritten signature in blue ink that reads "Mary Wenborg". The signature is written in a cursive, flowing style.

Mary Wenborg
5801 Creek Valley Rd.
Edina, Mn. 55439
952-944-3493



SAVE 9 MILE CREEK TASK FORCE

PO Box 390706 Edina, MN 55439

EDINA PARK BOARD
Edina City Hall
4801 West 50th Street
Edina, MN 55424

Ladies & Gentlemen:



April 22, 2009

Greetings on Earth Day! Thank you for listening to us at last week's Park Board meeting. We were very pleased to hear that Bill Lough and other Board members have already taken the step of walking the Creek to see what is at stake. Thank you!

Save 9 Mile Creek Task Force is not a group of NIMBYs or opponents of biking. We bike and walk all over Edina. We are long-time Edina residents united by our vision that 9 Mile Creek as an unspoiled ribbon of wilderness is a far better legacy to the next generation of Edinans than another 20+ acres of additional pavement. Please visit our website: www.9milecreek.org, where you can communicate with us as well as by mail.

John Vlaming of Three Rivers Park District and we agree on one thing – the Edina Park Board will play an important role in determining the fate of 9 Mile Creek. We were very impressed with how seriously you took the issue of the community garden in Chowen Park. Now you confront a decision that we believe is much more important for the future of all of Edina. We hope you will give your decision on Nine Mile Creek the consideration it deserves.

As the process works forward, we encourage you to ask and think about:

1. WHAT DOES A 16 FOOT WIDE TRAIL DOWN THE 9 MILE CREEK WATERSHED MEAN TO THE ENVIRONMENT?

ANSWER: It means destroying habitat – at least 1.939 acres of habitat per mile of trail will be changed to pavement and cleared shoulder. As those of you who walked proposed Segments 9 & 11 saw, it also means cutting down hundreds of mature trees to clear the route.

Cutting habitat into pieces doesn't just change the area under pavement. It eliminates the depth of habitat that allows wildlife to flourish. Add the 500,000+ visits per year that the Three Rivers Park District predicts to justify this project, and the snapping turtles, wood-ducks, turkeys, herons and other animals that today live here and enrich the lives of all Edinans will be gone. Bikers won't notice what is no longer there – but all of us in Edina will be less for the absence of these animals and trees. We think the last thing Edina needs is more pavement.

2. WHY AREN'T ON-ROAD SEGMENTS BEING GIVEN SERIOUS CONSIDERATION AND WHO CHOSE THE CURRENT SEGMENTS PROPOSED?

ANSWER: We think those are excellent questions and you should get the answers before you make a decision. We don't have the answers. As Mr Vlaming told you last week, a

segment close to Edina Schools and other segments previously were deemed “not feasible”, but the rationale for those decisions has not been shared with Edinans.

If grades are “absolute barriers”, as Mr Vlaming told you last week, how can the Segment 7 that runs the trail up Tracey and Antrim to 70th Street (and the reverse course up 70th of course) still be under consideration? Or was Segment 7 set up as a “strawman” alternative to Segments 9 and 11 to make the down-the-creek choice the only choice? See: www.threeriversparkdistrict.org/trails/ninemilecreek.cfm.

If bike access to schools is one of the key drivers for creating a regional bike trail and routing it where Three Rivers Park District proposes, as Mr Vlaming told you last week in his list of public concerns, why was Segment 6 that actually connects to Edina Middle School and Edina High School abruptly deleted from the project as “not feasible”?

There are several low-grade on-road alternatives that don't involve biking along heavily-travelled streets or taking Edina Park Board land for a regional trail. Mr. Vlaming noted that Richfield has chosen to keep its section of the Regional Trail on-road. However, on more than one occasion, Mr Vlaming has told concerned Edinans that his team is not prepared to consider alternatives other than those already in play. Why not? Who is making the decision on routing? Edina or Three Rivers Park District?

3. WHAT DOES THE PROPOSED TRAIL DOWN 9 MILE CREEK MEAN TO EDINA AND THE PARK BOARD?

ANSWER:

GIVING UP EDINA LAND: Mr. Vlaming said the Edina segment will be 17.5 miles long. Three Rivers Park District demands a permanent easement on this land. That means Edina gives up at least 33 acres of Edina land forever (17.5 miles x 1.939 acres/mile). Edina will have no recourse or control over this land if in the future the trail is not maintained or policed to Edina's satisfaction. Any future use by Edina of its land along the trail will have to have Park District OK if it impacts the easement.

MORE EDINA EXPENSE FOR SECURITY AND LESS SECURITY: Mr. Vlaming's planning associate told us at the Open House that Three Rivers Park District has 2 officers on Segways who patrol 200+ miles of existing trail during daylight hours. The proposed trail allows unrestricted access to the Edina Schools land, Heights Park and other parklands in Edina. Sadly, security is a serious and growing problem, not an invention of opponents of off-road trails. See our website.

Who is going to respond in a meaningful way to security problems along a trail down 9 Mile Creek? Edina Police, not the 2 guys on Segways. Who will pay for that, with more expense and less security – and more concerns about our kids playing behind Creek Valley School or at parks like Heights Park? Edinans will.

We will be talking with you again as you weigh this important decision.

Jed Hepworth for SAVE 9 MILE CREEK TASK FORCE

cc. John Keprios.

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-----Original Message-----

From: Jed_Hepworth@cargill.com [mailto:Jed_Hepworth@cargill.com]

Sent: Wednesday, April 22, 2009 4:22 PM

To: Lynette Biunno

Cc: jwborg@aol.com; Greg.Ansems@Honeywell.com; Luaprat@aol.com;
jjmogul@comcast.net

Subject: Attn: John Keprios/Park & Rec Director & Mary Brindle, City
Council - Letter from Save Nine Mile Creek Task Force to Edina Park
Board -

Dear Mr. Keprios - attached please find your copy of the letter we are
sending to the Park Board.

We would welcome the opportunity to sit down with you to discuss your
views on how Edina can build a path for bikers without paving Nine Mile
Creek.

There are conflicting visions of what is best for Edina and this jewel
of urban preserve in the city, but I believe there is strong agreement
on what a great resource Edina's parks are for its citizens, thanks to
you and your staff and the Park Board. Thank you.

Jed Hepworth for
Save Nine Mile Creek Task Force

68

-----Original Message-----

From: Aaron.C.Swann@seagate.com [mailto:Aaron.C.Swann@seagate.com]

Sent: Thursday, April 23, 2009 11:19 AM

To: Lynette Biunno

Subject: Support for 9 Mile Creek Bike Trails

Edina Mayor and City Council,

Just wanted to drop a note indicating my support for the proposed 9 mile creek bike and walking trails. I see the proposed trail as a safe opportunity for my family to move around the city, get to school, etc and I believe that it will have a positive impact of property values for those of us who live near the creek. I live at 6710 Cahill Rd (the homes across the street back onto the creek) and I appreciate the concerns of those who live on the creek, but we are talking about public land which is for all of us to enjoy.

