

A BLUEPRINT FOR GREENWAYS IN THE HEART OF ALABAMA



A Manual for Implementation of Greenway Plans
Using Five Mile Creek Greenway as an Example

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TABLE OF CONTENTS

TABLE OF TABLES..... iii

TABLE OF FIGURES..... iv

INTRODUCTION v

CHAPTER 1: PLANNING A GREENWAY 1

 Greenway Implementation Group..... 1

 Greenway Master Plans – Existing Documents 1

 FEMA Floodway Maps 2

 Utility Easements..... 2

 Greenspace..... 3

 Resources for Planning 3

 Rails to Trails..... 4

 Tools 5

 Coordination: Funding, Planning and Engineering..... 10

 Safety Considerations 10

 Maintenance 11

 Choosing the Trail Surface..... 11

 Liability 13

CHAPTER 2: COMPONENTS OF PROJECT SUCCESS..... 15

 Organizing a Greenway Implementation Group..... 16

 Capital Improvement Cooperative District (CICD)..... 17

 Public Park and Recreation Authority 18

 Friends: Citizen Commitment to the Project 19

 Local Partnership..... 19

 Friends Groups 19

 Nonprofit Partners..... 21

 Models for Greenway Implementation Groups..... 27

 Single Agency Model 27

 Multi-Agency Model 27

 Public-Private..... 27

 Private-Public..... 27

 Private Sector 28

 Case Studies..... 29

CHAPTER 3: GREENWAY FUNDING..... 42

 State Recreation Needs: ADECA Survey..... 42

 Jefferson County Needs Assessment 44

 Five Mile Creek Park and Recreation Facility Utilization 45

 Survey Summary..... 46

An Investment in Economic Opportunity47

Statistics for Project Support 49

 Center for Disease Control – Chronic Disease Prevention and Health Promotion49

 Trust for Public Lands – Economic Impacts of Greenway and Trails.....49

 US Fish and Wildlife Service – National Survey of Fishing, Hunting & Wildlife-Associated Recreation.....49

Water Quality Benefits: Trails Combine with Good Environmental Practices.....50

Funding50

 Federal.....51

 National Environmental Policy Act54

 Section 4f.....54

 Federal Funding: Compliance with Uniform Act54

 Environmental Document Checklist55

 State Appropriation57

 Regional and Local Money59

 Tax Mechanisms59

 Piggyback With Other Transportation Projects.....59

 Private Funding.....60

APPENDIX: THE FIVE MILE CREEK GREENWAY PLAN

TABLE OF TABLES

| | |
|---|----|
| TABLE 1: Forever Wild Tracts in the Study Area..... | 22 |
| TABLE 2: Local Examples of Freshwater Land Tracts..... | 23 |
| TABLE 3: Local Examples of Land Preserved by TNC | 24 |
| TABLE 4: AARP Greenway Projects in Alabama..... | 25 |
| TABLE 5: Cawaco Projects in Central Alabama..... | 26 |
| TABLE 6: Greenway Implementation Models..... | 29 |
| TABLE 7: Pros and Cons of Management Models | 29 |
| TABLE 8: SCORP Results for Participation in Recreational Activities in Alabama 2008-2012..... | 44 |
| TABLE 9: Region 3 Greatest Outdoor Recreation Needs 2008-2012 SCORP | 45 |
| TABLE 10: Process for Success with Federal Funds | 56 |
| TABLE 11: Environmental Documents Needed for Federal Projects..... | 57 |
| TABLE 12: Alabama Congressional Appropriations related to Outdoor Recreation 2008-2010..... | 59 |

TABLE OF FIGURES

FIGURE 1: Venn Diagram of the Components of Project Success16

FIGURE 2: Murphreesboro, Tennessee Greenway, an amenity to nearby apartment buildings.....48

FIGURE 3: New businesses open up on the Silver Comet greenway in Georgia49

FIGURE 4: Schematic Combining Water Quality Benefits and Trail Design.....51

FIGURE 5: Mile Marker on Silver Comet recognizes support by Georgia General Assembly.....52

INTRODUCTION

The Regional Planning Commission of Greater Birmingham (RPCGB), through the Building Communities Program, contracted the writing of an instructional document for the implementation of greenway plans in Central Alabama. The document was written to respond to the need for interconnected trails for commuting, recreation and wellness, and economic development.

The Health Action Partnership, led by the Jefferson County Department of Health and in partnership with the Community Foundation of Greater Birmingham, received more than \$13 million from 2010-2012 to address obesity and tobacco use in the Greater Birmingham area. Local organizations, including RPCGB, worked with the Jefferson County Department of Health to use \$6.3 million to implement policy and systems changes that improve nutrition and physical activity. Part of that funding produced a greenway master plan, Our One Mile, developed for Jefferson County through the Freshwater Land Trust. The master plan was verified through stakeholder meetings among municipalities and citizens for identification of a network of trails and pathways that connect key assets.

This document is formatted as a guide for planning, funding and building greenways for municipalities in Central Alabama so they might take advantage of the Our One Mile Master Plan. It looks at local and regional projects that are successfully implementing regional greenway plans. An outstanding regional example of a Greenway Implementation Group is the PATH Foundation of Atlanta, a very successful 501(c)(3) that implements trail location plans in Atlanta, Georgia and surrounding counties. A local Greenway Implementation Group is the Five Mile Creek Greenway Partnership and Five Mile Creek Greenway Capital Improvement Cooperative District. Details of the Five Mile Creek Greenway project, including the history of the formation of the Five Mile Creek Greenway Partnership and Five Mile Creek Capital Improvement Cooperative District, are presented in the Appendix as a template for local success.

The Five Mile Creek Partnership was formalized in 2002 with an intergovernmental agreement executed among the cities of Center Point, Tarrant, Fultondale, Birmingham, Brookside and Graysville, the Jefferson County Commission, the Freshwater Land Trust, Cawaco Resource Conservation and Development Council (Cawaco) and the RPCGB. The Partnership produced a Five Mile Creek Trail Location Study in April 2008, which envisions a network of greenways and water trails (blueways) along Five Mile Creek from its headwaters in Center Point to its confluence with the Locust Fork of the Black Warrior River. The Five Mile Creek Greenway Plan expands on that work.

A Blueprint for Greenways in the Heart of Alabama

A MANUAL FOR IMPLEMENTATION OF GREENWAY PLANS USING FIVE MILE CREEK GREENWAY AS AN EXAMPLE

CHAPTER 1: PLANNING A GREENWAY

It has been said that the difference between a dream and a goal is a plan. On the way to achieving the goal of an interconnected greenway system, plans should be made to guide the final outcome. In this chapter concepts including greenway master planning and community master planning are addressed. A greenway master plan is a long term outline of a greenway project with a strong community involvement component. The plan does not give specific surveyed boundaries or exact cost of construction, but instead shows major trail and park locations and estimated construction costs. A comprehensive plan for a city or town is developed by land use planners to determine community goals and aspirations in terms of community development. A greenway system should be part of that plan along with utilities, transportation and housing.

Greenway Implementation Group

A greenway master plan should prioritize projects within the plan area. Within the plan there may be sections that are implemented under different authority or structure. For this publication, the lead group will be called the Greenway Implementation Group. This could be a local land trust, park system, private nonprofit that specializes in recreation or even a municipality. Each project is as unique as the setting.

Greenway Master Plans – Existing Documents

As of December 2011, there is no master plan for greenways in central Alabama. The Regional Planning Commission of Greater Birmingham (RPCGB) monitors the progress of all greenway and park projects in the six county area that includes Blount, Chilton, Jefferson, St. Clair, Shelby, and Walker. Information on Jefferson County is the most complete, due to its population density and the increased number of projects funded through availability of federal funding for air quality improvement. In January 2012, the “Our One Mile” greenway master plan for Jefferson County should be complete, funded through a grant from the Center for Disease Control.

When the Our One Mile greenway master plan is complete, each Jefferson County jurisdiction should adopt the plan into their city comprehensive plan. Adoption into the comprehensive plan will allow private and public funding opportunities to be available. Location of the FEMA flood areas, utility easements and basic land use must be included in the master plan for effective implementation. Some jurisdictions will have in-house records of these data; others may need assistance from the RPCGB.

If a master plan for your greenway project is included in the comprehensive plan for the jurisdiction, future development should include connections to the greenway. Greenways and trails add value to residential and commercial districts. Basic quality of life elements can be improved with a connected trails system including decreased traffic congestion and increased mental and physical health. Reserving trail corridors in development plans costs less in the long run.

Along with the planning process, each jurisdiction should be aware of opportunities to piggyback design and construction with other local utility or transportation projects. A cooperative effort between municipalities can save money for both parties. For example, relocation of a sewer line can allow for the addition of a crushed stone path within the right-of-way as part of the trail system. If the utility line requires an access road and secured gated access, this is a perfect win-win situation for implementation of a local trail connection. These opportunities need to be monitored throughout the project.

FEMA Floodway Maps

Flood Insurance Rate Maps provide the location of flood prone areas. Zone AE indicates the zone where base flood elevations are provided. Zone A indicates areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas, no depths or base flood elevations are shown within these zones. Zone X indicates the area to be outside the 100 and 500-year floodplains. These maps are available to the public through the FEMA web site at www.fema.gov map center.

In areas where flooding is a hazard to dwellings and businesses, trails can be designed to include elevated boardwalks, bridges, porous surfaces and other design elements to allow for non-motorized transportation routes. If water quality can be improved through techniques such as natural channel design, then additional environmental benefits can be added to the project to the benefit of the jurisdiction. These considerations should be incorporated into the design whenever possible for long term project viability.

Utility Easements

Part of the master plan should include a record of existing sewer, power, gas and other utility easements. Area agreements with linear utilities for access to maintenance roads can be good for both entities. The Greenway Implementation Group can maintain the trails with mowing and additional patrolling, providing a service to the utility while allowing connection across jurisdictions.

In Tarrant, Alabama, an abandoned water aqueduct was incorporated into the trail system. This section of the Tarrant Aqueduct Trail parallels an alley and connects three local schools.



Land Donation

When piecing together a linear greenway plan, taking into consideration utility rights-of-way, FEMA maps, zoning, and land donation from a citizen or company comes into play. Before an appraisal, land survey or preliminary engineering investigation are initiated, an Intent to Purchase document should be completed. This protects the investment of the Greenway Investment Group and the landowner as well. Stating the specific intent of the donation is best accomplished on the front end of the project. The Freshwater Land Trust is a good resource for information on land donation and conservation easements for greenways.

Greenspace

The master plan for a greenway should identify greenspaces and connections to other existing and planned parks, trails and recreational areas. If multiple municipalities are working as partners on a collaborative project, for consistency each community master plan should refer to the same greenspace plan.

There are several banks of information regarding existing open space in Jefferson County. The RPCGB is completing an update of the Birmingham Regional Active Transportation Plan.¹ The Jefferson County Greenways Master Plan, scheduled to be available in January 2012, will provide a map of proposed trail locations designated by countywide stakeholder meetings. Each trail will be identified by use, and a cost estimate for each use will be defined in the Greenway Master Plan.

The Freshwater Land Trust in central Alabama has a database which identifies critical land for water quality protection along waterways. The newly formed Alabama Trails Commission,² administered by Alabama Department of Economic and Community Development (ADECA), will also record data on open space resources on a statewide level.



Flooding from rain storms is a critical issue for the health and safety of neighborhoods. Floodplains can be used to spread out stormwater to slow the speed and decrease the height of the flood water. These floodplains can also serve as walkways when stormwater recedes. Trails should be built in floodplains so people can walk and play in the shade and not swim in their basements.

Resources for Planning³

The Federal Highway Administration suggests the following resources for assistance in greenway planning and funding.

¹ 2035 Birmingham Regional Active Transportation Plan, A Strategic Plan for Walkways and Bikeways in Jefferson and Shelby Counties, August 2011.

² ADECA Alabama Trails Commission, www.adeca.alabama.gov.

³ ALDOT, FHWA

Rivers, Trails, and Conservation Assistance (RTCA) program of the National Park Service provides assistance to local governments and organizations, as well as state and federal agencies, to plan greenways, protect rivers, develop trails, conserve their character of the landscape, and help groups achieve their conservation and recreation goals. Recently, the Alabama Scenic River Trail received assistance from the RTCA, for technical assistance relating to development of a comprehensive map, establishment of a membership and volunteer program, and setting the stage for designation as a National Recreational Trail. (Source: National Park Service, USDI, Southeastern Region of RTCA Program.)

The Conservation Fund's American Greenways Program is a national nonprofit program devoted to all aspects of planning and implementing greenways and greenways systems. The organization has published a number of books on greenways and can be contacted for information on numerous greenway planning topics including the initiation of community greenways activities and the economic benefits of greenways. The organization also has a tremendous amount of in-house information on statewide, regional and community-based greenway initiatives across the country that may be useful in planning a local project.

Rails to Trails Conservancy (RTC) is an organization devoted to converting abandoned railroad lines into multi-use trails for public use. RTC is a nonprofit organization that works in partnership with citizen groups, public agencies, railroad companies and other organizations carrying out a program of technical assistance, public education and advocacy.

The Trust for Public Land (TPL) is a national, nonprofit conservation organization that protects land for people. Trust for Public Land Conservation Services program is a full-service greenway and scenic assessment program that offers technical assistance, public education and outreach, community organizing, and acquisition expertise to local governments, land trusts, citizen groups, private land-owners and public agencies. TPL also assists local governments with the financing of natural, historic, cultural and recreational resources through programs such as Lease/Purchase, Buy and Hold and Phased Acquisition.

National and statewide nonprofit organizations, such as The Nature Conservancy and the National Audubon Society, have their own preserves and sanctuaries to protect significant habitat areas. Local land trusts also effectively conserve community natural resource lands. These groups can help a community plan a greenway network.

Rails to Trails

Railroads opened up the United States for commerce and travel in the 1800's. Alabama is one of the few states that have railroad lines that run north-south and east-west. The railroad and numerous spurs were primarily built to accommodate mineral transportation including coal and coal and iron manufacturing supplies. Some of the rail routes are no longer used in Alabama. Railroads have the option of either filing for abandonment or railbanking the route for use as a trail. Many of these abandoned lines have become casual travel routes.

Using rail corridors for trail systems has the advantage of minimum steepness at 1-2% grade and intact bridge crossings. The routes can be scenic and filled with historic sites. Rail beds are stable for most uses if the granite

bedding material is left in place. A disadvantage of using rail corridors in a regional greenway plan is the possibility of ground contamination from spilled fuels or minerals.

Most citizens are not aware of railbanking in Alabama, although it is common in the eastern US. For example, the 135-mile Great Allegheny Passage⁴ is built on a railbanked corridor. The Surface Transportation Board (STB) has permanent jurisdiction over all railroad corridors and the railbanked line is subject to possible future restoration of rail service. The abandoning railroad can apply to the STB to resume rail service on a railbanked corridor. The terms and conditions of a transfer back to rail service would be determined by the STB.

