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<b>Title:</b>	Adoption of a Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk
<b>Resolution number:</b>	22-031
<b>Prepared by:</b>	Name: Tiffany Schaufler Phone: 952.641.4513 tschaufler@minnehahacreek.org
<b>Reviewed by:</b>	Name/Title: Chuck Holtman, Legal Counsel
<b>Recommended action:</b>	Adoption of the revised interim maintenance protocol for the Minnehaha Preserve boardwalk pending decking replacement, to protect public safety while allowing reasonable public use during non-winter months.
<b>Schedule:</b>	May 2022: Remove winter closure measures for all areas except the cattail overlook May-Summer 2022: Execution of revised interim maintenance protocol
<b>Budget considerations:</b>	No specific funding request at this time
<b>Past Board action:</b>	Res # 17-028 Approval of Minnehaha Preserve Operations and Maintenance Plan Res # 19-094 Adoption of an Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk Res # 20-048 Adoption of the Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk Res # 20-089 Authorize Seasonal Closure of the Minnehaha Preserve Boardwalk Res # 21-022 Adoption of a Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk RES # 21-079 Authorize Seasonal Closure of the Minnehaha Preserve Boardwalk

**Summary:**

The Minnehaha Creek Preserve Boardwalk was constructed in 2014 as part of the Minnehaha Preserve (Reach 20 Stream Restoration) capital project. In April of 2017, the Minnehaha Preserve Operations and Maintenance Plan (Plan) was approved by the Board to fulfill conditions of the Second Cooperative Agreement between Minnehaha Creek Watershed District (MCWD) and the City of St. Louis Park. The Plan outlines specific roles and responsibilities for the periodic and long-term maintenance of project elements associated with the project. Maintenance of the boardwalk is solely the responsibility of MCWD, as owner, and provides MCWD discretion in elements such as seasonal maintenance and public access.

On March 25, 2021, the Board of Managers adopted a revised interim maintenance protocol (Res # 21-022) which consisted of bi-weekly inspections of the surface structures, marking boards with signs of deterioration with fluorescent orange spray paint, patching holes with plywood, and posting signage. Staff employed these measures as it determined appropriate based on the setting to alert users to deteriorating decking material. To assist staff with implementation of the maintenance protocol, a contract with Stantec was executed for inspection and maintenance services.

On November 18, 2021, the Board authorized seasonal closure of the boardwalk system (Res # 21-079) to ensure safety was upheld during the winter months as ice and snow accumulating on top of safety markings (fluorescent paint) and

decking boards which are patched with plywood, make it difficult for users to know the condition of the boardwalk surface below their feet.

As of April 2022, snow and ice conditions are no longer present on the boardwalk and MCWD must reevaluate how to manage the boardwalk as a public facility in the non-winter months. A staff inspection conducted on Friday, April 22, 2022, indicated that at this time the boardwalk poses no different safety risk than it did in the fall of 2021 prior to the seasonal winter closure. Because MCWD is in the process of designing the reconstruction of the facility, and in review of safety and use considerations that remain similar to last year, staff continues to believe there is benefit in limiting the investment into isolated plywood patching, and thus recommends an updated inspection and maintenance protocol.

The revised interim maintenance protocol will consist of bi-weekly inspections of the surface structures, marking boards with signs of deterioration with fluorescent orange spray paint, patching holes with plywood, and posting signage. Staff will employ these and similar measures as it determines appropriate based on the setting to alert users to deteriorating decking material. Given the planned reconstruction of the system during the winter of 2022-2023, staff no longer recommends batch replacing decking boards.

Staff may contract for inspection and maintenance services per the terms of this protocol. Staff recommends the adoption of this revised interim maintenance protocol as it allows MCWD to protect public safety, while preserving public use of the boardwalk and efficiently using public funds, during the period prior to implementation of the reconstruction of the Minnehaha Preserve Boardwalk materials.