Regards,

Aaron Swann
6710 Cahill Rd
Edina, MN 55439



John Keprios

From: NASHJOHNN@aol.com
Sent: Friday, April 24, 2009 12:27 PM
To: John Keprios
Subject: 9 Mile Creek Proposal

Hello John- thank you for taking the time earlier this week to review the map of the proposed bike trail through Edina.

With this email I am assuming you will forward this to all the council members, the Mayor and the City Manager. If not, please advise me of that.

Since we saw signs in neighborhoods to 'Save 9 Mile Creek', we checked out information from a website.

We found the proposed trail and with further research found that none of the council, including the Mayor, or staff, live in the effected areas! (NIMBY?)

Further, information that the above mentioned already have indicated they are in favor of taking 'free money' from Three Rivers Parks, with minimal input from the citizens of Edina, a group of interested parties are attempting to 'inform' the council and staff of the public's concerns.

With this letter we are registering our objection because of the encroachment on private property, eradication of wetlands and park land and as a result, opening the residents around 9 Mile Creek to exposure of potentially thousands of citizens from outside Edina to use a trail that can not be made secure without exorbitant expense!

The Bike Crowd are very motivated for this project- let them continue to ride the bike lanes ,and we see them every spring/summer/fall weekend on Vernon/Gleason road in groups of 20+ with no problems.

In this year of budget shortfalls, the millions of dollars to complete this project is unreasonable and very shortsighted!

Thank you for your support.

Sharon and John Nash
6400 Gleason Court
Edina, MN 55436

PS- Let's plan to clean up Bredeson Park of dead and fallen trees as well as eliminate the massive Buckthorn forest before we do anything else!



From: Kevin Bloemendaal [mailto:kbloemendaal@cardtronics.com]

Sent: Friday, April 24, 2009 11:04 AM

To: Lynette Biunno

Subject: 9-Mile Creek Trail Plans

To Whom It May Concern:

I wanted to take a moment to let you know that we support the trail plans and are anxious to see it happen. As an avid runner and parent with young children, it would be wonderful to have a safe way to connect into the wonderful trail system that we have in the metro area. We live near the high school and it is difficult for us to safely bike or run to the nearby schools and parks without tackling big hills on high-traffic streets like Tracy and Gleason, especially right before or right after school. Having a safe alternative would allow us to use our bikes and feet more and the car less.

We are hopeful that any issues will be resolved and the plans will go forward. Please let us know if there is anything we can do to help make this happen. Thank you for your time and support.

Kevin and Trina Bloemendaal (and family)
6017 Erin Terrace
Edina, MN 55439
952.903.0292

MRS

MAURICE W. DIXON

71

6515 Gleason Court
Edina, Minnesota 55436
(952) 933-1115

RECEIVED

MAY 01 2009

April 29, 2009

To Mayor James Hovland
From Margaret Dixon
Subject Nine Mile Creek

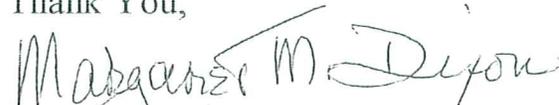
Mayor Hovland,

I am opposed to adding bike and walking trails along Nine Mile creek in the city of Edina.

I would prefer to keep this area in its current natural state.

Please pass this request along to the city council members and to our Park Board Director Mr. Keprios.

Thank You,


Margaret Dixon

6515 Gleason Ct.
Edina MN 55436
(952) 933-1665

MAURICE W. DIXON

72

6515 Gleason Court
Edina, Minnesota 55436
(952) 933-1115

RECEIVED

MAY 15 2009

April 29, 2009

To Mayor James Hovland
From Maurice Dixon
Subject Nine Mile Creek

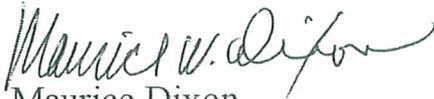
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I would prefer to keep this area in its current natural state.

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Thank You,


Maurice Dixon

6515 Gleason Ct.
Edina MN 55436
(952) 933-1665

73

RECEIVED

APR 30 2009

April 29, 2009

Mayor James Hovland

Edina City Hall

4801 W. 50th St.

Edina, MN 55424

Re: Proposed 9 Mile Creek Bike Trail

Dear Jim,

I am writing about the above topic because, due to your recent knee surgery and complications, you were unable to hear us at the recent Council meeting. Having been there (with a surgically repaired knee, that is), I understand and empathize with your discomfort. I trust that, with the passage of time, the soreness has lessened and you are well on the road to complete recovery.

I am not sure where you and your fellow Council members line up on the selection of a location for the "Three Rivers" proposed regional bike trail but, before more time and expense goes into garnering support for constructing such a trail alongside 9 Mile Creek, I want to share with you my observations as a long time resident on Creek Drive, across the street to the east from 9 Mile Creek.

For the many years that we have lived here, the creek and creek bottom have served as natural habitat for a wide variety of wild life, from tadpoles and frogs, to trout, turtles, raccoons, deer, ducks, pheasants, geese, even turkeys. Sadly, the numbers of wildlife that once were surprisingly numerous have diminished over time as the City's inhabitants have encroached closer to the creek bottoms, but they still are present. Some stretches of the creek have already been more "urbanized" than others—viz. Bredesen Park, with its biking/hiking/skiing paths,; Edina High School, with its sodden athletic fields and even, albeit to a lesser degree and impact, Heights Park, with its blacktopped paths and basketball court—but expanses still exist that are relatively untouched and remain in what I assume to be their early, natural state. Certainly the stretch between Tracy Avenue to the west and 70th Street to the south mainly falls into this latter description. This stretch is, perhaps, the last vestige of essentially natural habitat in all of Edina and, in my opinion, it would be a travesty to further decimate or destroy this asset with the addition of still more blacktop, and the encroachment it would bring, assuming of course that its even feasible to construct a bike trail there.