Railbanking (as defined by the National Trails System Act, 16 USC 1247(d)) is “a voluntary agreement between a railroad company and a trail agency to use an out-of-service rail corridor as a trail until some railroad might need the corridor again for rail service. Because a railbanked corridor is not considered abandoned, it can be sold, leased or donated to a trail manager without reverting to adjacent landowners. The railbanking provisions of the National Trails System Act as adopted by Congress in 1983 have preserved 4,431 miles of rail corridors in 33 states that would otherwise have been abandoned.”⁵

Tools

Within the community master plan there are two elements that can be used to further integrate the components of planning and greenways—SmartCode and overlay districts.

SmartCode

SmartCode is a model transect-based planning and zoning document based on environmental analysis. It addresses all scales of planning, from the region to the community to the block and building. The template is intended for local calibration to a town or neighborhood. As a form-based code, the SmartCode keeps settlements compact and rural lands open, literally reforming the sprawling patterns of separated-use zoning.⁶

Best Use for Greenway Planning

SmartCode can be locally customized based on what local stakeholders want in their area. The SmartCode supports community vision, local character, conservation of open lands, transit options, and walkable and mixed-use neighborhoods. The advantage of adopting SmartCode across the Five Mile Creek Greenway watershed is that the greenway plans can be integrated into current and future plans. For example, when new building plans are considered, a connection to the greenway trail system will be a part of that consideration. That way, future connections will be naturally integrated into growth and development. Rather than being based on use and density, the SmartCode is based on the physical “form” of the buildings and development, based on the context of the region. Jefferson County, Graysville and Gardendale have adopted SmartCode zoning. This places 10.2 of 16.45 miles of the Rail Trail in SmartCode areas.

⁴ www.gaptrail.org

⁵ www.railstotrails.org

⁶ www.smartcodecentral.org

Local Assistance

In October 2010, the Jefferson County Commission adopted a SmartCode Floating Overlay District. The SmartCode is a relatively new approach to zoning and development in unincorporated Jefferson County, yet it is essentially a return to more traditional neighborhood planning practices. The SmartCode gives developers the flexibility and opportunity to create developments that provide for more walkable communities centered around villages and transportation nodes, and which preserve a greater amount of natural area and open space for the residents of those communities. The SmartCode adopted in Jefferson County is one that developers can opt-in, instead of trying to develop under the County's existing zoning districts and regulations. It is part of the County's comprehensive plan.

Overlay Districts

Overlay districts provide a means to incorporate various development regulations across a specified area. These districts are special zones that lay on top of existing zoning categories to supplement or supersede existing regulations. They usually provide a higher level of regulation than that required by the existing zoning classification, but they can also permit exceptions or require a less-restrictive guideline. In cases where conflicting standards are given by an overlay district and the underlying zoning category, the overlay district takes priority. Overlay districts are used to accomplish a variety of development, transportation, and land use goals such as access management, protection of historic or natural resources, safety, standardization of a historic district, implementation of development guidelines, protection of the quality of surface water, and even special taxing or financing.

Overlay districts can be implemented by passing a law that appends existing land use regulations without having to go through the process of rewriting the underlying zoning requirements/regulations. Communities can also easily modify overlay districts, should they decide to change the requirements or coverage area.

Best Use for Greenway Planning

An overlay district, like the Jefferson County SmartCode Floating Overlay District, is placed over another base district or multiple base districts. Overlay districts are often used for regulating large areas that include multiple single use zoning. Additional restrictions concerning building and site development can be imposed within the overlay districts and uses which conflict with the goals of the overlay district can be eliminated. The intent and purpose of the overlay district must be clearly laid out in the zoning regulations.

An example of an overlay district would be a water quality overlay district to protect a waterway from non-point source pollution. The overlay district could define a setback from the resource for clear cutting, soil disturbance or mining to protect the water quality. Since rivers and streams run through a large part of the community and multiple zoning districts, an overlay district could be used to impose additional restrictions onto each of the base zoning districts along the waterway.

A floating zone is a type of zone that is not mapped when it is adopted. Its location is determined at a later date. Floating zones are used when a town has identified a need, but has not identified an appropriate location.

A greenway overlay zone could include development standards related to the greenway setback, floor area ratio, open space, landscaping, navigation, and design guidelines. Regulations related to public recreational trails, public viewpoints, view corridors and fills, excavations and structures could also be included to protect investments. Natural geology, vistas, and plant communities can be preserved using a greenway overlay zone.

The decision-making body for the greenway overlay zone could be a Greenway Chamber of Commerce or Greenway Capital Improvement District. Greenway-affiliated businesses, such as fishing, camping, biking and other outdoor activities, would be part of the Greenway Chamber of Commerce, which would protect and promote the greenway.

Some benefits of greenway overlay districts, defined as a setback off of greenway right-of-way, include:

- Promote shade tree cover on greenway
- Prevent new roads crossing greenway
- Landscape guidelines for invasive plant control and erosion control
- Safety standards for intersection with greenway
- Emergency vehicle access

Overlay districts can accomplish the following:

- Provide design guidelines that create a particular look and feel of an area
- Protect valuable resources
- Help meet community goals and objectives
- Maintain current codes while addressing a special need of an area within a zone

Steps to Establishing an Overlay District

1. A study or report is compiled that details the purpose and goals of the overlay district and ensures that it is tied to the objectives of the comprehensive plan or the stated goals of the community.
2. The boundary is simply and clearly defined, which is known as “spatial definition.”
3. Applicant information is compiled into a formal application to demonstrate the need for the overlay district.
4. The community’s reviewing body (typically a review board comprised of citizens and/or planning staff, or possibly the planning commission) evaluates for compliance with current standards.
5. The local governing body (greenway district) must approve the application before it is voted on.

Local Assistance

The primary requirement for using an overlay district is that there must be a zoning ordinance in place prior to implementation. Quite simply, if there is no zoning to be overlaid, an overlay district is not possible. Additionally, there must also be a clear and defensible purpose for implementing the overlay district, such as stated goals and objectives from a local plan or study.

Because of the extensive review process necessary to implement and manage an overlay district, this tool is best suited for communities or agencies that have an adequate professional planning staff. Typically, interpretation of technical issues associated with the application and overlay ordinance requirements is needed; therefore, having an experienced planner on staff would be beneficial.⁷

The land use ordinance below is adapted from Franklin County, Florida. The ordinance has three objectives: (1) adequate provision of greenway facilities, including evaluation of recreational needs; (2) access to recreational facilities; and (3) public-private coordination.

SAMPLE PLANNING ORDINANCE

The goal of recreation and open space planning is to provide adequate quality and quantity of recreation facilities, so that citizens and visitors to the greenway can be assured ample open space, resources, and use-based recreational opportunities.

OBJECTIVE 1 – Adequate Provision of Greenway Facilities

The Greenway Implementation Group shall assure adequate provision of greenway facilities by implementing the following policies.

Policy 1.1: The Greenway Implementation Group shall adopt the Recreation and Open Space Plan.

Policy 1.2: The Greenway Implementation Group shall adopt recognized level of service (LOS) standards for facility and site provision, consistent with the district’s Capital Improvements Element.

Policy 1.3: The Greenway Implementation Group shall monitor regional needs through the Alabama Department of Economic and Community Affairs (ADECA) and conduct a recreation needs assessment for ascertaining the most needed user-based recreation facilities. These needs will be incorporated into future capital improvement planning.

Policy 1.4: The Greenway Implementation Group shall preserve and maintain existing parks and recreation facilities through the use of operating budgets and proper management techniques.

Policy 1.5: The Greenway Implementation Group shall correct existing deficiencies in parks and recreational facilities to bring them into compliance with the adopted LOS standards.

⁷ http://subregional.h-gac.com/toolbox/Implementation_Resources/Overlay_District_Ordinances_Final.html



Coordination: Funding, Planning and Engineering

Once the master plan is adopted, local governments should budget for planning and engineering required for the project. Failure to establish funding and costs at this time in the process could become a major obstacle later on. Support for up to 20% of the project costs should be set aside for efficient planning and engineering.

If any federal money will be used, the project site must be cleared for environmental and cultural impacts. Part of the planning costs may include a Phase 1 and Phase 2 Environmental Assessment, preparation of legal documents for conservation or maintenance easements, land surveys, and other due diligence that may be unique to the project. This can be a lengthy process and should begin as soon as the pre-engineering documents are finalized.

Local trail location identification should include information from the Flood Insurance Rate Map and major utility locations (electric, gas, water and sewer rights-of-way). The Flood Insurance Rate Map shows the location of 100-500 year floodways. These areas may be an opportunity for special tax benefits to landowners, called conservation easements. The easements can allow permanent access to the floodway for recreation with a tax break to the landowners. Utility company maps showing electric, gas, and water line easements may provide a dual purpose for maintenance roads and walking trails.

Safety Considerations

One way of creating a safe environment for greenways and trails is to use park and landscape design to prevent crime.⁸ Crime Prevention Through Environmental Design (CPTED) is a phrase described by C. Ray Jeffreys in his 1971 book of the same title. Jeffreys defines CPTED as the "proper design and effective use of the built environment that can lead to a reduction in the fear and the incidence of crime, and an improvement in the quality of life."

CPTED principles provide park users a comforting, safe feeling while discouraging potential criminals, therefore reducing crime proactively and unobtrusively. It is not a checklist, nor is it an easy fix for all situations. Good CPTED for one area may be completely inappropriate in another area.

For example, raising the crown of a tree in one area may open up the field of vision in a trail, but in another area it could kill the tree. A fix for the latter area would involve diverting the trail instead of trimming the tree. Therefore, CPTED is site and situation specific.

There are four main principles to CPTED:

1. **Natural Surveillance.** This is keeping the environment maintained so that people can be easily seen by other users, staff, and anyone who may pass by the park, trail or playground.
2. **Natural Access Control.** It is desirable to have natural access ingress and egress controlled by some means, such as a fence or flower bed. In other cases, a hedge or path could work. The important thing

⁸ Joel McCormick, National Recreation and Park Association, 2010

is that something should signal “walk here” and “do not walk there.” A person in a walking area should not look out of place.

3. **Territoriality.** Territorial reinforcement is used to distinguish public and private spaces. This can be done by a number of means, including signage, flower beds and mowing. The idea is to show that someone owns and cares about the space. A space that is not used for legitimate park entertainment can quickly be used for some illegitimate, illegal, or unwanted activity.
4. **Maintenance.** Parks should only build what can be maintained. Without maintenance, a public area is inviting criminal behavior. Joe Murray, an arborist consultant and biology professor at Blue Ridge Community College in Staunton, Virginia, is a member of the Safer By Design Coalition, an organization that grew within the state because of interest in CPTED. Murray says that CPTED is well established in Europe and that the coalition is living proof that there is a growing interest in the United States.

Maintenance

The plan for greenway maintenance should be addressed in the beginning of the master plan. This is often an afterthought as planning, designing and building take precedence. If the greenway master plan involves multiple municipalities, maintenance issues can become a major problem. The following are maintenance plan suggestions from successful greenway managers.

- In every grant and fundraising effort, 20% must be set aside in a maintenance fund. (Path Foundation, Atlanta)
- All daily maintenance should be contracted annually to one entity. This includes mowing and edging. (Path Foundation, Atlanta)
- A second maintenance agreement should be made for incidents outside of the prescribed daily maintenance. Twenty percent of the annual maintenance budget should be set aside for major repairs—downed trees, bridge washout due to storms, and damaged fences and gates. (Path Foundation, Atlanta)
- Graffiti and minor vandalism should be corrected within 24 hours to deter further incidents. (Murfreesboro, Tennessee)

These guidelines keep the trails clean and accessible. When multiple jurisdictions try to keep the trail mowed and clean, gaps in maintenance are likely to occur. If budgets are cut or tax revenues are low, early investment in greenway maintenance funds can assure safety on the greenway. An annual maintenance contract should be bid by the Greenway Implementation Group. The landscape company that wins the annual contract will get great publicity from being seen on the trails every day.

Choosing the Trail Surface

The advice the Rail to Trails Conservancy gives on the type of surface for rail beds considers intended use and costs. For example, hard surfaces such as asphalt and concrete are more expensive but accommodate more types of trail use. Hard surface trails also require less maintenance, but replacement costs should also be considered. The asphalt on the Chief Ladiga Trail in northwest Alabama required replacement after 15 years of use. Trail users on wheels—street bicycles, skates, wheelchairs—prefer hard surfaces with low grade. Below are some pros and cons of various trail surfaces.

Hard Surfaces

Asphalt

- Works well for bicycle commuters or inline skaters, but typically can't be used by equestrians
- Requires minor maintenance such as crack patching
- Has a life expectancy of seven to 15 years
- Flexible surface that requires use to remain pliable and will last longer with heavy use
- Possible environmental contamination during construction
- Often used in urban areas or near trailheads and access points where the average user travels two to four miles

Concrete

- Hardest, most expensive, longest lasting (up to 25 years or more)
- Appropriate for urban areas with severe climate swings and susceptibility to flooding

Crushed/granular stone (limestone, sandstone, crushed rock)

- Holds up well under heavy use
- Complements aesthetic of natural landscape
- Accommodates nearly every trail user (except inline skaters), if crushed and compacted properly

Soil cement

- A mixture of pulverized native soil and Portland cement, rolled and compacted into very dense surface
- Cheaper than asphalt
- Drainage very important to prevent erosion.

Resin-based stabilized material

- A tree product that binds aggregate or soil particles together
- Less environmental impact than asphalt
- Cheaper if surface is stabilized soil
- Aesthetics better match surrounding environment

Boardwalk

- Used for wetland areas
- The most expensive per mile to build, followed by concrete then asphalt.

Recycled materials

- Old rubber tires worked into concrete were used on Florida's Withlacoochee State Trail
- Becoming more popular
- No extensive testing to evaluate longevity or wear tendencies

Soft Surfaces

Natural earth

- Maintenance includes fixing drainage problems, repairing eroded areas, removing new vegetation
- Costs \$50,000 to \$70,000 per mile for a 10-foot-wide trail
- Can be built by volunteers

Wood chips

- Blends well with the natural environment
- Works well as parallel tread next to asphalt or concrete
- Decomposes rapidly
- Does not accommodate wheelchair use
- Requires constant maintenance to keep width and surface steady
- Entire surface needs replacement every two years
- Costs \$65,000 to \$85,000 per mile for a 10-foot-wide trail
- Can be built by volunteers

The cost of surfacing a trail with asphalt or concrete may be prohibitive in the beginning stages of trail building. This initial expense should not deter plans if trail development needs to begin right away. It may be possible to upgrade from a soft surface, like dirt or crushed stone, to a hard surface, like asphalt or concrete, once funding has been secured. For example, the Cannon Valley Trail in Minnesota began as crushed stone, and was later upgraded to asphalt to accommodate community needs.

Liability

When a new recreational space is designed for the public, municipalities may turn their attention to liability issues. The Alabama Recreational Use Statute addresses some of those issues. Note that this is for non-commercial use.