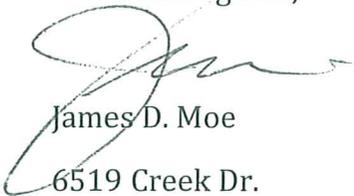
There are other considerations in addition to the preservation of this natural habitat that also merit discussion. If one were to hover over the section of creek bottom referenced above, it would become immediately apparent that it is the low point of a bowl bordered by the Crosstown Highway to the north, Highway 100 to the east, Gleason Road to the west and 70th Street to the south and serves as a natural drainage for the surface water runoff from this sector of Edina. At the aforementioned Council meeting, most of the time that you were in attendance, I believe, was consumed discussing sewer problems in the community. I was particularly interested in the discussion concerning the catch-ponds out by Delaney, south

of Dewey Hill, that were no longer performing as designed and the irony of potentially creating a similar problem by impeding 9 Mile Creek's ability to handle water in the future as it has in all these past years. Neighbors living adjacent to the creek have described it as a great big sponge and, having walked the creek numerous times over the years, I can attest to the fact that it is often boggy. Indeed, it is not uncommon for the creek's water-handling capacity to be overwhelmed, resulting in some flooding of the bottoms. Blacktopping any of that pervious surface alongside the creek would only serve to exacerbate flooding, an equally undesirable negative to the neighbors and to any bike trail, should one be constructed along the creek.

None of the preceding is offered as scientific; rather it is based on one person's observations over 35 plus years and common sense. I am not anti-bike trail, so for me it is not a question of if. I am, on the other hand, pro preservation of natural habitat and wetlands, as I suspect you are, so it is a question of where. I have to believe that, collectively, a perfectly acceptable situs for a bike trail using existing surface streets or some combination of streets and existing bike trails—e.g. Bredesen's path—without further pressuring 9 Mile Creek's natural habitat and wetlands, the wildlife it sustains and the "sewer" service it has so faithfully provided to west Edina.

I look forward to hearing from you if you have any questions/comments with respect to the foregoing or if I may be a source of further information for your consideration. Thanks for your time and attention to this issue.

Warmest regards,



James D. Moe

6519 Creek Dr.

Edina, MN 55439

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Dear Mr. Kepros:

The wild animals in Edina need a quiet, protected area that includes the shelter and camouflage of all the trees. Construction along the creek will disturb that, and more foot and bike traffic will create noise that will scare the wildlife. As more trees in Edina have been cut down, fewer places in the city remain peaceful and undisturbed. Please let us preserve the small areas that are still in a natural state.

Ann Anderson, 5/02/09
aanderson28@comcast.net
5708 Susan Avenue
Edina, MN 55439

PRESERVE NINE MILE CREEK!

75

6500 Creek Drive
Edina, MN 55439
May 3, 2009

John Keprios
Edina Park and Recreation Director
Edina City Hall
4801 W. 50th St.
Edina, MN 55424

Dear John,

Recent developments including traffic by my house and comments from people walking through my neighborhood leave me concerned.

It appears people believe the Creek Drive to Height Park path is public property rather than a walkway easement. I believe the confusion is related to the Three Rivers Park District regional trail proposal and the new "Entrance to Heights Park" sign at the Creek Drive side of the walkway.

During the 2008 reconstruction project it was a pleasure working with you and your staff, as the walkway was in need of significant repairs. The surface had become quite rough (including protruding roots), the fence was in disrepair, and the barrier posts at the Creek Drive side of the walkway had broken off.

The curb ramp at Creek Drive is a great addition which now allows the neighborhood youth to access the walkway directly, rather than negotiating traffic at the Valley Lane / Creek Drive intersection. It was just a matter of time before a youngster was injured at this intersection where motorists continually disobey the three way stop.

To eliminate any confusion and encourage respectful use of the walkway, I request the Park and Recreation Department change the sign to read "Walkway to Heights Park", replace the sign prohibiting motorized vehicles (which was removed during the 2008 reconstruction), and work with the Edina Police Department to enforce walkway speed/safety and traffic signs at the Creek Drive / Valley Lane intersection.

At this time I'm not asking for replacement of the Creek Drive access barrier posts, as I hope other methods can be used to ensure safe, respectful, and responsible use of the walkway.

Best Regards,



Thomas G. (Greg) Clifford

76

Robert and Janice Lubar
6619 Londonderry Drive South
Edina, MN 55436
952-922-2797
rlubar@comcast.net

May 5, 2009

Parks and Recreation Director John Keprios
City of Edina
4801 West 50th Street
Edina, MN 55424

Dear Parks and Recreation Director Keprios,

We have lived in our current home for 5 years and in Edina for more than 15 years. It is a wonderful community and we are happy and proud to be Edina citizens. We also understand that the city needs to undertake projects intended to improve the quality of life for its residents. However, the proposed bike trail along 9 Mile Creek is one such project that will actually serve to diminish the quality of life for the people of Edina. We are strongly opposed to building the bike trail. In particular we want to voice our displeasure over the potential of Section # 2 which is adjacent to our property.

We oppose building a bike trail on 9 Mile Creek for the following reasons:

Habitat, environment – Section #2 of the path includes woods and wetlands which are home to many species of animals. Creating a bike trail will destroy much of the natural habit and food supply for the wildlife as well as regular views of native grasses, deer, fox, wild turkey, birds and much more will be destroyed. My concern is that this trail will drive the wild life away from the area. This is a big loss since Edina has so little undeveloped property remaining for these animals.

Flooding – The creek regularly overflows into yards in the spring. A trail would damage or ruin wetlands and floodplains and likely exacerbate flooding woes for homeowners. This is further compounded by the proposed re-routing of the creek within Section #2. To date there has been no evidence that the city has sufficient hydrogeology and civil engineering studies to demonstrate the proposed actions will decrease the risk of flood damage to adjacent properties and will not adversely impact plant/animal life in the area. I would like the opportunity to review these plans.

Safety – With the annual number of bike trail users estimated to be 500,000 persons, we believe that the safety and security of our neighborhood would be threatened.

- As parents of a four year old child we are very concerned about potential dangers that would be created by granting this many people access to our back yard (with little or no visibility from the street). With the addition of this trail we would face vehicle traffic in front of our house and

bike/pedestrian traffic in our backyard. This proposal would allow many strangers access to our property and create unnecessary risks to our child's safety and well being.

- We are concerned about policing of the area. We were informed that policing would be carried out by the 3 Rivers Park and not by the City of Edina. Who would we turn to if we needed help? The proposal would seem to create a needless chain of command to address potential problems in the neighborhood. The number of officers assigned to patrol bike trails is quite limited in other areas.
- It is unclear to us who would be charged with cleaning and maintaining the trails. We should not be expected to routinely pick up litter in our backyard.
- We are concerned about the risk of fire in the marsh that could quickly spread to other structures (homes) in the area. The grasses get very dry in the summer and careless use of smoking materials (or some other source such as vandalism) could quickly endanger homes in our neighborhood.

Budget and priorities – This isn't the time for a big-ticket (unnecessary) project. The state budget deficit is about \$4.3 billion. We should be able to find a better use for these monies including improvement to our local education system and/or road and bridge improvements.