Alabama Recreational Use Statute, Title 35: Property

Chapter 15: DUTY OF CARE OWED PERSONS ON PREMISES FOR SPORTING OR RECREATIONAL PURPOSES

Article 1: Limitation of Liability for Non-commercial Public Recreational Use of Land

§35-15-20. Legislative Intent

It is hereby declared that there is a need for outdoor recreational areas in this state which are open for public use and enjoyment; that the use and maintenance of these areas will provide beauty and openness for the benefit of the public and also assist in preserving the health, safety, and welfare of the population; that it is in the public interest to encourage owners of land to make such areas available to the public for non-commercial recreational purposes by limiting such owners' liability towards persons entering thereon for such purposes; that such limitation on liability would encourage owners of land to allow non-commercial public recreational use of land which would not otherwise be open to the public, thereby reducing state expenditures needed to provide such areas.

Georgia has a similar law regarding public and private recreation liability. As with the Alabama rule, landowners must provide a standard of care and not charge for admission to the property.⁹

The purpose of Georgia’s Recreational Property Act (RPA) is “to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting the owners’ liability toward persons entering thereon for recreational purposes.” The RPA does not grant total immunity from liability to landowners who allow public recreation on their land. Rather, the RPA offers a limitation on the duty of care owed by the landowner to recreational users subject to certain statutory conditions. Landowners will not be liable unless they violate this standard of care.

The RPA applies to both privately and publicly owned land so long as a fee is not charged for the use of the land. For example, the courts have found that the RPA applies to both a public school playground and a church playground accessible to the public during non-school hours. The statute applies to land leased to the state, or a subdivision of the state such as a local government, for recreational purposes unless otherwise specified in writing. The RPA does not apply to vacant lots in residential areas.

The Georgia Supreme Court has established a test for establishing willful failure to guard or warn. It requires actual knowledge of an owner that: (1) his property is being used for recreational purposes; (2) a condition exists involving an unreasonable risk of death or serious bodily harm; and (3) the condition is not apparent to those using the property. Having this knowledge, the owner (4) must have chosen not to guard or warn in disregard of the possible consequences.

The following is a safety ordinance from Jackson County, Oregon.

BEAR CREEK GREENWAY ORDINANCE

This ordinance was established by the Jackson County Board of Commissioners to establish common enforceable regulations of activities through the Bear Creek Greenway and does not pre-empt local authority. The ordinance defines what type of vehicle is permitted on the greenway and what uses are permitted. Specifically fires, firearms, hours of operation, companion animals, littering, vandalism, camping, fireworks, hunting and noise.

Jackson County established an intergovernmental agreement for multi-jurisdictional law enforcement in 1999 for the Bear Creek Greenway. Three cities and the county signed the agreement. The agreement was for the optimal health, safety and enjoyment of the public. The guidance document is the *Bear Creek Greenway Management Plan*.

⁹ Excerpts from April 1996 Paper by Ronnie Abellera, under the supervision of Laurie Fowler J.D., LL.M. for the Georgia Environmental Policy Institute.

CHAPTER 2: COMPONENTS OF PROJECT SUCCESS

Identification of stakeholders emerge is the key to success of the project. Local project support comes from elected officials, businesses, nonprofits, county and regional agencies, outdoor recreation groups and involved citizens. Structure for the support group or partnership should be defined. The central organizing group for planning, development and maintenance will be referred to as the *Greenway Implementation Group (GIG)*.

There are many options for the structure of a GIG. In general, the most successful greenway projects have three groups that work together in different aspects, including a nonprofit organization, an elected officials group, and a volunteer “friends” group (Figure 1). Each serves a different function. There are no hard and fast rules for how and how much they overlap. That is best defined by the local culture.

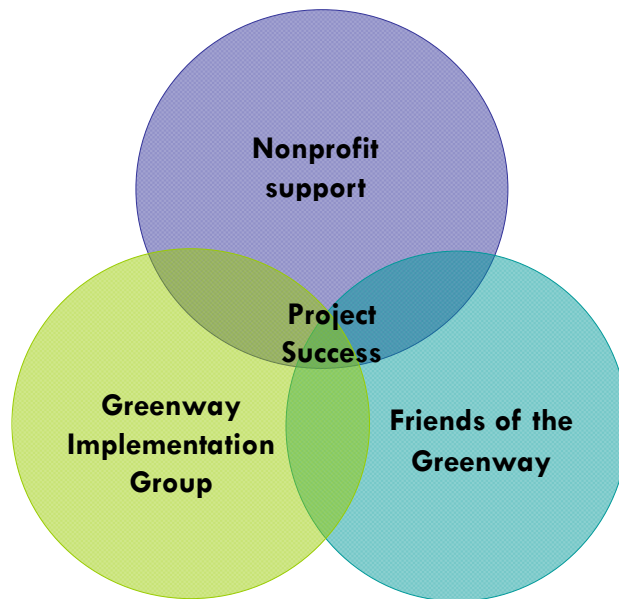
The nonprofit group may access grants from private foundations such as the Community Foundation of Greater Birmingham and other philanthropic groups willing to invest in well-designed projects. This is also the gateway for corporate contributions to projects. Corporate greenway sponsors in the Atlanta area that helped build the Silver Comet Rail Trail and the Emerald Ring Trail around the city include Cox Cable and The Coca Cola Company. Local industry partners may also want to contribute through the nonprofit mechanism. The Freshwater Land Trust has had great success partnering with El Paso Gas and Alabama Power. The nonprofit structure requires a savvy staff that is able to write and administer grants, manage fiscal responsibilities and provide technical expertise. Some existing local nonprofits can be used in this role, such as Cawaco RC&D Council or the Freshwater Land Trust. In some cases it is best to form a new nonprofit specific to the project. For example, a nonprofit whose mission is education has different funding opportunities than a nonprofit that works in land preservation.

Elected officials and leaders can take on the structure of a tax district for support of the project. The tax district can take many forms and responsibilities. Some districts can receive property, receive state and federal appropriations, have limited tax liability, or own, manage and operate greenways. For example, the Alabama legislature formed the Red Mountain Greenway and Recreational Area Commission to own, manage and operate Red Mountain Park. The Coosa River Storage Annex in Talladega County is working under a public park authority. Five Mile Creek Capital Improvement Cooperative District was formed by the Alabama legislature in 2010 to provide an entity to receive the deed to the 16.5 CSX Cane Creek Branch for a rail trail.

The third part of a successful greenway organization is a Friends of the Greenway group. These groups can become a nonprofit or remain an informal support group. These organizations can assist in marketing, volunteer events, fundraising and management of the greenway. A local example is the Friends of the Railroad District in Birmingham, Alabama formed a 501(c)(3) nonprofit to oversee project management for Railroad Park in downtown Birmingham that opened in 2010.

These three components are addressed in depth in this chapter, beginning with the formation and legal definition of Capital Improvement District, Park Authorities, and Tax Increment Districts.

FIGURE 1: Venn Diagram of the Components of Project Success



Organizing a Greenway Implementation Group

Choosing a mechanism to best serve the needs of a Greenway Implementation Group should be the best fit for the political dynamic of the greenway area. Some options are: a Capital Improvement Cooperative District, Public Park and Recreation Authority, County Public Park and Recreation Board, and a Municipal Public Park and Recreation Board.

Only the Capital Improvement Cooperative District (CICD) and Public Park and Recreation Authority (PPRA) are able to include multiple counties and municipalities. There is also no explicit statutory limitation on the geographic boundaries of the area, as there is for the two park board models. The main difference between them is the organizational purpose.

CICD - To encourage and facilitate cooperative efforts by public entities to provide projects for their own use and for the use and benefit of others.

PPRA – Promoting public interest and participation in sports, athletics, and recreational activities through acquiring, enlarging, improving, expanding, owning, operating, leasing and disposing of park and recreation related properties.

One of the most important aspects of these park entities is that all of them carry limited liability. Without limited liability, greenway systems, trails and their associated activities would be no fun! Fear of being liable for

accidents would not provide the activities and facilities needed to maximize the recreational potential of the greenway. No falling! No contact with water! No snakes! No fun!

Capital Improvement Cooperative District (CICD)

A CICD has been used to implement various projects in Alabama. A district was one of the options considered by the Five Mile Creek Greenway Partnership to create a multi-jurisdictional entity for greenway ownership and development. A legal description of the CICD is found in Section 11-99B of the Alabama Code. The procedure involves filing an application for incorporation of the district with the adoption of resolutions approving or denying application by member governments.

There are major advantages of a CICD over other options, such as a park authority, that suited the mission of the Five Mile Creek Greenway project. A CICD has a broad purpose that can be used for any project for member governments and their citizens. Also the CICD may use public rights-of-way without prior approval of the state, its agencies or the county government. The Five Mile Creek Greenway District is the first in Alabama to define its mission as greenway development.

Other advantages of a CICD are:

- the ability to acquire, hold and sell property
- the ability to issue bonds
- the ability to develop and manage property
- tax exemption
- limitation on liability
- the ability to enter into and execute contracts
- the ability to sue and be sued
- the ability to cooperate and make contracts with federal, local and state governments
- the ability to sell/convey any portion of the projects operated
- the ability to lease projects
- mortgage/pledge interest in projects as security for its bonds

As with most organizations, a board of directors must be appointed and by-laws must be written. The initial board consists of the number of members specified in the Articles of Incorporation apportioned among and elected by the governing bodies of the participating counties and municipalities. If elected by a governing body of their county or municipality, the director must be a duly qualified elector of the county or municipality, respectively. An attorney must be active in the filing of the CICD incorporation documents and other legal obligations after the district is formed.

How to Form a Capital Improvement Cooperative District

1. Identify participating municipalities
2. Identify physical boundaries of the project
3. Engage city attorney to prepare incorporation documents
4. Identify a voting citizen in each municipality
5. Identify three incorporators (usually mayor or council member)
6. Have each municipality council sign a resolution for membership
7. Have attorney submit paperwork to Secretary of State

Public Park and Recreation Authority

The Public Park and Recreation Authority joins multiple counties and municipalities to promote public interest in sports. An example of a park authority in Alabama is the Coosa River Storage Annex in Talladega County. The Annex includes 2,832 acres that the National Park Service was given responsibility for as a result of Base Closure and Realignment. The Talladega property is formally known as the Coosa River Annex Depot, which was developed just prior to World War II as an ammunition depot. The Brecon area was, at that time, a powder and ammunition producing facility for the war effort. The property is being developed as a multi-use recreational facility containing Off-Highway Vehicle (OHV), equestrian, walking, mountain biking and hiking trails, along with a variety of other unique recreational venues. The lead nonprofit for this venue is the Cheaha Trail Riders, Inc.

The best Greenway Implementation Group model for this project was to form a Park Authority. The National Park Service's (NPS) Federal Lands to Parks program awarded the Public Park Authority to the cities of Lincoln and Talladega in late 2010. Development began in March 2011 and the total development cost is estimated to be over \$50 million within the next 10-15 years, with a revenue impact to the State of Alabama estimated to be over \$20 million annually when completed. The Talladega County Commission will transfer the deed for the property to this Authority via the National Park Service. Lincoln and Talladega will work together to develop the Annex property according to the plan submitted by Lincoln and accepted by the NPS.

How to Form a Park Authority

1. At least one member must be a Class 4 municipality
2. Identify participating municipalities
3. Identify physical boundaries of the project
4. Engage city attorney to prepare incorporation documents
5. Identify a voting citizen in each municipality
6. Identify three incorporators (usually mayor or council member)
7. Have each municipality council sign a resolution for membership
8. Have attorney submit paperwork to Secretary of State

Friends: Citizen Commitment to the Project



One of the most valuable members of the Greenway Implementation Group is the local chamber of commerce. A chamber of commerce is a business network. The chambers are the premier local business advocates and a key to promotion of economic development through tourism.

In Central Alabama, the Birmingham Business Alliance (BBA) represents a merger of the Birmingham Chamber of Commerce and Metropolitan Development Board (MDB). The BBA focuses on the economic growth of the seven-county (Bibb, Blount, Chilton, Jefferson, Shelby, St. Clair, and Walker) Birmingham region. Bringing the Chamber and MDB together allows business leaders to create a much stronger and well-rounded entity to promote dynamic growth and improve the quality of life in the region.¹⁰

The BBA is a dynamic advocate, unifying voice, and constant catalyst for economic development and business prosperity for the Birmingham region. They produce *Birmingham Magazine* to promote the area. Smaller city chambers support community events that can promote greenways, such as community festivals and sponsorship of greenway activities.

Local Partnership

The Five Mile Creek Greenway Partnership is a group of municipalities, nonprofits and the RPCGB operating under a Memorandum of Agreement to support all members as they pursue the Five Mile Creek Greenway plan. The group is unique in the commitment of its members to persevere with the plan and support one another.

Friends Groups

Many greenway efforts have a Friends of the Greenway group that bring in private funding. Sometimes that funding is used to match state or federal funding but it can also be used outright to finance priority items. These groups bring another element to the regional implementation of a greenways plan. Attaining federal and state funding can be a lengthy process. Through private agencies, grants are often targeted to a specific project and additional money may be garnered from fundraising. Friends groups also bring out individuals dedicated to improving their own neighborhood, health and recreational opportunities.

Friends of the Greenway groups often evolve into a nonprofit status known as 501(c)(3). They can form an agreement with the greenway managers to assist in the development, fundraising, and management of the greenway. This provides a group of local supporters who are less likely to change with the political election cycle. They can solicit support from public and private sector resources, such as elected officials, colleges and universities, and volunteer organizations.

¹⁰ <http://www.birminghambusinessalliance.com/about>

Friends groups help oversee sections of trails to report any problems, work on special clean-up projects, assist with the creation of trail enhancements (interpretive signs, kiosk, mile markers, benches, etc.) and decisions concerning their placement, and represent their communities on greenway matters. They can also preserve and interpret historic and natural resources along the greenway, and develop communications, programs, activities, and community partnerships to stimulate increased use and enjoyment. Some local committees, each representing one to three towns, and participants in the Adopt-a-Trail program provide maintenance and oversight for open sections of trail, and have input on matters of planning and development. Examples of activities of these volunteer groups are: art festivals, creek clean-ups, funding for additional amenities, water quality programs for schools, and purchase of kayaks and bicycles. Memberships are often at low cost to families and can provide additional greenway privileges.

Below are some examples of successful Friends of Greenway organizations in the Southeast.

Friends of Red Mountain Park, Birmingham, Alabama is a group of volunteers who are united in thinking that Red Mountain Park will be a win-win situation for all in Birmingham. Their mission is to promote, enhance, and enjoy Red Mountain Park. They are a 501(c)(3) nonprofit organization which serves as a bridge between the community and the park Commission and staff. www.friendsofredmountainpark.org

The Friends of the Greenway, Murfreesboro, Tennessee, aids the Murfreesboro Parks and Recreation Department in achieving the goals and objectives of the Murfreesboro Greenway System. www.murfreesborotn.gov

Madison Greenway & Trails, Inc., Madison, Alabama, is a nonprofit organization representing the interests of people wanting greater access to walking and hiking trails, bicycle paths, preservation of natural areas and resources, preservation of access to historical sites, and planning related to community land use and development. www.madisongreenways.org

MillionMile Greenway based in Atlanta, Georgia, “helps communities find and conserve greenways that connect neighborhoods and larger communities to each other, to nearby natural areas, to recreation, and eventually to greenspaces everywhere.”¹¹ They serve greenway efforts across the Southeast with capacity building grants and other support. They are volunteer-based with strong corporate sponsorship. www.millionmilegreenway.org. Below are the values of the MillionMile Greenway.