This proposal jeopardizes the environment of one of the city's most pristine wildlife areas and it would negatively affect the people and wildlife along its path. The safety and security of our homes and families would be at risk.

Sincerely,



Robert and Janice Lubar

5/6/09

Kevin Bigalke, Administrator
Nine Mile Creek Watershed District
Edina Business Center
7710 Computer Ave.
Suite 135
Edina, Minnesota

Dear Mr. Bigalke

I am writing to you in your capacity as Administrator of the Nine Mile Creek Watershed District. I wish to express my concerns about the placement of a bicycle trail from the intersection of Londonderry Rd and Lincoln Dr to the intersection of Gleason Rd and Vernon Ave. This segment is shown as alternative number 2. Alternative number 2 shows the proposed trail running alongside Nine Mile Creek or through its flood plain and wetlands for a distance of approximately .6 mile.

I am disturbed that the Three Rivers Park District web site makes no mention of involvement of The Nine Mile Creek Watershed District in the planning process. **“Three Rivers Park District and the City of Edina are in the process of identifying and assessing several alternative routes including routes adjacent to roads and along the Nine Mile Creek corridor.”** The City of Edina and the Three Rivers Park District are primarily concerned with “use” of the areas within their jurisdiction.

The Nine Mile Creek Watershed District web site states **“The responsibility of the Nine Mile Creek Watershed District is to protect and manage the water resources within the District’s legal boundaries.”** That responsibility extends to protection of the water resources from the advocates of more “use” of the resources. Part of the rationale of creating watershed districts was to provide a counter balance to the advocates of greater use of the water and wetlands.

A sixteen foot wide impervious bicycle path along Nine Mile Creek for .6 mile, used by hundreds of riders per day, each of the riders with the potential to create noise and trash, would certainly change the character of the creek and wetlands. Location of the bicycle path along alternate route number 2 would also conflict with a number of the Nine Mile Creek Watershed stated policies:

2.1 Policy

It is the policy of the Board of Managers to ensure the preservation of the natural function of floodplains as floodwater storage areas and to maintain no net loss of floodplain storage in order to accommodate 100-year flood storage volumes. The District will seek to maximize upstream storage and infiltration of floodwaters.

3.1 Policy

It is the policy of the Board of Managers to ensure the preservation of the natural resources, habitat, water treatment and water storage functions of wetlands. This rule is intended to:

- 3.1.1 Achieve no net loss in the extent, quality and ecological diversity of existing wetlands in the watershed.
- 3.1.2 Require buffers around wetlands affected by land-altering activities regulated by the District.
- 3.1.3 Prevent direct and indirect impacts to wetlands and require

replacement of wetlands affected by land-altering activities regulated by the District.

3.1.4 Maintain wetland integrity and prevent fragmentation of wetlands.

6.1 Policy

It is the policy of the Board of Managers to discourage the use of beds and banks of waterbodies for the placement of bridges, utilities or other structures, and to protect the hydraulic capacity and floodplain of streams and drainage systems.

The location of a bicycle path along the route of alternative number 2 would not conform to sections of these policies.

Section 2.1 A bicycle path is not part of the natural function of a floodplain. A bicycle path is impervious and its volume and infiltration would have to be offset in other areas.

Section 3.1 A bicycle path used by hundreds of riders daily would most certainly impact natural resources such as mammal habitat and bird activity. To the extent that birds and mammals would leave the area it would affect the biological diversity of the existing wetland. A bicycle path would constitute a direct and an indirect impact to the wetland. If the route for alternative number 2 were followed it would result in creating islands of wetlands between the path and bank. This would impact the integrity and result in fragmentation of the wetland.

Section 6.1 A bicycle path along the route of alternative number 2 would certainly utilize the bed and bank and would constitute a structure.

Locating a bicycle path along alternative route number 3 would serve the purpose of a bicycle path and would not adversely affect the policies and responsibilities of the Nine Mile Creek Watershed District. Approval of a bicycle path located along the route of alternative number 2 would be contrary to the spirit of the responsibilities you have accepted and the policies you have adopted. Currently we have a shortage of wild, low use, areas within the metro area. Since an alternative exists it is not necessary to convert this area into an urban playground.

I would urge you to communicate to the Edina City Council and the Three Rivers Park District that a bicycle path located along alternative number 2 is not acceptable to the Nine Mile Creek Watershed District.

Your comments would be appreciated.

William Westerdahl
5912 Walnut Dr
Edina, Minnesota 55436
952-936-7952
westyw@comcast.net

copy: **LuAnn Tolliver, Corrine Lynch, Steve Kloiber, Bob Kojetin, Geoffrey Nash**
Edina City Council



From: Wm Westerdahl [mailto:westyw@comcast.net]

Sent: Thursday, May 07, 2009 12:57 PM

To: Lynette Biunno

Subject: Comment on Nine Mile Creek Trail, Alternative route number 2 and 3

Attention : Mayor James Hovland 612-874-8550 Council Member Joni Bennett 952-927-0661 Council Member Mary Brindle 952-941-7746 Council Member Scot Housh 763-302-7174 Council Member Ann Swenson 952-927-7524

Copy of letter to Nine Mile Creek Watershed District

5/6/09

Kevin Bigalke, Administrator
Nine Mile Creek Watershed District
Edina Business Center
7710 Computer Ave.
Suite 135
Edina, Minnesota

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Your comments would be appreciated.

William Westerdahl
5912 Walnut Dr
Edina, Minnesota 55436
952-936-7952
westyw@comcast.net

copy: **LuAnn Tolliver, Corrine Lynch, Steve Kloiber, Bob Kojetin, Geoffrey Nash**
Edina City Council

79

May 8, 2009

John Keprios & Park Board Members, Edina Park & Recreation
c/o Edina City Offices
4801 West 50th Street
Edina, MN 55424

Dear Mr. Keprios & Park Board Members,

I oppose building a bike trail on 9 Mile Creek because:

Budget and priorities – This isn't the time for such a big-ticket project. The state budget deficit stands at more than \$4.27 billion, much of that affecting our schools. As budget cuts loom for Valley View Middle School and Edina High, a bike trail isn't a necessity.

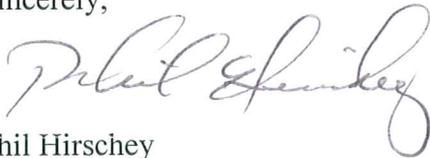
Safety – If a path is built, we question the safety for adjacent homes and schools. Estimated number of trail users is 500,000 per year, which would bring many visitors close to our schools, and thus add safety concerns for parents.