- Greenways should have three components — conservation, recreation and connectivity.
- Positive change happens when interested citizens team with local governments and private landowners to conserve and connect greenspaces.
- Citizens who want to conserve and enjoy greenspace should have the resources, tools, and network of contacts they need to work effectively.
- A network of paths linking parks and other greenspaces increases the utility of every greenspace and expands recreational opportunities for everyone.
- Greenspaces and their connecting greenways give us access to nature, to recreation, and to each other.
- Communities will fight hardest for the natural places they know best.
- Harnessing the passion of local communities is the easiest way to move the needle in conserving their local greenspaces.

¹¹ www.millionmilegreenway.org

How to Form a Friends of the Greenway

1. Visit other Friends groups for ideas
2. Survey local chambers of commerce for project interest
3. Present the master plan to local groups
4. Identify local leadership
5. Begin media campaign for membership and activities

Nonprofit Partners

Several nonprofits in Central Alabama have worked with open space, and greenways. Each has their own expertise and could be valuable partners when forming advisory boards or partnerships. The following pages have profiles of some of these groups.

FOREVER WILD LAND TRUST, Alabama

Profile

Forever Wild is administered by the State Lands Division of the Alabama Department of Conservation and Natural Resources (ADCNR) and guided by the 15-member Forever Wild Advisory Board comprised of the commissioner of ADCNR, the state forester, three university-based biologists appointed by the Alabama Commission on Higher Education, the executive director of the Marine Environmental Science Consortium, and nine members representing all regions of the state and appointed by the governor from a list of nominees provided by various conservation, environmental, business, recreational, and sportsmen organizations. The advisory board reviews nominated tracts and submits recommendations to the governor, lieutenant governor, and speaker of the house for final decisions.

The daily tasks of tract evaluation, title and abstract review, stewardship planning, report preparation, etc. are performed by the Natural Heritage Section of ADCNR's State Lands Division. The Natural Heritage Section, created in 1989 was strengthened by provisions in the Forever Wild legislation to enable ongoing operations necessary for its supportive role with the Forever Wild program. Since 1992, Forever Wild has secured 183,603 acres of public hunting lands that are part of the Alabama Wildlife Management Area (WMA) system. These lands are distributed within 13 WMA's in 12 counties.

Role in local Greenway Implementation Group

Partner in purchase of undeveloped land in northwest Jefferson County for public hunting lands.

Contact

Alabama Department of Conservation and Natural Resources

64 N. Union Street, Suite 468

Montgomery, AL 36130

Web: <http://www.outdooralabama.com/public-lands/stateLands/foreverWild/>

TABLE 1: Forever Wild Tracts in the Study Area

| Name of Tract | County Location | Acreage | Year Acquired |
|---|-----------------------|---------|---------------|
| Cahaba River WMA – 79% owned by Forever Wild | Shelby, Bibb Counties | 27,892 | 2009 |
| Mulberry Fork WMA – 100% owned by Forever Wild | Walker, Tuscaloosa | 33,280 | 2009 |
| Turkey Creek Tract-Nature Preserve | Pinson, Jefferson | 462 | 2009 |
| Turkey Creek-Thomas Tract | Pinson, Jefferson | 48 | 2005 |
| Ruffner Mountain Addition Tract | Birmingham, Jefferson | 227 | 2000 |

FRESHWATER LAND TRUST, Birmingham, Alabama

Profile

The Freshwater Land Trust, a 501(c)(3) nonprofit organization, has five full-time employees and is governed by a 15 member board of directors. The Freshwater Land Trust acquires, conserves, and connects open spaces that are critical for the protection of rivers and streams and provide recreational opportunities for the community. The Freshwater Land Trust's mission is the acquisition and stewardship of lands that enhance water quality and preserve open space.

Role in local Greenway Implementation Group

Partner in land acquisition. The Freshwater Land Trust is working to create a network of connected spaces throughout Jefferson County and beyond.

Contact

Wendy Jackson, Executive Director

Freshwater Land Trust

2308 First Avenue North

Birmingham, AL 35203

Phone: 205.417 2777

Fax: 877.571 9810

Web: <http://www.freshwaterlandtrust.org/>

TABLE 2: Local Examples of Freshwater Land Tracts

| Name of Tract | County Location | Acreage |
|---|-----------------|---------|
| Red Mountain Park | Jefferson | 1108 |
| Jefferson County Land Trust EPA consent decree | Jefferson | 1225 |
| Turkey Creek | Jefferson | 700 |

THE NATURE CONSERVANCY OF ALABAMA

Profile

The Nature Conservancy (TNC) has helped to protect more than 120,000 acres of environmentally significant areas in Alabama since the state chapter opened in 1989. TNC is a worldwide nonprofit organization that specializes in acquiring wild lands that have significant natural or geological features or that support important wildlife or plant populations. TNC’s mission is to preserve the plants, animals, and natural communities that represent the diversity of life on earth by protecting the habitats they need to survive. To achieve this goal, TNC has developed a strategic, science-based planning process called Conservation by Design to identify the highest-priority places.

Role in local Greenway Implementation Group

In many cases, TNC provides funds, which are received from donors and members, for the initial acquisition of the land and then turns the land over to the state or federal government, either through an outright property transfer or through a subsequent sale. Cahaba River National Wildlife Refuge was originally acquired by The Nature Conservancy.

Areas within Central Alabama may be identified as ecosystems of interest to The Nature Conservancy. Within Jefferson County, stream habitat for endangered darters fall within the Greenway Foundation area. Other unique areas have been identified by The Nature Conservancy and Freshwater Land Trust.

Contact

Steve Northcutt, Director of Protection

The Nature Conservancy of Alabama

2100 1st Avenue North, Suite 500

Birmingham, AL 35203

Phone: (205) 251-1155

Fax: (205) 251-4444

Web: <http://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/alabama/index.htm>

TABLE 3: Local Examples of Land Preserved by TNC

| Name of Tract | County Location | Acreage |
|---|-----------------|---------|
| Cahaba River Watershed | Bibb | 3800 |
| Bibb County Glades Preserve, Cahaba River | Bibb | 480 |
| Pratt’s Ferry Preserve, Cahaba River | Bibb | 12 |

AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP), Alabama

Profile

AARP’s mission is to enhance the quality of life for all as we age, leading positive social change, and delivering value to members through information, advocacy, and service.

Role in local Greenway Implementation Group

AARP is working to make two of Alabama’s most beautiful tourist destinations healthier and safer places to visit and live. The communities of Orange Beach and Gulf Shores were recently selected for an active living workshop and pilot project designed to build healthy communities by applying the principles of active transportation, Smart Growth and Complete Streets.

The implementation of greenway plans should include the needs of seniors for trail location and amenities. A strong component of economic development of greenways is the development of senior housing and services in association with the greenway parks and trails.

Contact

Community Outreach

AARP Alabama

301 Monroe Street,

Suite 1880

Montgomery, AL 36104

Web: <http://www.aarp.org/states/al>

TABLE 4: AARP Greenway Projects in Alabama

| Name of Project | Location | Date |
|--|------------------------------------|-----------------------------|
| Active Living Workshop | Orange Beach, Gulf Shores, Alabama | November 2010 |
| Smart Coast: Healthy Coastal Connections – Smart walks to School, Complete Streets, Physicians Champions | Smart Coast, Fairhope, Alabama | Ongoing programs Since 2002 |
| Active Living Workshop | Birmingham, Alabama | June 2011 |

CAWACO RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL INC., Central Alabama

Profile

The Cawaco RC&D Council’s name originates from the principal natural assets of the area, the Cahaba, Warrior and Coosa Rivers. This Council serves five counties: Blount, Chilton, Jefferson, Shelby and Walker. Their mission is to lead Central Alabama in the wise use of natural and human resources. They are co-located with the Regional Planning Commission of Greater Birmingham and assist with implementation of comprehensive plans.

Role in Greenway Implementation Group

Cawaco RC&D Council Inc. is the lead group in the Five Mile Creek Greenway Partnership. The Partnership was formed in 2003 as a regional task force to plan and implement a system of parks and trails in northwest Jefferson County. The group provided a project coordinator and numerous grant opportunities to build the greenway system. They are also a source for small grants for project development and educational projects.

Contact

Kelly Johnston, Operations Director
Cawaco RC&D Council Inc.
1731 1st Avenue North Suite 200
Birmingham, Al 35203
204-264-8461
Web: www.cawaco.org

TABLE 5: CAWACO Projects in Central Alabama

| Project | Location |
|---|-------------------------------------|
| Five Mile Creek Greenway Partnership Trail location studies, map production, cultural and historic support, stream restoration and community education | Northwest Jefferson County, Alabama |
| Shades Creek Stream Restoration | Vestavia, Alabama |
| Town Creek Stream Restoration | Jasper, Alabama |

Models for Greenway Implementation Groups

The need for a local or regional organization to implement the greenway plan, including identification resources, development of master plan, plan implementation, and management of the greenway can be met through a number of models.¹² Five models are outlined in this section. Local and regional examples of each are given to illustrate the pros and cons of the models. Factors affecting the best model(s) for a project are determined by the best fit for leadership, funding, and management capacity. The models are patterned after the June 2002 report from Greenways Incorporated for the Miami River Commission. These models were found to be most frequently associated with greenway efforts.

Single Agency Model

The single agency model is developed around leadership of a local, regional, or state governmental agency (one-to-many). Often this agency is a recreation and parks or planning department whose interests align with the goals for the greenway.

Local Example: Shades Creek Greenway, City of Homewood, Alabama

Regional Example: Richard Martin Trail and Elk River Canoe Trail, Limestone County Parks and Recreation, Athens, Alabama

Multi-Agency Model

The multi-agency model is the same organizational foundation (one-to-many) as the single agency, except two or more agencies have decided to pool resources and divide responsibilities in order to resolve complex issues for greenway implementation.

Regional example: Shelby Farms Greenline and Wolf River Greenway, managed by Memphis Greenline, Memphis, Tennessee

Public-Private

Local government partners support the bulk of greenway implementation. Private sector supports through fundraising, promotion and programming.

Local examples: Red Mountain Park, Red Mountain Park Commission, Birmingham Alabama

Railroad Park, Railroad Park Commission, Birmingham, Alabama

Regional examples: Tennessee Riverpark and Chattanooga Greenways Program, Trust for Public Lands, Chattanooga, Tennessee

Private-Public

Private sector does most of the planning, design, implementation and management of greenways. Public sector supports the greenway through in management, promotion and programming.

Regional Examples: Florida Greenways and Trails, Florida Greenways and Trails Foundation (private), Florida Department of Environmental Protection Office of Greenways and Trails (public), State of Florida; and Murphreesboro Greenway System, Murphreesboro, Tennessee

¹² Governing Greenways: An overview of organizations that operate and manage regional and riverfront greenways, June 2002, Greenways Incorporated.

Private Sector

Establish and operate a greenway program entirely through private sector.

Local example: Ruffner Mountain Nature Preserve, Ruffner Park Nature Coalition 501(c)(3), Birmingham, Alabama; and Alabama Scenic River Trail, Alabama (statewide)

Regional example: PATH Foundation 501(c)(3), Atlanta, Georgia

The next table lists the specifics of each type of Greenway Implementation Group model, including identifying the lead and secondary agency, the advisory group who will guide the process, the group that will work with regulatory issues and park design, the group who will manage the events and programming, and the group who will take the role of fiscal management. This table can be used to match the Greenway Implementation Group strengths and weakness with the appropriate organization model.

Once the model is identified that best fits the lead agency, advisors, management agency and fiscal agents, the pros and cons of the model should be reviewed. Table 7 shows which models will require tax support, the ease of management, speed of implementation, funding sources, and stability of leadership.

TABLE 6: Greenway Implementation Models

| Issues | Single | Multi-Agency | Public-Private | Private-Public | Private Sector |
|--|--|--|---|---|---------------------|
| Lead Agency | Elected body (city or county) | Elected body from several agencies (city/county) | State agency, municipality, county government, private business, non-profit | Nonprofit 501(c)(3) | Nonprofit 501(c)(3) |
| Second Tier Agency(ies) | Public Department (Parks and Recreation) | Parks and Recreation/Planning Departments | Greenway Commission | User groups, municipality, county government, private business, nonprofit | |
| Advisors | Parks and Recreation Commission | Elected Body | | | Board of Directors |
| Regulatory Issues/Facility Design | Parks and Recreation Department | Planning Staff | Public | Non-profit | Non-profit |
| Facility Management/Event Programming/Public Relations | Parks and Recreation Department | Park Staff | Public | Public | Non-profit |
| Fiscal Management | Parks and Recreation Department | Park Staff | Private | Non-profit | Non-profit |

TABLE 7: Pros and Cons of Management Models

| Issue | Single | Multi-Agency | Public-Private | Private-Public | Private |
|-------------------------|-------------------|----------------------------------|-----------------|-----------------------------|----------------------------|
| Taxpayer Burden | Yes | Yes | Some | Some | No Tax Burden |
| Ease of Management | Established Style | Cross-Agency Cooperation Needed | | | |
| Speed of Implementation | Slow | Slow | Moderate | Moderate | Efficient |
| Funding | Limited Sources | Diverse Funding | Diverse Funding | Diverse Funding | Depends on Private Funding |
| Leadership | Election Turnover | Election Turnover, Budget Cycles | Some Turnover | From Private Sector: Stable | Stable |

Case Studies

The following pages give the details of each of the selected local and regional models identified earlier. As much as possible, details of projects, lead agency configuration, advisors, design development, and management and fiscal management are identified.

Single Agency Model

SHADES CREEK GREENWAY, Homewood, Alabama

Project

Homewood Shades Creek greenway is a six mile long multi-use trail for pedestrian and cycling activities in the Birmingham metropolitan area. The complete design connects Jemison Park in the east, runs west along Shades Creek passing under Brookwood Boulevard, Highway 31, Columbiana Road, and Interstate 65, past Wildwood Shopping Center connecting with West Homewood Park via a flyover and crossing Lakeshore Drive.

Funding

The Greenway was financed by Congestion Mitigation Air Quality (CMAQ) money (\$3.4 million dollars), in partnership between the City of Homewood and Jefferson County.