Habitat, environment – From Valley Lane to Creek View Lane to 70th St., the woods and wetlands are home to many species of birds, frogs, turtles and more. Blazing a 16-foot-wide trail would destroy habitats and add to pollution.

Flooding – The creek often overflows into yards. A trail would damage or ruin wetlands and floodplains and likely exacerbate flooding woes for homeowners.

This proposal jeopardizes the environment of one of the city's most pristine wildlife areas and it would negatively affect the people and wildlife along its path.

Sincerely,



Phil Hirschey
5909 Killarney Lane
Edina, MN 55436



May 11, 2009

Edina City Offices

4801 W. 50th St.

Edina MN 55424

e-mail: edinamail@ci.edina.mn.us

PLEASE DISTRIBUTE TO THE FOLLOWING:

Edina Park & Recreation Department, John Keprios and Park Board members

Three Rivers Park District, Kelly Grissman

Senior Manager of Planning with Three Rivers Park District, Jonathan Vlaming

City Council: Mayor James Hovland, Joni Bennett, Mary Brindle, Scot Housh, Ann Swenson

We strongly oppose building a bike trail on 9 Mile Creek because:

Habitat, environment –The woods and wetlands between Crosstown and Edina High School are home to many species of birds, frogs, turtles and more. Blazing a 16-foot-wide trail would destroy habitats and add to pollution.

Flooding – The creek and adjacent wetlands frequently overflow. In an era when wetlands are to be protected, we think this proposal would do the opposite and destroy this area. A trail would damage or ruin wetlands and floodplains and likely exacerbate flooding woes for homeowners.

Safety – If a path is built, we question the safety for adjacent homes and schools. Estimated number of trail users is 500,000 per year, which would bring many visitors close to our schools, and thus add safety concerns for parents.

Budget and priorities – This isn't the time for such a big-ticket project. The state budget deficit stands at more than \$4.27 billion, much of that affecting our schools. As budget cuts loom for Valley View Middle School and Edina High, a bike trail isn't a necessity.

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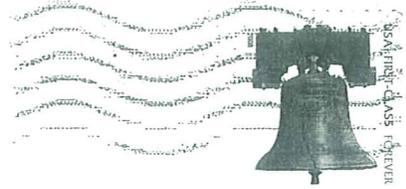
Sincerely,

Jack and Joanna Swanson

6424 Nordic Circle, Edina MN

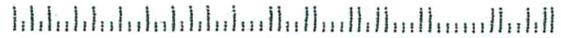


Mr. Vincent T. McCarthy
6813 Dakota Trl
Edina, MN 55439



81

Edina City Council
4801 W. 50th Street
Edina, MN 55424



RECEIVED
MAY 15 2009

to May 2009

Dear Councilors,

My wife and I object to the plan to construct a bike path through our city. Our property taxes have become a significant burden in recent years, so it is unthinkable to spend tax dollars on such an unnecessary project.

Sincerely,
Vincent McCarthy

John K.

82

RECEIVED

JUN 09 2009

Tim Jordheim
5704 Tucker Lane
Edina, MN 55436
T 952 922-3105
tim.jordheim@comcast.net

June 7, 2009

Ms. Ann Swenson
Edina City Council
Edina City Hall
4801 W. 50th Street
Edina, MN 55424

Dear Council Member Swenson:

I am writing to register my opposition to the Nine Mile Creek Regional Trail as proposed and to request that, when the Edina City Council is called to decide, you vote against it.

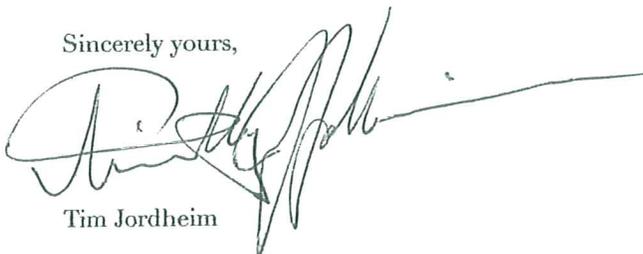
I've been an Edina homeowner for 25 years. My wife and I love this town, raised our daughter in it and have enjoyed its many amenities. Not least of those amenities is the physical environment of residential Edina: a rich combination of parks, public green space and thousands of private properties. Clearly, this is a community that highly values its environment and invests in and cares for it - whether public or private - and we've been strong supporters of that investment. The proposed Nine Mile Creek trail, unfortunately, would be an investment that would cause significant degradation of a unique and lovely part of Edina's physical environment and I cannot support that.

For the past five years we've lived in the Londonderry Townhomes development adjacent to Nine Mile Creek in the northeast quadrant of the intersection of Londonderry and Lincoln Drive. The creek's environs along here are dense urban hardwood forest including many majestic old cottonwood trees. In addition to providing year-round beauty both to us as residents as well as to the walkers, cyclists and drivers on Lincoln Drive, it provides essential habitat and a safe corridor for the daily use by wildlife such as deer, fox, raccoon, turkeys, mink and a variety of birds including herons, hawks, duck and egrets. Living here awakened us to what a tremendous resource Nine Mile Creek is, not just for us, but for so many different areas of Edina.

While our particular situation is only one of many across Edina that make the proposed trail an environmental concern for the city, I think it's a good example. I've studied carefully the trail routing on the Segment 1 map and walked the creek banks. It's clear that installing a 16-foot regional trail (including right-of-way) will destroy a significant portion of the urban forest (including those irreplaceable cottonwoods) and the wildlife habitat and corridor. For those of us in Londonderry who live creek side, it will also significantly reduce the visual and sonic privacy the creek's environs have provided for 30+ years.

I believe it will be easiest for you to understand our, and other residents', concerns if you see the situation first-hand. Please contact me by phone or email and I would be more than happy to personally escort and show you the source of our concerns. I believe it will then be clear why the proposed trail would detract from, not improve, Edina's physical environment and why it should be stopped.

Sincerely yours,



Tim Jordheim

July 12, 2009

Edina Park & Recreation Department, John Keprios

Senior Manager of Planning with Three Rivers Park District, Jonathan Vlaming

Edina City Council Members: Mayor James Hovland, Joni Bennett, Mary Brindle, Scot Housh, Ann Swenson

I am writing to express my concern over the proposed Regional Trail/Bike path along Nine Mile Creek in Edina. My family and I have lived on the creek for over a decade, and while the portion that runs near our property looks like a small area on a map, it is home to a large and beautiful wetland that is home to many plants and animals. We live in the Londonderry neighborhood between Lincoln Drive and Walnut Ridge Park. If passed, the suggested Route 2 would run along the creek in this area, cutting straight through what little natural areas we have left in Edina, and damaging the quiet, and fragile ecosystem that depends so heavily on its undeveloped state.

This area is a **flood** plain that often overflows the banks of the creek with heavy rain. I am concerned about the effect that a path would have on this. Not only is the ground unstable for a path, but if it were built, the hard surface would create additional runoff to an already saturated ground. Homes surrounding the path may be put at risk for flooding as a result, especially if the 9 Mile Creek Watershed District is allowed to **reroute and 'straighten' the creek**. I have attended the monthly meetings at the Watershed District, and it was explained to me by the board members, that this rerouting would occur if the path were built. This type of plan has already been proved unsuccessful by the Minnehaha Creek project near Methodist Hospital in St. Louis Park; a dangerous attempt to control an uncontrollable waterway. Water will go where it wants to, and trying to reroute it so that it accommodates a bike path, puts residents on the creek, and path users, at risk.

Pollution is another risk in this particularly untouched portion of the path. The city of Edina should be trying to protect its water resources, but a path running alongside a small creek only adds additional pollutants to already overwhelmed waterway. Instead of developing this area, why doesn't the city invest in protecting it?

An **alternate path** exists for Route 2, which would follow Lincoln Drive instead of cutting through a natural wetland. This would meet the needs of biking commuters going in and out of Opus by creating a fast and efficient route through west Edina, while also making the roads safer for recreational walkers and bikers living along that road. It does not cut into any private property, and does not disturb wildlife or natural areas. According to the Watershed District, it would also be significantly less expensive as well. The cost of cutting through the wetland is very high, and as a taxpayer, I am very concerned about excessive spending. Considering the current **budget**, this would seem to be an important point.

I understand that a survey was sent out to some residents of Edina. Had a survey been sent to my home asking if I wanted more bike trails, I would have said yes. However, if I knew that it would be cutting through natural areas and destroying habitat, I would have, absolutely, opposed it. I am confident that if Edina residents understood what was at risk in Section 2, they would agree.

I realize that you have many things to consider when making your final decision on this proposed path following Nine Mile Creek. But, please, think about what I have written in this letter. The decision to develop Section 2 for this path is a mistake that would hurt the wildlife, and the natural beauty and health of this vulnerable and rare space. Now is the time to save natural areas, because once they are gone, they can never be recreated and future generations will have to pay for it.

Be a positive example for the state of Minnesota, and take this opportunity to actively demonstrate how urban environments can accommodate and preserve natural areas for future generations, while still meeting the needs of its residents today.

Please save Section 2 between Lincoln Drive and Walnut Ridge Park, and remove it from the plan for this Proposed Trail along Nine Mile Creek.

Sincerely,

A handwritten signature in cursive script that reads "Emily Russell".

Emily Russell

6623 Londonderry Drive
Edina, MN 55436

Attn: John Keprias

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7-14-09

To: Members, Edina City Council

Cc: Nine Mile Creek Watershed District, Three Rivers Park District

It is our understanding that the staffs of the City of Edina, Three Rivers Park District (TRPD) and Nine Mile Creek Watershed District (NMCWD) have recommended Bonestroo, Inc. to complete an EAW for the portion of the proposed Nine Mile Creek Bike Trail passing through Edina. We also understand that the TRPD is seeking a resolution by the Edina City Council in support of Bonestroo, Inc. as the firm of record charged with completing the EAW.

We, the undersigned, have property located within the outlined flood plain of the Nine Mile Creek Watershed. Our properties are either adjacent or in close proximity to alternate route 2 of the proposed Nine Mile Creek Trail. We request that route 2 be immediately removed from further consideration for the following reasons:

- 1) Alternate route #2 passes through the Nine Mile Creek flood plain. We are concerned that creating the bike trail and re-routing the creek will create a greater risk of flooding causing significant property damages. Property owners along alternate route #2 are currently either required or encouraged to have flood insurance governed by FEMA regulations. The two points identified below seem inconsistent with the objectives of this project.
 - a) Edina city code 850.21 subd 5 para.D1 appears not to allow any construction or fill which would increase the 100 year flood level.
 - b) FEMA regulations require that modifications within flood plains (with established elevations) cannot result in a change to the water level by more than .01 feet.
- 2) Alternate route #2 passes through a wetland. The NMCWD requires that any wetland lost through modifications to the wetland be replaced on a 2 to 1 basis.
- 3) The potential loss of wildlife within one of the few remaining "natural" areas in Edina is not an acceptable alternative.
- 4) The loss of privacy and potential security threats to our property are a concern that have not been adequately addressed.

We support increased biking and walking trails within Edina. We recommend adoption of alternative route #3. This is the route recommended by the "City of Edina Comprehensive Bicycle Transportation Plan of September 19, 2007". In addition, route #3 would provide lighted year round bicycle access to employers in the area (United Health Care and the Opus complex) by local residents and others.

The costs of investigating and implementing alternative route 2 outweigh any potential benefits to the community. If alternative route 2 continues to be evaluated, we anticipate that an EAW (and/or other analyses) would require extensive analysis to forecast flood levels and damage estimates to the trail and adjacent property under a variety of scenarios. Also, based on our concerns about local wildlife, privacy and security, spending taxpayer money to produce an EAW (and perhaps subsequent EIS) covering alternative segment #2 seems unwise and wasteful.

Given the current revenue shortfalls and budget constraints, we propose that the city immediately drop consideration of alternative route # 2 in order to save taxpayer dollars, protect wetlands and reduce potential property damages and associated liability to authorizing agencies. This proposed action continues to support enhanced bicycle transportation and recreation routes.

Respectfully submitted,

Carol Russell
6623 Londonderry Dr.
Edina MN 55436



From: conn newton [mailto:connsolo@gmail.com]

Sent: Friday, July 24, 2009 6:05 PM

To: Lynette Biunno

Subject: I SUPPORT 9 mile Trail

To the members of the Edina City Council,

I am writing to you to express my SUPPORT for the completion of the 9 mile trail through our beautiful city. As a soon-to-be resident, I feel such a trail would not only enhance the livability of our lovely town, but also a wonderful step in creating a greener, cleaner, Minnesota. While I realize that some residents have brought up various concerns, I know you will find that the benefits of embracing the bike trail (and jogging trail and rollerblading trail and scooting trail-it's not just for bikes!) far outweigh the costs. Please, let us join the ranks of progressive cities around the country and do what we can to develop an infrastructure for non-motorized transportation.