Lead Agency: City of Homewood

Advisors: Homewood City Council

Regulatory Issues/Facility Design: Ross Kelly Design, Mackally Land Design

Facility Management/Event Programming/PR: City of Homewood

Fiscal Management: City of Homewood

Web: www.homewoodchamber.com

Single Agency Model

LIMESTONE COUNTY PARKS AND RECREATION, Athens, Alabama

Projects

- Richard Martin National Recreation Trail, 12-mile rail trail for bicycle, equestrian and pedestrian
- Cowford Landing at Round Island Recreational area on the Tennessee River
- Round Island Recreational area is part of the North Alabama Birding Trail
- 22-mile canoe and kayak trail on the Elk River from Elkmont to Elk River Mills
- 89-mile bicycle trail

History

In 1989, Richard Martin first presented his vision of what is now known as The Richard Martin Rails to Trails. The Limestone County Parks and Recreation Board marked the completion of the \$1.1 million, 20-year project that began with the purchase of 11 miles of abandoned CSX railway from Hays Mill to Veto at the Tennessee state line on March 21, 2009.

Lead Agency: Limestone County Parks and Recreation Department

Advisors: Limestone County Park Board, Greater Limestone Chamber of Commerce

Regulatory Issues/Facility Design: Limestone County

Facility Management/Event Programming/PR: Limestone County

Fiscal Management: Limestone County

Web: www.limestonecounty.net and www.limestoneparks.com

Multi-Agency Model

MEMPHIS GREENLINE, Memphis, Tennessee

Projects

- CSX Transportation has a 100-foot-wide strip of land extending from just north of Shelby Farms westward to near the Poplar and Union viaduct. The purchase would take in the western half of a 13.34-mile CSX rail corridor that extends east almost to Houston Levee Road.
- Shelby Farms Greenline is a 6.5-mile paved multi-use rail trail midtown Memphis to Shelby Farms Park in east Memphis. The trail connects with other paved walking/cycling trails in the park for 25 paved miles round trip without riding on a street.
- Memphis Wolf River Greenway. The 30-mile Wolf River Greenway connects the Mississippi River, neighborhoods and parks in Shelby County, and the cities of Memphis, Germantown and Collierville.

Lead Agencies

The Memphis Greenline project is implemented through the participation of various nonprofit agencies — Greater Memphis Greenline, Memphis Community Connector, Wolf River Conservancy and Shelby Farms Park Conservancy.

Greater Memphis Greenline (GMG), a 501(c)(3) nonprofit

The mission of Greater Memphis Greenline, Inc. (GMGI) is to promote the development of a world-class user-friendly network of integrated hiking-biking trails, parks, and greenways throughout Memphis and Shelby County. Volunteers for promotion of greenways; has board of directors and board of advisors.

Web: www.greatermemphisgreenline.org

Memphis Community Connector, a nonprofit

The Connector is an acquisition group for rail negotiating for Shelby County with good financial backing. They negotiated interim trail use/rail banking agreement as Interim Trail Use Proponent (NITU) with CSX Transportation. The rail line title was deeded directly to the county.

Wolf River Conservancy, a 501(c)(3) nonprofit

The Conservancy's mission is to conserve and enhance the Wolf River corridor and watershed as a sustainable natural resource, including developing the 30-mile Wolf River Greenway that interconnects the Mississippi River, neighborhoods and parks in Shelby County, and the cities of Memphis, Germantown and Collierville.

These agencies have partnered with the City of Memphis Division of Park Services and the Hyde Family Foundation in the Memphis Greenway Partnership, collaborating to help plan and implement a greenway and conservation corridor along the Wolf River. In November 2009, the Memphis City Council awarded a bid for construction of the first paved section, a 1.3-mile, \$1.4 million greenway segment between Humphreys Boulevard and the river from Walnut Grove to Shady Grove, with a spur linking it to Shelby Farms via a new pedestrian bridge.

Shelby Farms Park Conservancy, a 501(c)(3) nonprofit

The Conservancy was established in 2007 to manage Shelby Farms Park and Shelby Farms Greenline. Benefits of the conservancy are community-based leadership and the ability to attract important financial contributions from local and national businesses and foundations.

Their agreement with Shelby County, Tennessee gives the Conservancy authority over 2,900 acres, ensures that county funding remains at its current level, gives the Conservancy the authority to set fees and operate all concessions, and requires annual financial reports to the board of commissioners.

The Shelby Farms Park Conservancy oversees operations and maintenance of Shelby Farms Park, acts as steward for the public of the land and its uses, and leads development of a master plan. The Conservancy is managing a master plan that defines the public's new vision for the Park, including hiring a well-known national planner, overseeing the planning development, ensuring proactive public involvement, and implementing final recommendations. They have a 34-member board including two county commissioners.

When comparing the revenue for 2009 and 2013 (anticipated), the numbers show the variability of funding sources as the Park grows and contributions change over time. Information from the Park's business plan shows how revenue from Park events will increase in 2013, while contributions from county government and fundraising decrease. In 2009, Shelby County government contributed 30% of the revenue, but their expected contribution for 2013 is 16%. Likewise, rental and concessions was 7% in 2009 and 18% in 2013; events were 17% and 40%; contributions - 6% and 11%; fundraising - 38% and 12%; and membership – 1% and 4%.

The Shelby Farms Park Conservancy raised \$4.77 million in private funds for the purchase of 13 miles of CSX Transportation rail corridor. The Conservancy administered a \$1.5 million Transportation Enhancement grant for construction of 7 miles with \$375,000 match from the city of Memphis.

Web: www.shelbyfarmspark.org

Public-Private

RED MOUNTAIN PARK, Birmingham, Alabama

Projects

A 1108-acre park for recreational use, appreciation of nature, and understanding of Birmingham's iron ore mining history. Proposed four-level trail system interconnected via a series of loop trails to accommodate walkers, hikers, runners, and cyclists.

Lead Agencies

Public-Private partners with US Steel, Red Mountain Greenway and Recreational Area Commission, and three nonprofits: Friends of Red Mountain Park, Freshwater Land Trust, and Community Foundation of Greater Birmingham.

The park is owned and administered by Red Mountain Greenway and Recreational Area Commission. Each of the 15 commissioners is selected by one of eight appointing bodies which are: the Governor of Alabama, the Mayor of Birmingham, the Jefferson County Commission, the Jefferson County Mayors Association, USS Real Estate, and the Freshwater Land Trust. The Jefferson County legislative delegation selects one member from the Jefferson County's Alabama House delegation and one from the Alabama Senate.

History

In 2007, the Alabama Legislature declared the Red Mountain Greenway and Recreational Area Commission a state agency. Exclusive control over the park is provided by a 15-member commission. The commission is responsible for contributing and providing oversight to every aspect of the park planning process.

Funding

USS Real Estate, Jefferson County Commission, Community Foundation of Greater Birmingham, Hugh Kaul Foundation, \$2.5 million in federal appropriations, and Alabama Power (Economic Impact Study).

Regulatory Issues/Facility Design: Red Mountain Greenway and Recreational Area Commission

Facility Management/Event Programming/PR: Red Mountain Park Executive Director and park staff

Fiscal Management: Red Mountain Greenway and Recreational Area Commission

Web: www.redmountainpark.org and www.friendsofredmountainpark.org

Public-Private

RAILROAD PARK, Birmingham, Alabama

Project

19-acre urban park, ¾-mile loop trail, pavilion, public restrooms, playgrounds, outdoor gym, and amphitheater

Lead Agencies

Public-private partnership between the Railroad Park Foundation and the City of Birmingham, which committed \$12.5 million in federal, city and private dollars to the project by 2006. Railroad Park Foundation; owned by the City of Birmingham.

Railroad Park Foundation, a 501(c)(3) nonprofit

The mission of the Railroad Park Foundation is to oversee all aspects of park management and to acquire adequate funding to sustain and promote the Park.

History

Railroad Park is a 19-acre greenspace in downtown Birmingham that celebrates the industrial and artistic heritage of the city. Situated along 1st Avenue South, between 14th and 18th Streets, the park is a joint effort between the City of Birmingham and the Railroad Park Foundation.

Funding

The City of Birmingham and the Jefferson County Commission committed \$12.5 million in public funds. The corporate and philanthropic response to the Three Parks Initiative in 2007 directed another \$8.4 million for the Railroad Park.

Regulatory Issues/Facility Design

The City of Birmingham granted an operating agreement and a renewable five-year lease of the park to the Railroad Park Foundation. The Foundation led the construction process based on the 2005 master plan park design of Tom Leader Studio.

Facility Management/Event Programming/PR: Railroad Park Foundation

Fiscal Management: Railroad Park Foundation

Web: www.railroadpark.org

Public-Private

TENNESSEE RIVER PARK and CHATTANOOGA GREENWAYS PROGRAM, Chattanooga, TN

Projects

The Chattanooga Greenway Master Plan calls for creating greenway trails along tributaries of the Tennessee River and connecting them to the Tennessee Riverwalk. Tennessee Riverwalk, a 10-mile riverside path, parallels the Tennessee River from the Chickamauga Dam to Ross's Landing Park in Downtown Chattanooga near the Tennessee Aquarium. Part of the Tennessee River Park system features the Tennessee River Park, Coolidge Park, Renaissance Park, Ross's Landing, and the Walnut Street Bridge.

Lead Agencies

Greenways Advisory Board, established by the Chattanooga City Council

City of Chattanooga, Tennessee, City

Hamilton County, Tennessee, County

Trust for Public Lands, Chattanooga, Tennessee, Non-profit

History

In 1990, Greenways Advisory Board (now Greenways Task Force) was formed. Their mission is to involve individual citizens in the planning, acquisition, management and development of the Chattanooga Greenway System and to place priority on acquisition and development of greenways and long range development of the greenways program. In 1994 the city of Chattanooga contracted with the Trust for Public Land to assist the community in establishing a unified greenway system and management entity. Trust for Public Lands-Chattanooga has been working with several partners to create a network of greenways and trails, connecting some of the area's most cherished natural and cultural resources. The Advisory Board had one member for each district, plus members from 14 established organizations (associations and friends groups).

Funding

State of Tennessee, City of Chattanooga, Hamilton County, the RiverCity Company, Greenway Advisory Board.

Regulatory Issues/Facility Design: Greenways Task Force

Facility Management/Event Programming/PR: Greenways Task Force appointed Outdoor Chattanooga

Fiscal Management: Greenways Task Force

Private-Public

FLORIDA GREENWAYS AND TRAILS FOUNDATION

Projects

More than 11 greenways across Florida, including Nature Coast State Trail, Blackwater Heritage State Trail, and the Marjorie Harris Carr Cross Florida Greenway.

Lead Agencies

Florida Greenways and Trails Foundation, a 501(c)(3) nonprofit

Florida Department of Environmental Protection Office of Greenways and Trails, a state agency

History

The Florida Greenways and Trails Foundation, Inc. exists to support the mission and programs of the Florida Department of Environmental Protection's Office of Greenways and Trails (OGT) as they work toward establishing a statewide system of greenways and trails for recreation, conservation and alternative transportation.

1979: Conservation and Recreation Lands Program (CARL). CARL Trust Fund received funds from an excise tax on mineral extraction. Florida legislature established the Recreational Trails System.

1991: 1000 Friends of Florida and the Conservation Fund began the visionary work of creating a connected Florida.

1993: Florida Greenways Commission founded

1995: Florida Greenways Coordinating Council was created to continue the pioneering work of the Greenways Commission.

Mission

The *Office of Greenways & Trails* is working to establish a statewide system of greenways and trails for recreation, conservation, and alternative transportation.

Funding

Donations to the foundation are managed by the Florida Greenways and Trails Land Acquisition Fund. The OGT Land Acquisition Program is a component of Florida Forever. Florida Forever provided \$300 million annually through 2010 to protect and improve environmental lands, water resources and urban greenspace. The Land Acquisition Program receives 1.5 percent (\$4.5 million) of the Florida Forever annual distribution.

Web

Florida Greenways and Trails Foundation: www.FloridaGreenwaysAndTrails.com

Office of Greenways and Trails: www.dep.state.fl.us/ogt

Private

RUFFNER MOUNTAIN NATURE CENTER, Birmingham, Alabama

History and Background

Ruffner Mountain Nature Coalition, Inc., a 501(c)(3) nonprofit organization founded in 1977, operates as the Ruffner Mountain Nature Center. From the 28 original acres, the center now owns and/or manages over 1,000 acres of an undeveloped portion of Birmingham, Alabama's unique Red Mountain ridge.

The new nature center within the metropolitan urban area presents nature programs and summer camps. Interpretative trails are used for observing biologically diverse native plants and wildlife, remnants of Birmingham's mining history, and hiking.

Mission

The mission of Ruffner Mountain Nature Center is to protect and manage Ruffner Mountain's land as a sanctuary for native species of plants and animals, and through its educational and passive recreational programs foster within the community an appreciation for the value of the natural world and an understanding of the interdependence of all living things.

Funding

In 2008, received \$2 million from the Three Parks Initiative for new nature center. City of Birmingham, grants, program fees and membership dues.

Private

ALABAMA SCENIC RIVER TRAIL

Projects

The organization has packaged over 2,000 miles of waterways in Alabama for water trails. They specialize in creating physical access to the rivers and directions through guides, maps and books. The trail passes through these counties: Cherokee, Etowah, Calhoun, St. Clair, Talladega, Shelby, Coosa, Chilton, Elmore, Autauga, Montgomery, Lowndes, Dallas, Wilcox, Monroe, Conecuh, Clarke, Baldwin and Mobile

History

ASRT began in 2006 through Fred Couch, a jeweler in Anniston, Alabama.

Mission

- Create tourism travel in Alabama for all boaters, both human and motor powered
- Strengthen communities' tourism economies through travel on nearby waterways
- Extend recreational opportunities with promotion of the waterway cooperating with public and private entities, volunteer organizations, municipalities and counties
- Highlight the historic significance of these waterways from Indian trade to the present
- Establish and fund a non-profit association to maintain the trail and coordinate community, private and public partnerships and riverside events

Funding

Alabama Scenic River Trail receives funding from memberships, grants from ADECA RTP, Mountains, Rivers and Valleys RC&D Council, Google Grants, Lowe's, traveling events on the waterways, and selling of river guides and maps.

Relationship with Public Sector

The support of Alabama Power Company, which operates the six Coosa River dams and lakes above Montgomery, and the United States Army Corps of Engineers, which operates the three river lakes and dams south of Montgomery, has made the realization of the Alabama River Trail possible.

Web: www.alabamascenicrivertrail.com

Private

PATH FOUNDATION

Projects

50-mile Silver Comet Rail Trail, connects Atlanta, Georgia to the Alabama Chief Ladiga Rail Trail.

22-mile Atlanta BeltLine Trail, in progress

History

PATH Foundation spent three years planning for a nonprofit 501(c)(3), including looking at success and failures of other systems and creating a master plan for Atlanta.

1995: PATH Foundation began a Capital Campaign for \$2.5 million private funds to match \$3.2 million in public funds. The \$5.7 million built three trails and established a \$850,000 maintenance fund.

1998: PATH established a partnership between the State, three counties, four cities and several interest groups for the purpose of building a trail between Atlanta and the Alabama state line on the abandoned Seaboard Coastline railroad owned by the Georgia Department of Transportation. PATH established a steering committee for this trail that introduced the name “Silver Comet Trail” and established the logo.