Thank you for your time,

Conn Newton



From: skimango@aim.com [mailto:skimango@aim.com]
Sent: Monday, August 31, 2009 11:45 AM
To: John Keprios
Subject: Pamela Park proposed changes

Mr. Keprios,

Please excuse my (very) late submission regarding pending changes to Pamela Park. After retiring from teaching in the Eden Prairie School District for thirty-five years, I took most of the summer to travel. Our family has lived at 4124 W. 62nd Street for what will be nineteen years this fall. The school district and the opportunity to buy property abutting the park were the principal reasons we moved to Edina in 1990. In the years since we have used Pamela Park in some way almost every day. Since I'm late in tendering this message, I'll keep observations and opinions short and pointed:

- The park has come under increased pressure in recent years. There are more and more soccer games (adolescent and adult), some lasting as late as 10 p.m. The new light towers are high and bright, a frequent and protracted source of light pollution.
- The position of the new hockey rink and especially its new light system will be an added disturbance to the park's neighbors.
- Accommodating more park users with more parking places and more asphalt is an encumbrance on available (and shrinking) green space. Striping intensifies the ugliness. Can't people park on adjacent streets and walk a short distance to the park? Americans need exercise, not more asphalt.
- Yes, the park should be for sports and recreation, but it should also be a protected place for natural beauty and wildlife. Except for the natural prairie plants buffering the west side of Pamela Pond, it is no longer natural, and the "accoutrements" continue to fill up the green space: light towers, parking lots, ball diamonds, fencing, playground equipment, football and soccer equipment scattered about as if the entire park is storage dump.
- Pamela Park now looks like a cluttered assemblage of fenced and / or lighted areas for limited forms of specialized usage: soccer, softball, and hockey (listed in order by number of hours used per year).
- An artificial turf field in Pamela Park is the worst of all proposals. It will be both unsightly, and an inappropriate intrusion on the natural beauty immediately adjacent to it: Pamela Pond. A turf field will require more construction, maintenance, fences, locks, and insulation from the vast majority of park users and its immediate neighbors.
- Fences and more fences. They are ugly and all too ubiquitous already. They also crowd out other activities. Softball / baseball fencing has, for example, recently negated the winter use of the "hilly" area next to the west parking lot for sledding. The pervasiveness of fencing also hampers the ability of the Edina Cross Country and Nordic teams from setting up decent courses for competitive races. Fencing even shrinks the acreage available for pets to actually run (exercise) in the park.
- Mr. Keprios, Edina has a miniscule number of acres designated as park land. I think the fact that Edinburgh, an in-door facility, is considered a city park attests to this fact. Why

then, does the aggressive clutter of parkland with fences, parking lots, striping, plotted fields, and intrusive light towers continue full-scale?

- Should the word “park” be eliminated from the Edina Park and Recreation Department?
- Our family and park neighbors are frustrated and saddened by these proposals and the changes they represent. Nonetheless, we understand the pressure you are under as the Director, and appreciate your willingness to air these concerns.

Regards,
Duane and Cyd Perszyk
4124 W. 62nd St
Edina 55424
phone: 952-925-5246

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Ehsan Dehbashi + S. Arvin
6513 Aspen Rd
Edina, MN 55436

September 2, 2009

Mayor Hovland and City Council Members
Edina City Hall
4801 W. 50th St.
Edina, MN 55424

Dear Mayor Hovland and City Council Members:

Edina is a wonderful community and we are happy and proud to be Edina citizens. We also understand that the city needs to undertake projects intended to improve the quality of life for its residents. However, the proposed bike trail along 9 Mile Creek is one such project that will actually serve to diminish the quality of life for the people of Edina. We are strongly opposed to building the bike trail along the 9 Mile Creek. In particular we want to voice our displeasure over the potential of Section # 2 which is adjacent to our property.

We oppose building a bike trail on 9 Mile Creek for the following reasons:

Habitat, environment – Section #2 of the path includes woods and wetlands which are home to many species of animals. Creating a bike trail will destroy much of the natural habit and food supply for the wildlife. Regular views of native grasses, deer, fox, wild turkey, birds and much more will be destroyed. My concern is that this trail will drive the wild life away from the area. This is a big loss since Edina has so little undeveloped property remaining for our both enjoyment and as a home for these animals.

Flooding – The creek regularly overflows into yards in the spring. A trail would damage or ruin wetlands and floodplains and likely exacerbate flooding woes for homeowners. This is further compounded by the proposed re-routing of the creek within Section #2. It is widely rumored that the re-meandering of the creek near Methodist Hospital was not successful. My concern is that the combined effect of building a trail and modifying the flow of the creek will increase the risk of flood damage to my property. To date there has been no evidence that the city has sufficient hydrogeology and civil engineering studies to demonstrate the proposed actions will decrease the risk of flood damage to adjacent properties and will not adversely impact plant/animal life in the area.

Safety – With the annual number of bike trail users estimated to be 500,000 persons, we believe that the safety and security of our neighborhood would be threatened.

- Our neighbor is home to a diverse group of people which includes vulnerable children and adults. We are very concerned about potential dangers created by granting up to 500,000 people access to our property (with little or no visibility from the street). With the addition of this trail, many residents will face vehicle traffic in front of their house and bike/pedestrian

traffic in the backyard. This proposal would allow many strangers access to our property and create unnecessary risks to our citizen's safety and well being.

- We are concerned about policing of the area. We were informed that policing would be carried out by the 3 Rivers Park and not by the City of Edina. Who would we turn to if we needed help? Who will watch out for those vulnerable children and adults? The proposal would seem to create a needless chain of command to address potential problems in the neighborhood. The number of officers assigned to patrol bike trails is quite limited in other areas.
- It is unclear to us who would be charged with cleaning and maintaining the trails. We should not be expected to routinely pick up litter in our yards. As tax payers we are not thrilled with the idea of paying for the on-going maintenance resulting from building a trail in a wetlands and flood plain.
- We are concerned about the risk of fire in the marsh that could quickly spread to other structures (homes) in the area. The grasses get very dry in the summer and careless use of smoking materials (or some other source such as vandalism) could quickly endanger homes in our neighborhood.

Budget and priorities – This isn't the time for a big-ticket (unnecessary) project. The state budget deficit is about \$4.6 billion. We should be able to find a better use for these monies including improvement to our local education system, supporting first responders and/or road and bridge improvements.

This proposal jeopardizes the environment of one of the city's most pristine wildlife areas and it would negatively affect the people and wildlife along its path. The safety and security of our homes and families would be at risk.

Sincerely,



Ehsan Dehghan
Steve [unclear]



5700 Tucker Lane
Edina, Minnesota 55436
952-930-9040

September 4, 2009

Larry Blackstad, Chair
Board of Commissioners
Three Rivers Park District
3000 Xenium Lane North
Plymouth, MN 55441-1299

Dear Mr. Blackstad:

I have had the occasion to review the agreement the District has with Bonestroo and it is apparent that the Consultant will deliver only an Environmental Assessment Worksheet (EAW) which will contain recommendations for the mitigation of environmental problems of one or more of the proposed trails. That approach is troublesome since without an Environmental Impact Study (EIS), there is no way to assess the environmental feasibility of any trails through the watershed, a bottom line requirement for environmental assessment.

The lack of environmental vigor is apparent from pages 5 and 6 of the Project Approach which provides that the cumulative environment impact will not involve "boots on the ground."

Sincerely,

Richard C. Johnson

RCJ/tlt

cc: The Honorable James Hovland
The Honorable Scot Housh
The Honorable Joni Bennett
The Honorable Mary Brindle
The Honorable Ann Swenson

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September 8, 2009

Edina City Council
4801 W. 50th St.
Edina MN 55424
edinamail@ci.edina.mn.us

RE: Regional **Bike Paths** - Please link in Edina

Dear Mayor Hovland and Council Members:

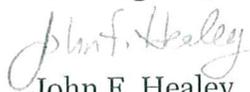
We wish Edina had a **bike path** link to the Twin Cities Regional Trails bike path system.

Attached please find the Twin Cities Regional Trails map, which shows the void in Edina.

Your help to accomplish a bike path link would be much appreciated by numerous bicyclists in Edina.

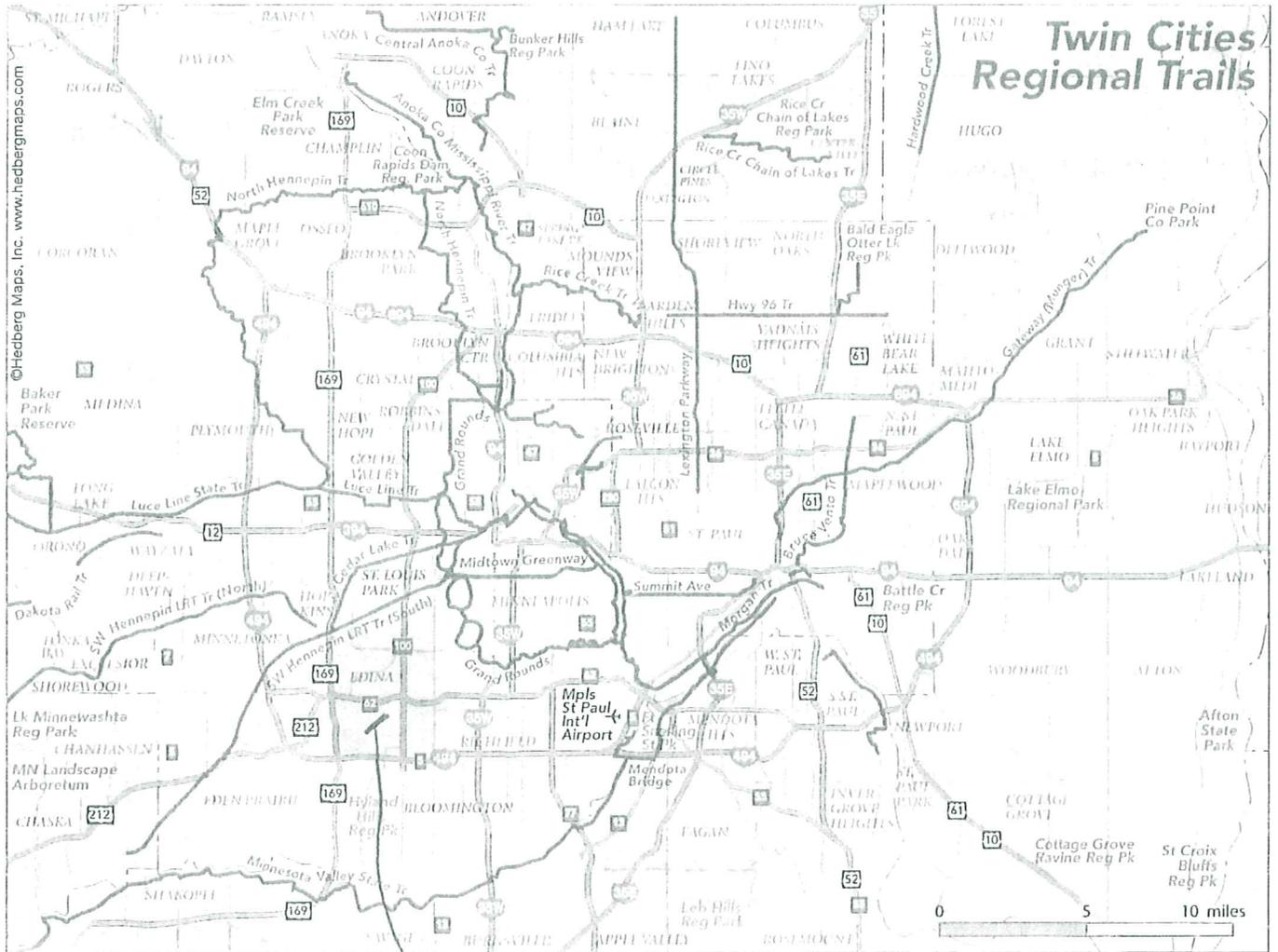
Many thanks for your consideration!

Best Regards,



John F. Healey
4808 Upper Terrace
Edina MN 55435
952-929-8800

Twin Cities Regional Trails



EDINA

6500 Creek Drive
Edina, MN 55439
September 9, 2009



John Keprios
Edina Park and Recreation Director
Edina City Hall
4801 W. 50th St.
Edina, MN 55424

Dear John,

Although I received a polite “courtesy call” from Vince Cockriel – Park Superintendent, I am disappointed that you and your department have failed to follow up on my use and safety concerns of the walkway running through my property as expressed in my May 3, 2009.

In addition to people believing this walkway is part of the Three Rivers Park District’s regional trail proposal, there have been three occasions between August 26, 2009 and September 8, 2009 where people have used engine powered scooters on the walkway. I request the City of Edina follow up on my concerns, even if it requires reinstalling the walkway barriers.

I have attached a copy of my May 3, 2009 letter and am forwarding this to the mayor and city council.

Best Regards,

Thomas G. (Greg) Clifford

Enclosures:
May 3, 2009 letter
May 4, 2009 USPS receipt

Cc:
Honorable James Hovland, Mayor
Joni Bennett, Councilwoman
Mary Brindle, Councilwoman
Scot Housh, Councilman
Ann Swenson, Councilwoman

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Sent To: John Keprios - Edina Park Rec
 Street, Apt. No., or PO Box No. 4801 W 50th St.
 City, State, ZIP+4 Edina MN 55424