1998: The PATH Board raised \$3.65 million to match over \$5 million from public sources. By the end of this campaign, 35 miles of the Comet were built and open to the public.

2002: The Board launched a third capital campaign to extend and improve the Silver Comet, build the first phase of the Arabia Mountain Trail, and expand Atlanta's trail system near Peachtree Battle and Piedmont Park. This campaign netted \$5.7 million to match \$15 million from public sources to build over 30 miles of new trails.

2006: PATH launched a Capital Campaign seeking \$9 million dollars in private donations to match almost \$4 million from public sources to build 50 additional miles of trails. PATH will design and build the BeltLine project, a 22-mile loop around the city, as part of the 2006-2008 trail building effort.

Logistics

The success of the PATH Foundation comes from organization logistics, strong leadership of director Ed McBrayer, and a highly involved board of directors. PATH forms partnerships with several local governments to build greenway trails. PATH provides a knowledgeable staff to plan, design, build and maintain trail projects. In some cases, PATH will provide matching funds to finance the development of trails.

A strong, dedicated board of directors guide the activities of the organization. Cox Enterprises (WSB-TV) provides free office space for the staff and has made PATH one of the best investments for donated money. Over 88% of the funds raised from donations are spent building trails. The funding ratio is 75% of public dollars to 25% private. Local private supporters include the Robert Woodruff Foundation, Cox Communications, Arthur Blank of Atlanta Falcons and ING.

The staff consists of five staff members; four are paid by grant administration fees. They are highly organized and hire consultants for specific projects. Permanent staff positions are grant administration; office management and oversee maintenance; oversee design and construction; part-time bookkeeper; part-time consultant for permitting; and liaison with ALDOT. PATH charges consultant time directly to the job.

Operation

The first action taken by PATH was to develop a master plan. Once projects were identified, they applied for Transportation Enhancement funds or state funds, and matched the grants with development fees or bond money. Before the project is bid, staff meets with neighborhoods, and ground truth the trail location with home owners. Through a master agreement with each jurisdiction, PATH has special contractor status and their services are not bid out. PATH does not ask the local governments for funding; rather, the match is provided through private fundraising. After they bid the project, they hire an engineer and build.

Local governments provide access to state and federal funding, rights-of-way for trails, as well as in-kind services during trail development. PATH and local governments develop linking trail projects to give everyone access to the trail system. One money-saving practice is using county staff and equipment at no charge in January and February, when county projects are slow. There is no need for allocation of actual dollars.

Design and Maintenance

Simple, consistent design standards are also a way to save on design and construction costs. Path trails are always built with concrete, 10-12 feet wide, 5 inches thick, and can withstand 3000 psi. Concrete requires no patching and can use grass and mulch on trail edges. Asphalt needs a gravel bed on the shoulder. PATH uses recycled plastic amenities. Scope of work for maintenance is a ½-inch thick manual. Maintenance contractor must send detailed reports. Endowment is \$2 million, 5% for maintenance. A percent of all project funding goes into the Maintenance Endowment Fund. Maintenance fees are paid off of the interest. Cost estimate is \$10,000 per mile. If the City of Atlanta did the same work, it would cost \$80,000 per mile. PATH bids out maintenance once a year.

Web: www.pathfoundation.org

CHAPTER 3: GREENWAY FUNDING

Citizens with a passion for active transportation – walking, biking, horseback riding – need factual information to support the need for building and expanding trails, parks and linear parks or greenways. When seeking support from local government or granting agencies, the project description will need support data demonstrating project needs. How many miles of trails are used now? How many more are needed? Have the citizens in the area or region been engaged in the planning process? Do the citizens want to support more planning, more trails?

Every five years the State of Alabama is required to prepare a plan called the Statewide Comprehensive Outdoor Recreation Plan (SCORP) in order to receive continued funding for the Recreational Trails Program and the Land and Water Conservation Fund from the Federal Highway Administration. The SCORP includes a survey of citizen need and support for specific types of recreation. A recent study, *The Jefferson County Alabama Recreation and Open Space Needs Assessment*,¹³ contracted through the Jefferson County Greenways Commission, shows citizen support for paying and building greenways for transportation, recreation and good health. Another study, for the Five Mile Creek study area, was completed by a University of Alabama at Birmingham graduate student. The results from these studies, as they apply to central Alabama and greenway projects, are presented in this chapter.

In addition to citizen needs for recreation are the economic benefits of developing greenways. The Trust for Public Lands has an excellent report showing the effects of greenways on local and regional economy, such as their economic triumph of the Chattanooga Riverwalk. This publication, *Conservation: An Investment that Pays, The Economic Benefits of Parks and Open Space*,¹⁴ is an excellent reference tool on the economic validity of greenways.

Finally, the environmental benefit of combining greenway construction and water quality improvement projects has great potential as an additional positive outcome for building greenway systems. An explanation of the opportunities for combining these benefits is described in the final section of this chapter addressing the facts needed to win support for greenways.

State Recreation Needs: ADECA Survey

Every five years the State of Alabama is required to prepare a Statewide Comprehensive Outdoor Recreation Plan (SCORP) in order to be eligible for Land and Water Conservation Fund assistance through the Department of Interior, National Park Service.¹⁵ The 2008-2012 SCORP was based on analysis of numerous public meetings and telephone surveys. The report serves as a guide for local, state and federal agencies in the development and future outdoor recreation and natural resource development in Alabama. Results were divided into 12 regions based on the regional planning councils. Region 3 is the six-county area that includes Blount, Chilton, Jefferson, Shelby, St. Clair and Walker, and is serviced by the Regional Planning Commission of Greater Birmingham.

¹³ Trust for Public Lands, 2008.

¹⁴ *Conservation: An Investment that Pays, The Economic Benefits of Parks and Open Space*, The Trust for Public Land, 2009.

¹⁵ www.adeca.alabama.gov/c14/outdoorRecreationPlanning

Table 8 shows the survey’s top ten activities in Alabama as a percentage compared to the results from Region 3. A comparison of participation rates in the selected recreation activities shows that walking for pleasure has the most participants statewide, including Region 3. Other activities that have participation rates that place in them in the top ten include freshwater beach, swimming pools, football, historic sites, saltwater beach, fishing freshwater bank, outdoor basketball, camping in developed sites and soccer.

The Region 3 survey response shows greater participation with walking for pleasure, football and visiting historic sites and slightly less participation interest in freshwater bank fishing compared to the rest of the State.¹⁶

Table 8: SCORP Results for Participation in Recreational Activities in Alabama 2008-2012¹⁷

| Top Ten Activities in the State | Entire State of Alabama (% of population) | Region 3 (% of population) |
|---------------------------------|--|-------------------------------|
| Walking for pleasure | 65 | 72 |
| Freshwater beach | 55 | 56 |
| Swimming pool | 52 | 49 |
| Football | 44 | 49 |
| Visit historic sites | 42 | 51 |
| Saltwater beach | 38 | 39 |
| Fishing freshwater bank | 32 | 21 |
| Outdoor basketball | 21 | 23 |
| Camping developed sites | 20 | 20 |
| Soccer | 18 | 18 |

When planning for outdoor recreation, the regional participation and frequency rates become very important in gauging outdoor recreation demands and needs that are appropriate for a particular locality. Outdoor recreation needs for each of the 12 regions within the State of Alabama are based on results of a telephone survey conducted by Troy University’s Center for Business and Economic Services. The outdoor recreation needs vary significantly from one region to another, and many times are quite different from the statewide results. The regional differences dictate that each region be looked at as a separate entity and that the recreation needs of each region be considered individually. An outdoor recreation needs analysis is provided for each region. Table 9 provides these data for Region 3.¹⁸

¹⁶ Page 68 of 2008-2012 SCORP

¹⁷ ADECA SCORP 2008-2012, Figure 30

¹⁸ Page 96 of 2008-2012 SCORP

Table 9: Region 3 Greatest Outdoor Recreation Needs 2008-2012 SCORP

| Need Cited | Number of Adults | Percent of Adults | Rank of Greatest Need |
|---------------------------|------------------|-------------------|-----------------------|
| Parks | 118,268 | 14.3 | 1 |
| Walking / jogging trails | 72,288 | 8.7 | 2 |
| Playgrounds | 55,495 | 6.7 | 3 |
| Swimming pools | 47,707 | 5.8 | 4 |
| Hiking trails | 39,926 | 4.8 | 5 |
| Baseball fields | 25,043 | 3.0 | 6 |
| Softball fields | 20,719 | 2.5 | 7 |
| Bike trails | 20,701 | 2.5 | 8 |
| Nature trails & preserves | 18,780 | 2.3 | 9 |

Jefferson County Needs Assessment

A survey conducted by the Jefferson County Greenway Commission, *The Jefferson County Alabama Recreation and Open Space Needs Assessment*,¹⁹ was completed in December 2008. The Jefferson County Greenways Commission hired the Trust for Public Lands to survey of the general public in Jefferson County to ask their opinions about supporting local greenways and trails.

The survey was conducted of 401 registered voters by telephone on November 10 and 11, 2008. The study consisted of a 46-question live telephone interview. The study was designed to sample a wide range of age and income groups.

The response was overwhelmingly in favor of preservation and expansion of outdoor trails, parks and greenways. Over 60% of the participants visited parks more than five times in the previous year. The report found a direct correlation between visiting parks and a willingness to provide financial support for the parks. For example, 82% of survey respondents agreed that providing new hiking, walking and biking trails was a good use of public funding. In addition, 96% thought the county should protect drinking water sources as well as water quality in streams, rivers and lakes. Preservation of historic sites was valued by 92% of those surveyed. Other results indicated a growing support for increasing opportunities for recreation and open space. Many of the responses were well above the national averages.

Overall results of the survey showed that the voters of Jefferson County support the idea of government being involved in recreation and open space conservation as a matter of public policy. Stalwart support was evidenced by the strength of voter responses. The biggest issue unresolved in this survey was voter willingness to support additional recreation and open space services through their individual pocketbooks.

While the goal of the survey was to measure support for public land conservation programs through land acquisition and public park development, there are a variety of other tools available to local governments to conserve land. These include local comprehensive planning, zoning, and land development regulations, including

¹⁹ Trust for Public Lands, 2008.

subdivision ordinances and special zoning overlay zones. In addition to outright acquisition of land for conservation, some local governments also use less-than-fee land protection techniques, including land registry programs, lease and lease-back agreements, management agreements, conservation easements, purchase of development rights, and transfer of development rights. Some of these techniques are addressed in Chapter 2 of this document.

The survey presented a good starting point for the county to begin the greenway planning effort and gauge public support for recreation and open space. There are numerous next steps suggested by the report that could take place, depending on the interests of Jefferson County. Some of the recommendations include:

- Continue next steps of data collection, which should include developing a park equity study and a countywide green-print. (The 2010-2011 Jefferson County Greenway Master Plan from the Our One Mile Project will address this.)
- Conduct a feasibility study to closely examine financial options as per state law, election timing, and ballot measure requirements that relate back to recreation and open space needs.
- Conduct a public opinion poll specifically targeted toward a potential ballot measure for recreation and open space.
- Develop a specific implementation plan in concordance with regional partners.
- Begin implementing the plan.

Five Mile Creek Park and Recreation Facility Utilization

In the fall of 2008, Lynda Murphy, a University of Alabama at Birmingham (UAB) graduate student in business and public health, conducted a survey within the Five Mile Creek Watershed to determine park and recreational facility utilization.²⁰ Ms. Murphy conducted research to examine park utilization in Alabama's Brookside and Fultondale communities with the hope that the pilot study will eventually expand statewide. The survey results have the potential to serve as a guide to decision-making, and impact public policy related to greenspace preservation and improvements.

The following objectives were set for this project:

- Determine current utilization of parks and recreational facilities (Brookside or Fultondale)
- Determine how the community would like to see greenspace used
- Determine potential impact (health and economic) of enhanced parks and recreational facilities

Brookside is a small rural community of 1,300 people. The parks in Brookside along Five Mile Creek are accessible on foot and by car. The Brookside community survey showed that 96% have visited Brookside's park at least once in the last 12 months and 59% have visited at least 20 times. Both community leaders and residents of Brookside believe there is a need to preserve and improve parks and recreational facilities within their communities. When asked if they would vote for a \$15 increase in their annual sales tax to support preservation of parks and recreational facilities, 94% approved. Other mechanisms such as bond issues received a 30-40% rating.

²⁰ Park and Recreational Facility Utilization: An Internship with the Five Mile Creek Partnership, Lynda Murphy, Fall 2008.

Results were similar in Fultondale, a metropolitan area of around 7,000 located in the center of the Five Mile Creek Greenway project area. Almost 90% of the citizens surveyed had visited a Fultondale park at least one time within the last 12 months, and 38% have visited local parks at least 20 times in the last year. The idea of a \$15 increase in annual sales tax met with 82% approval. Bond Issues and other sales tax mechanisms received a 30-35% approval rating.

The study concluded that both community leaders and residents of Brookside and Fultondale believe there is a need to preserve and improve parks and recreational facilities in their communities. Both communities' residents utilize the current parks and recreational facilities. If enhancements are made that suit the communities' needs, it is likely that utilization will increase.

Both desire for economic growth and improved personal health are underlying themes that were seen repeatedly during the course of the UAB research. The data obtained show that both Brookside and Fultondale believe that improvements to parks and recreational facilities will attract new residents, increase business activities, improve residential socialization, increase residents' physical activity, and improve the overall quality of life of community members.

Given that both community leaders and residents of Brookside and Fultondale support parks and recreational facility enhancements, the UAB report recommend that the Five Mile Creek Greenway Partnership should

- Continue to research the correlation between parks, recreational facilities and increased physical activity
- Consider residents' preference when deciding what improvements to make
- Consider residents' perspective on funding mechanisms when developing policies to fund park improvements
- Treat each community uniquely when making decisions (remembering different communities have different preferences).
- Continue to make efforts to preserve and improve parks and recreational facilities.

Survey Summary

Surveys, such as the statewide SCORP, countywide Jefferson County Alabama Recreation and Open Space Needs Assessment, and local Five Mile Creek Park and Recreation Facility Utilization, point out that local surveys help to gauge local needs and desires. These reports are important for planning and getting support for local segments of greenways. Public survey documents are necessary for providing information to public and private funding opportunities.

An Investment in Economic Opportunity

One of the best presentations of the benefits of open space, including greenways, trails, and parks, is a publication by The Trust for Public Land (2009) – *Conservation: An Investment that Pays, The Economic Benefits of Parks and Open Space*.²¹ The Trust for Public Lands conserves land for people to enjoy as parks, community gardens, historic sites, rural lands, and other natural places. They were instrumental in the renaissance of Chattanooga and Atlanta, two southern cities now known for their outdoor recreation assets.



FIGURE 2: Murfreesboro, TN Greenway
An amenity to nearby apartment buildings

Below is a listing of their findings for the economic strength of investing in parks and open space.

- Parks Boost Land Values and Property Taxes – both residential and commercial values increase.
- Parks Boost Local Economies by Attracting Businesses and Residents – businesses select areas with a high quality of life. Retirees look for areas with recreation and health benefits.
- Good Parks Encourage Economic Development - the impact of tourist dollars is well documented.
- Conservation as a Money-Saving Alternative to Some Development – long term benefits to open space infrastructure offers more than low quality boom development. Development of floodplains into interconnected trails keeps homes and industry from costly flood damage.
- Preserving the Value of Ecosystem Services - providing drinkable water, breathable air, and a stable climate. Often trail projects are integrated with stormwater quality enhancement.
- Parks Reduce Health Care Costs

Alabama is well documented as being a high risk region for diabetes, obesity (30% rate), strokes (50% higher than the national average) and heart disease (18% higher than the national average). In March 2010, the Jefferson County Department of Health received a grant totaling \$13.3 million to reduce tobacco use and fight obesity. The Robert Wood Johnson Foundation’s Healthy Kids, Healthy Communities program awarded Jefferson County, Alabama, \$360,000 to combat childhood obesity. Connections between schools, parks and recreational needs increase the options for wellness. Conservation communities tied to greenways and trails are ideal for an active lifestyle and lower health care costs.

A local example of the economic benefits of open space is the effect of the 2010 opening of Railroad Park in Downtown Birmingham, Alabama. The Birmingham News has reported a plan from Operation New Birmingham showing the 10 blocks bordering the park have become hot spots for economic investment. The park project has energized the downtown area and a public dialogue on parks and open space has enhanced the regional perception of open space value.²²

²¹ Conservation: An Investment That Pays, The Economic Benefits of Parks and Open Space

²² Blocks around Birmingham’s Railroad Park, Eyes for Development. Michael Tomberlin, Birmingham News, December 19, 2010.

Along with the benefits of wellness and quality of life, greenways bring wildlife-related recreation uses, such as



FIGURE 3: New businesses open up on the Silver Comet greenway in Georgia

bird watching, that boost local economies. The National Survey of Fishing, Hunting, and Wildlife-Associated Recreation has been conducted since 1955 and is one of the oldest and most comprehensive continuing recreation surveys. The Survey collects information on the number of anglers, hunters, and wildlife watchers; how often they participate; and how much they spend on their activities in the United States.

According to information from the 2006 Survey,²³ 87.5 million Americans spent more than \$122 billion in on wildlife-related recreation. Also, this spending supports hundreds of thousands of jobs in industries and businesses. Alabama is one of the most ecologically unique and diverse states in the US. The geologic setting and rich water resources support hunting, fishing, bird watching and wildlife-related activities. The value of a diverse ecosystem cannot be underestimated, and Alabama is just beginning to capitalize on that resource.

The 2006 Survey found that 1.7 million Alabama residents and nonresidents 16 years old and older fished, hunted, or watched wildlife in Alabama and spent \$2.2 billion on wildlife recreation in Alabama. Of that total, trip-related expenditures were \$808 million and equipment purchases totaled \$1.1 billion. The remaining \$231 million was spent on licenses, contributions, landownership and leasing, and other items.

The Tourism and Travel report, found in the Alabama Statewide Comprehensive Outdoor Recreation Plan 2008-2012, provides a list of 28 counties that experienced an increase in state lodging tax revenues from 2006 equal to or larger than the State rate of 10 percent. The report also provided information from counties with an annual increase or monthly increase in lodging tax revenues regarding events or conditions that were thought to have triggered the increase. Ten of the 28 counties attributed some portion of the increase to an outdoor recreational attraction or event, with the top activities being fishing tournaments and ball tournaments. Another four counties attributed outdoor recreational activities as a factor in a monthly increase in lodging tax revenues during 2006-2007.

An example of positive economic impact of a rail trail in a rural southern setting is a study on trail use on the Virginia Creeper Trail in southwest Virginia. The study by the US Department of Agriculture and University of Georgia showed a significant benefit from trail-related spending in two rural counties in southwest Virginia. The Virginia Creeper Trail is a 34-mile rail trail in Washington and Grayson Counties. During the sampling period, the study found that local use brought \$120,000 to \$160,000 to the two counties and non-local use brought \$2.5 million annually. Over 27 new full-time jobs were created for trail support.²⁴

²³ U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, U.S. Census Bureau. 2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation.

²⁴ The Virginia Creeper Trail: An Assessment of User Demographics, Preferences, and Economics. Prepared for the Virginia Department of Conservation, December 8, 2004. J.M. Bowker, USDA Forest Service, Southern Forest Research Station, John C. Bergstrom and Joshua K. Gill, University of Georgia, Department of Agricultural and Applied Economics.

A study of a heritage trail in Charlotte, North Carolina indicated very positive economic results from trail use. The Carolina Thread Trail covers over 500 miles through 15 counties in North and South Carolina. A 2007 Regional Economic Study showed positive impacts on property tax revenues, recreational value, and tourism activity, and concluded that each \$1 spent on trail development will produce \$10 in economic impact.²⁵

The Silver Comet Trail in west Georgia has brought new life to the municipalities along its path. In the small town of Rockmart, Georgia, Mayor Curtis Lewis was quoted in the May 6, 2002 edition of the Atlanta Journal-Constitution as saying: “In the last 12 months, we’ve had more tourists than in the last 30 years. Before, there wasn’t anything to bring them here.” Residential developers are recognizing the value of the Silver Comet Trail as an attraction for prospective homeowners. For example, a community of 322 homes is being constructed adjacent to the trail in Dallas, Georgia. The developer also plans to construct a community trail that will connect to the Silver Comet Trail.

Investments in greenways and open space have long term rewards from the influx of visitors. Increased revenue from tourists and creation of new job opportunities are measureable economic benefits. Less tangible benefits are reduced health care costs and preservation of valuable ecosystems. Integration of trail building, flood protection and stormwater quality enhancement add long term environmental health benefits.

Statistics for Project Support

When putting together a greenway project, the following sources can be used for securing support from public officials and the media, and as data for grant applications.

Center for Disease Control – Chronic Disease Prevention and Health Promotion

Four modifiable health risk behaviors – lack of physical activity, poor nutrition, tobacco use, and excessive alcohol consumption – are responsible for much of the illness, suffering and early death related to chronic diseases. www.cdc.gov/chronicdisease

Trust for Public Lands – Economic Impacts of Greenway and Trails

Communities often believe that they cannot afford to “grow smart” by conserving open space. But accumulating evidence indicates that open space conservation and the creation of city parks are investments that produce significant economic benefits. The Trust for Public Land conducts studies and produces reports that help advocates make the case for conservation. www.tpl.org

US Fish and Wildlife Service – National Survey of Fishing, Hunting & Wildlife-Associated Recreation

One of the oldest and most comprehensive continuing recreation surveys. The survey connects information on the number of anglers, hunters, and wildlife watchers; how often they participate; and how much they spend on their activities in the United States. http://library.fws.gov/pubs/nat_survey2006_final.pdf

²⁵ The Potential Economic Impacts of the proposed Carolina Thread Trail, March 2007. Catawba Lands Conservancy, Charlotte, North Carolina.

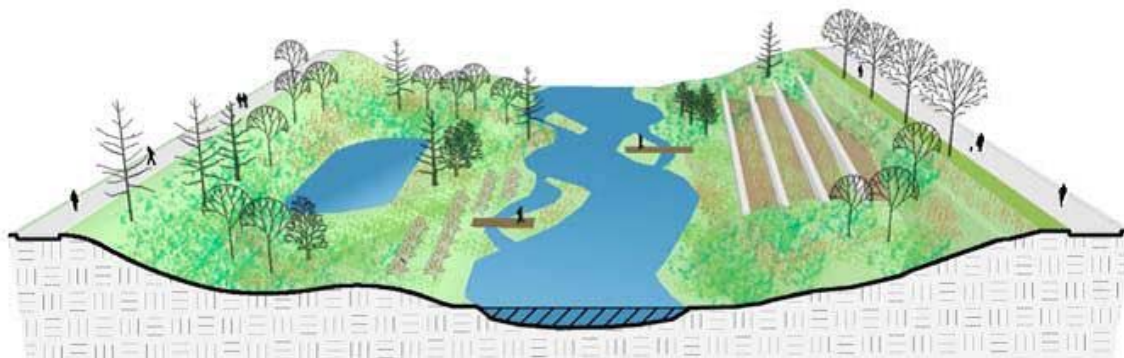
Water Quality Benefits: Trails Combine with Good Environmental Practices

When greenway advocates are looking for additional benefits to building trails and associated amenities, water quality improvement can be a strong ally. Trail projects might also be eligible for funding for wetland restoration, flood remediation, water quality improvement, or mitigation for other water quality impacts.

Properties that lie in the 50 and 100-year floodplain may not be suitable for residential or commercial construction, but may be included in the greenway as a conservation easement for the benefit of property owners, greenway users and wildlife. For example, in areas where stream banks have been compromised through changes in the watershed, repair work could be included in trail construction. Since the location of many proposed parks and trails lie within floodplains, there is an opportunity to improve greenway design to improve water quality. The location of walkways and parks in the flood-plain should be planned to absorb flood waters without significant damage to amenities or adjacent property.

Mechanisms that could be used in greenway planning for water quality improvement are: natural channel design, reconnection of floodplain acreage to stream channel, creation of stormwater detention for water quality improvement and flood abatement. The illustration below shows the location of trails on either side of a stream channel. Stormwater that overflows the banks can be captured in constructed floodplain wetlands. Park amenities on the trail include boardwalks and seating for passive recreation.

FIGURE 4: Schematic Combining Water Quality Benefits and Trail Design



Funding

There are many ways to fund local and regional greenways/trails. The first step is to prioritize the projects. If a master plan has been completed, the plan should identify general trail location, costs for design and construction, and prioritization for each project. If a plan does not exist or is out of date, stakeholder meetings should be held to identify local needs and viability of the project. For complex long term projects, mechanisms such as tax increment districts, park authorities, and capital improvement districts may be a way to approach funding structure.



FIGURE 5: Mile marker on Silver Comet recognizes support by Georgia General Assembly

One of the most successful regional trail builds, PATH Inc. in Atlanta, Georgia, has a goal of bringing 70% of the public money needed to private funders before asking for their support. The public money for projects in Alabama can come through federal transportation programs such as Transportation Enhancement (TE), Congestion Mitigation Air Quality (CMAQ), or Safe Routes to School (SRTS); Alabama state allocations, earmarks, or bond referendums; or local city or county budgets.

According to PATH Foundation records for trail construction, the set up time for construction is 2.5 years using federal money and nine months with private money. Cost is \$10,000 per mile private, \$80,000 per mile public.

Federal

The key to using federal funding is choosing the right project. Federal funding is costly and lengthy. Application for federal funding must have excellent data on the cost analysis and photos of the project area. Professionally written grant applications can save time later in the project. Working with federal funds can be a challenge, but a straightforward project with simple project construction specifications can be worthwhile.

Transportation is more than automobiles. Active Transportation (people-powered) is a nationwide priority, according to the Federal Highway Administration (FHWA). The definitions and priorities of FHWA are key to applying for greenway funding either through Alabama Department of Transportation or Alabama Department of Economic and Community Affairs.

Priorities of the FHWA are listed on their web site as safety, congestion mitigation and environmental stewardship and streamlining. Ray LaHood, current US Secretary of Transportation, states that “FHWA is committed to protecting and preserving the environment through stewardship and timely reviews. In recent years, FHWA and our partners have made substantial contributions to the environment and to communities, through planning and programs that support wetland banking, habitat restoration, historic preservation, air quality improve-

ments, bicycle and pedestrian facilities, context-sensitive solutions, wildlife crossings, public and tribal government involvement, and more.”²⁶

In FHWA guidance for bicycle and pedestrian transportation accessibility, use and safety, “fully integrated transportation networks” means well-connected walking and bicycling for livable communities, to promote physical activity and health and reduce vehicle emissions and fuel use.

Non-motorized networks must relate to surface transportation according to FHWA. Encouragement from the USDOT to promote and fund healthy, safe options for walking, biking and other non-motorized transportation, including horseback riding, indicates a national value for greenway networks such as the Five Mile Creek Greenway and other regional bicycle and pedestrian projects. The Five Mile Creek Greenway is well-connected to existing and developing parks and other greenspace. Developing options for recreation and transportation ultimately reduces auto congestion and air pollution.

There are numerous programs offered by FHWA that provide guidance, identify requirements and processes, and provide funding for bicycle and pedestrian projects and programs.

Bicycle and Pedestrian Program

Promotes bicycle and pedestrian transportation use, safety and accessibility. It provides guidance relative to legislation and resources for non-motorized transportation planning and design. Program management at the national level is in the Office of Planning, Environment and Realty of the FHWA on the federal level and by Alabama Department of Transportation.

Transportation, Community and System Preservation (TCSP)

Provides funding for a comprehensive initiative including planning grants, implementation grants and research to investigate and address the relationships between transportation, community and system preservation and to identify private sector-based initiatives. Bicycle and pedestrian projects and programs are eligible activities. It is managed by the Office of Planning, Environment and Realty of the FHWA on the federal level and by ALDOT Modal Programs on the state level.

Transportation Enhancements (TE)

Offers funding opportunities to help expand transportation choices and enhance the transportation experience through activities related to surface transportation including pedestrian and bicycle infrastructure and safety programs. It is managed by the Office of Planning, Environment and Realty of the FHWA on the federal level and by ALDOT Modal Programs on the state level.

Congestion, Mitigation and Air Quality (CMAQ)

Provides funding for surface transportation and other related projects that contribute to air quality improvements and reduce congestion. Pedestrian and bicycle programs are eligible for this funding. It is managed by the Office of Planning, Environment and Realty of the FHWA on the federal level and by ALDOT Modal Programs on the state level. Active transportation projects include constructing bicycle and pedestrian facilities (paths, bike racks, support facilities, etc.) that are not exclusively for recreational, and reduce vehicle trips. The local

²⁶ Policy Statement on Bicycle and Pedestrian Accommodation, Regulation, and Recommendation, USDOT, March 2010.

Metropolitan Planning Organization is the gateway for the Federal funding from programs such as CMAQ to local projects.

Recreational Trails Program (RTP)

Provides funds to develop and maintain recreational trails and trail-related facilities. It is managed by the Office of Safety of the FHWA on the federal level and by the Alabama Department of Economic and Community Affairs (ADECA) on the state level.

In 2007, Brookside, Alabama, built 1.2 miles of crushed stone trails with ADECA Recreational Trail program funds.



Safe Routes to School (SRTS)

SRTS provides funding for projects and programs that facilitate walking and bicycling to school. The purpose of this program is to enable and encourage children, including those with disabilities, to walk and bicycle to school, to make walking and bicycling to school safe and more appealing, and to facilitate the planning, development and implementation of projects that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools. It is managed by the Office of Safety of the FHWA on the federal level and by the ALDOT Modal Programs on the state level. Federal Aid Highway Program for Pedestrian and Bicycle Facilities and programs for Alabama totaled \$10,375,606 in 2009 and \$22,927,676 in 2010. The majority of this money was spent through the Safe Routes to School program.

Land and Water Conservation Fund (LWCF)

This 50/50 matching grant program is administered by state agencies in cooperation with the National Park Service. Program funds are intended for the acquisition and development of outdoor recreation areas; trails are one priority of this program. Grant types include planning grants to states to develop the Statewide Comprehensive Outdoor Recreation Plan, acquisition grants for the acquisition of lands or interests in land, development or redevelopment grants to enhance projects with new or rebuilt recreation facilities, or a combination, which includes both acquisition and site development.

Within the Five Mile Creek watershed, LWCF has been used to acquire Black Creek Park, Fultondale (1975); develop Graysville Heights Park (1979); develop Tarrant Athletic Complex (1984-1987 and Phase 2 in 1991); acquire Fultondale Municipal Park (1986-1987); and Tarrant Park on Five Mile Creek (2002-2005).

National Environmental Policy Act

Any project using federal funding needs to comply with the National Environmental Policy Act (NEPA). Depending on the environmental impact of the project, compliance requirements can vary. Minimal impact projects, such as trails, may only need to complete a Categorical Exclusion checklist. Projects with major impact, such as new highways, often need to complete an Environmental Impact Statement.

Categorical Exclusion

When receiving federal transportation funding, FHWA must concur with the Categorical Exclusion Checklist. The Categorical Exclusion Checklist includes the impact categories of land use, socioeconomic impacts, ecological impacts, natural features/resource impacts, cultural resources/4f findings, and hazmat assessment. FHWA concurrence on the checklist will allow the project to proceed without an Environmental Assessment, Environmental Impact Statement or further public involvement. Categorical Exclusions are issued for actions that do not individually or cumulatively have a significant effect on the environment.

Categorical Exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4 and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area; do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; and do not otherwise, either individually or cumulatively, have any significant environmental impacts. 23 CFR 771.117(a)

Section 4f

The Department of Transportation Act of 1966 (DOT Act) included a special provision - Section 4(f) - which stipulated that the FHWA and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites, unless the following conditions apply: (1) There is no feasible and prudent alternative to the use of land; or (2) The action includes all possible planning to minimize harm to the property resulting from use.

Section 4f applies to public land. The intent of the law was to protect public land from conversion to highway projects without consideration. For example, if a park is developed using funding from the Land and Water Conservation Fund, the land cannot be taken for highway development with a few exceptions. A “national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.” 23 U.S.C. 138

Any plans to build walkways/bikeways on or adjacent to publically owned land must be evaluated under 4f. For example, a walkway constructed through a city park next to an existing highway.

Federal Funding: Compliance with Uniform Act

If federal funding will be used for development of a trail system, the Uniform Act must be complied with. The Uniform Act ensures the fair and equitable treatment of persons whose real property is acquired or who are

displaced as a result of a federal or federally-assisted project. Government-wide regulations provide procedural and other requirements (appraisals, payment of fair market value, notice to owners, etc.) in the acquisition of real property, and provides for relocation payments and advisory assistance in the relocation of persons and businesses.

To be eligible for credit, 23 U.S.C. 323 requires that the acquired land contributed by the state or its nominee, was lawfully obtained. If the property was acquired or is being acquired for a transportation project under the threat of eminent domain, the requirements of the Uniform Act apply. Failure to follow the Uniform Act in such cases would not only preclude the fair market value of the property from being utilized as a credit, it may preclude federal-aid funding for the project. However, if the property was acquired earlier by other means (e.g., local government acquisition via tax delinquency, dedication, or exaction), the fair market value may be eligible for a credit, if it was otherwise legally acquired in accordance with the laws of the jurisdiction in which the property is located.

TABLE 10: Process for Success with Federal Funds

| Action | Consideration |
|--|--|
| Complete Master plan for the greenway system | Consider: existing open space, property in the floodplain, property ownership – municipal, corporate, private, preliminary evaluation of environmental red flags |
| Apply for Transportation Enhancement Grant or state funding | Depending on funding available and timing |
| Talk to neighborhood | Hold public meetings for trail location comments and support |
| Grant approved: hire engineer | City Engineer or consulting engineer with knowledge of floodplain ordinances, environmental documents and FHWA Procedures. |
| Secure land through conservation easements, donations and other mechanisms | Consult with engineer on land owners, contact municipal lawyer |
| Once the plan is approved: Bid the project | Make sure the bid includes expertise in BMP's in floodplain areas and knowledge of design standards. |
| Build the project | Frequent inspections of project area are recommended |

Environmental Document Checklist

Federal funding sources include funding from the Federal Highway Administration through the Alabama Department of Transportation including Transportation, Community and System Preservation (TCSP), Transportation Enhancement (TE), and Congestion, Mitigation and Air Quality (CMAQ). The table below lists documents needed for completion of the environmental document. The list is not meant to be all inclusive. Professional consultants and federal offices should be contacted for the most current project requirements.

TABLE 11: Environmental Documents Needed for Federal Projects²⁷

| Environmental Authorities | Procedure | Responsible Agency |
|---|--|--|
| Archeological and Historic Preservation Act of 1974, Pub. L. 86-523 | Obtain review for all projects | State Historic Preservation Office |
| Clean Air Act, Pub. L. 84 159 | Coordinate to assure project conforms with state | State Air Program |
| Coastal Barrier Resources Act, Pub. L. 97-348 | Obtain review if project is located on a coastal barrier island | State Coastal Zone Management Agency |
| Coastal Zone Management Act, Pub. L 92-583 | Obtain review if project is located in coastal zone | State Coastal Zone Management Agency |
| Endangered Species Act, Pub. L. 93-205 | Obtain review by USFWS for all projects | U.S. Fish and Wildlife Service (USFWS) |
| Environmental Justice, Executive Order (EO) 12898 | Contact EPA project officer | USEPA |
| Floodplain Management, Executive Order 11988 | Obtain review if project is located in or affects 100-year flood plain | Federal Emergency Management Agency |
| Protection of Wetlands, Executive Order 11990 | Obtain review if project area contains wetlands | US Army Corps of Engineers |
| Farmland Protection Policy Act, Pub. L 97-98 | Obtain review if project area contains prime farmland | Natural Resources Conservation Service – State Conservationist |
| Fish and Wildlife Coordination Act, PL 85-624 | Obtain review for all projects | USFWS |
| National Historic Preservation Act of 1966, PL 89-665 | Obtain review for all projects | State Historic Preservation Office |
| Safe Drinking Water Act, Pub. L 93-523, as amended | Obtain review if project could affect sole source aquifer | EPA, Region 4 - Project Officer |
| Wild and Scenic Rivers Act, Pub. L. 90-542, as amended | Obtain review if project located in area with Wild and Scenic Rivers | National Park Service |

²⁷ http://www.epa.gov/region4/water/gtas/workbookdocs/crosscutter_chart.pdf

State Appropriation

Appropriations can be a source for regional funding of a greenway project. This section will take a brief historical look at the role appropriations have played in Alabama from 2008-2010 for land acquisition, development and improvements of public greenway projects. (*Note: This is a partial listing used as an example for sources of funding.*)

The history of appropriations in Alabama for support of greenways, parks and trails indicates that many projects are supported through Economic Development Initiatives. In Jefferson County, recent appropriations for Birmingham Railroad Park land acquisition originated from the Housing and Urban Development Economic Development Initiatives. The other major local greenway project, Red Mountain Park, was supported through the Federal Highway Administration's (FHWA) Transportation, Community, and System Preservation program.

Other local projects supported from Economic Development Initiatives include Alabama Historic Ironworks Commission, Gardendale Miracle League, Cosby Lake in Clay, two streetscape projects in the City of Tarrant, and Reed Harvey Park Boardwalk in Center Point.

If the project is located on federal land, funding can be used from the National Park Service program called Save America's Treasures. Examples of parks in Alabama receiving support through Save America's Treasures are Little River Canyon Preserve, Historic Blakely Park Spanish Fort, Kymulga Grist Mill, and Old Cahawba Center. The Cahaba River National Wildlife Reserve has received funding from the U.S. Fish and Wildlife Service for plan and design and from the FHWA Public Lands Highways program for a parking lot, as was Cheaha State Park-Talladega Forest for tourist access. Alabama National Forest Land Acquisition funding also comes from the U.S. Forest Service, Land Acquisition grants.

Amenities such as equestrian facilities for Montgomery Area Nontraditional Equestrians have been supported by the U.S. Department of Health and Human Services, Health Resources and Services Administration.

Very unique ecosystems, such as the Chattahoochee Fall Line Study, may receive support funds from U.S. Army Corps of Engineers, Water Resources Development Act.

The table below shows the project, amount funded, year of funding, and the Alabama sponsors of the appropriation.

TABLE 12: Alabama Congressional Appropriations related to Outdoor Recreation 2008-2010

| Project | Amount (in thousands) | Year | Shelby US Senate (R) | Sessions US Senate (R) | Bachus Alabama 6th District (R) | Davis Alabama 7th District (D) | Rogers Alabama 3 rd District (R) |
|---|-----------------------------|------|-------------------------------|---------------------------------|--|---|--|
| Transportation-HUD | | | | | | | |
| Birmingham Railroad Park | 245 | 2008 | X | | X | X | |
| Red Mountain Park | 980 | 2008 | | X | | | |
| Alabama Historic Ironworks Commission | 142 | 2009 | | | X | | |
| Gardendale Miracle League | 100 | 2010 | | | X | | |
| Lake Cosby – City of Clay | 118 | 2009 | | | X | | |
| Tarrant - Watershed Trail Streetscape | 150 | 2010 | | | X | | |
| Tarrant - Streetscape | 380 | 2009 | X | | | | |
| Center Point - Polly Reed Walkway | 245 | 2008 | X | X | | | |
| Cahaba River National Wildlife Refuge - parking lot | 298 | 2010 | | | X | | |
| Interior | | | | | | | |
| Little River Canyon National Preserve | 1,500 | 2010 | | X | | | |
| Historic Blakely Park Spanish Fort (Rep. Bonner) | 50 | 2009 | | | | | |
| Kymulga Grist Mill | 98 | 2008 | | | | | X |
| Old Cahawba Center | 172 | 2008 | X | | | | |
| Cahaba River NWR – planning and design | 300 | 2009 | X | | X | | |
| Cheaha State Park Talladega Forest Tourism Access | 500 | 2010 | | | | | X |
| Alabama National Forest Land Acquisition | 1,250 | 2009 | X | | | | |
| Alabama National Forest Land Acquisition | 738 | 2008 | X | | | | |
| Labor – Health and Human Service – Education | | | | | | | |
| Montgomery Area Nontraditional Equestrians | 95 | 2008 | X | | | | |
| Energy and Water | | | | | | | |
| Chattahoochee Fall Line Ecosystem | 2,000 | 2009 | | | | | X |

Regional and Local Money

After examining the complexity of receiving and implementing greenway projects with federal funds, regional and local funding may be a quicker and less expensive way to pay for greenways. Long term projects may be able to work through the application and approval process of federal grants. In general, funding through local partnerships and various tax mechanisms may serve the local greenway needs better and for a longer period of time. Federal transportation funds are always subject to rescission.

Tax Mechanisms

Several tax mechanisms are a good match for local and regional projects such as greenways. Some of the options that have been used successfully in Central Alabama include: Special Improvement Districts, Capital Cooperative Districts, Business Improvement Districts and Tax Increment Districts. See the Code of Alabama, Sections 11-99, 11-99A, and 11-99B for more details.

Tax Increment District

Example: Tarrant, Alabama Downtown Redevelopment

A tax increment district is a method of raising funds to pay for redevelopment from the increase in the assessed property value caused by redevelopment. Tax Increment Financing (TIF) captures the increase in property tax attributable to the new assessed value of the property as redeveloped to pay for the infrastructure in the project or in the area. The property taxes will increase; however, any increase will be used to finance district projects. The increase of taxes will not be included in the local government revenue stream. Local government invests the increases back into the district. TIFs are advantageous in Alabama; however, due to its low property tax rates, TIFs require either huge project costs or very large districts. The larger the area covered by the district, the more disadvantageous the loss of the tax revenues are to the local government. In adopting a large TIF, local governments must consider the impact on existing and future credit ratings.

Bond Referendums/Capital Improvements

- Bond Referendums for Bicycle and Pedestrian Facilities – Communities across the nation have successfully placed on local ballots propositions to support rails-to-trails projects and other types of bicycle-pedestrian facilities.
- Capital Improvements Program – One measure of local government commitment to bicycle and pedestrian projects is a yearly appropriation for facility development in the capital improvements program.

Piggyback With Other Transportation Projects

The piggyback approach allows the master plan to leverage other public works projects in the area. Federal and state transportation projects should be monitored for a possible connection to a planned trail system. For example, a bridge replacement can allow for the addition of an adjacent pedestrian bridge if the culverts and grading on the right-of-way are extended to the designated trail. The master plan document must be adopted locally and available to public works departments for this kind of leverage to occur.

In a policy statement in March 2010, Ray LaHood, US Secretary of Transportation, stated: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths. Also, because of the benefits that walking and bicycling provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes.

Private Funding

Private partners are needed to bring in the financial match required for many federal and state grants. The match can be 20-50% of project cost. That amount does not include the pre-engineering, bid documents, cost of acquiring land, establishing conservation easements, surveying, or preparation of environmental documents. If the model chosen for the implementation of the master plan is a private/public model, the private partner can take the lead for planning, acquisition, public funding and, in general, act as the agent for the public partner.

Local industries and private businesses and residents may agree to provide support for trail development through cash donations, donations of services such as equipment and labor, and reductions in the cost of materials purchased for the facilities. Also, landowners can donate portions of property, such as previously acquired railroad corridors, for the development of bicycle and pedestrian facilities.

Three Parks Initiative, Birmingham Alabama

Model: Public-private; lead agency Region 2020

Project: Three master plans for three parks. Three Parks Initiative

A portion of the capital funding came from the Three Parks Initiative, a combined campaign that was jointly managed by the Community Foundation of Greater Birmingham and Region 2020 to raise money for Railroad Park, Red Mountain Park and Ruffner Mountain Nature Center, and to support the vision of Birmingham as a national leader in greenspace.

The Community Foundation committed \$1 million in 2006 to the three-park project. Over the next 15 months, in partnership with Region 2020, the Community Foundation led the Three Parks Initiative, a campaign to raise money from area philanthropic foundations and businesses for Railroad Park, Red Mountain Park, and Ruffner Mountain Nature Center. When this part of the campaign ended in January 2008, businesses and foundations had committed more than \$15 million to fund the first phase of all three parks. These donations, combined with federal, county and city dollars, and additional fundraising by the individual parks, helped create Railroad Park and Red Mountain Park, and to expand Ruffner Mountain, including a new education center and wetlands area.

APPENDIX