**Supporting documents:**

Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk, dated April 22, 2022



## RESOLUTION

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**Resolution number: 22-031**

**Title: Adoption of a Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk**

- WHEREAS the Minnehaha Creek Watershed District (MCWD) engages in regional capital improvement projects as described in its Watershed Management Plan and in 2013-2014 constructed the Minnehaha Preserve project ("Project") on the Minnehaha Greenway in St. Louis Park;
- WHEREAS these facilities require routine inspection and regular maintenance to continue functioning as designed and to maintain public use and prevent safety hazard in areas with public access;
- WHEREAS MCWD entered into a cooperative agreement with the City of St. Louis Park to maintain the Project, and the cooperative agreement as well as the 2017 Operations and Maintenance Plan assign specific maintenance responsibility and frequency of inspection and maintenance to each entity;
- WHEREAS the Project Maintenance and Land Management (PMLM) Program annually budgets for, inspects, and maintains MCWD projects, infrastructure, and lands;
- WHEREAS through the PMLM Manual, regular maintenance is guided by inspection of specific project elements and annualized cost associated with this maintenance is budgeted through the annual PMLM budget process;
- WHEREAS on March 25, 2021 the Board of Managers adopted a revised interim maintenance protocol of inspections, marking, repairs and signage to allow for continued public use while addressing safety risks that might be posed by deteriorating decking and railing;
- WHEREAS the interim maintenance protocol recognizes that MCWD will determine and implement the appropriate solution to Minnehaha Preserve boardwalk materials deterioration, and considers the nature and extent of the materials failure, the value of maintaining public access to the boardwalk, the need to protect public safety, options to manage the issue until resolved, and the costs of the options;
- WHEREAS on November 18, 2021, the Board of Managers authorized seasonal closure of the Minnehaha Preserve boardwalk system, in consideration of limited winter use of the system and the greater potential hazard when ice and snow are present, particularly when there is accumulation on top of safety markings (fluorescent paint) and decking boards that have been patched with plywood, rendering it difficult for potential users to observe surface conditions;
- WHEREAS snow and ice conditions are no longer present and the Board must assess how to manage the boardwalk as a public facility during non-winter months in respect of considerations of the value of public use, public safety and cost;
- WHEREAS on the basis of an April 22, 2022 inspection, MCWD staff has presented a proposed revised interim maintenance protocol that consists of bi-weekly inspections of surface structures, marking boards with signs of deterioration with fluorescent orange spray paint, patching holes with plywood, posting signage, and other similar measures as staff may determine appropriate, on the basis of the setting, to alert users

to deteriorating decking material; and staff recommends that MCWD no longer batch-replace decking or handrailing materials;

WHEREAS the Board finds that the April 22, 2022, protocol recommended by staff balances MCWD interests including the nature and extent of materials deterioration, the benefit of maintaining public use of the boardwalk, public safety risk, cost, and MCWD's upcoming reconstruction of the facility's wood materials.

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers adopts the revised interim maintenance protocol, as recommended by MCWD staff, for the Minnehaha Preserve boardwalk system.

Resolution Number 22-031 was moved by Manager \_\_\_\_\_, seconded by Manager \_\_\_\_\_. Motion to adopt the resolution \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions. Date: 4/28/2022

Date: April 28, 2022

\_\_\_\_\_  
Secretary

DRAFT



**Title:** Revised Interim Maintenance Protocol for the Minnehaha Preserve Boardwalk

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**Purpose:**

The purpose of this memo is to establish a protocol for interim management and maintenance of the Minnehaha Preserve Boardwalk during the period that the Minnehaha Creek Watershed District (MCWD) is determining and implementing a long-term resolution of the materials failure affecting wood elements. The intent of this interim maintenance protocol is to limit the hazard that may be posed by board decking and railing that is losing its structural integrity without unduly limiting public use of the boardwalk facility or incurring unnecessary public cost. Particular consideration is given to staff resources and costs, as well as impact on public use, while the material deficiency is further investigated. The revised interim maintenance protocol outlined in this memo replaces the interim maintenance protocol, resolution 21-022, and is adopted by the MCWD Board of Managers through resolution 22-031.

**Background:**

The Minnehaha Creek Preserve Boardwalk was constructed in 2014 as part of the Minnehaha Preserve (Reach 20) Restoration capital project. In April of 2017, the Minnehaha Preserve Operations and Maintenance Plan (Plan) was approved by the Board to fulfill conditions of the Second Cooperative Agreement between the MCWD and the City of St. Louis Park. Specifically, the Plan details clear roles and responsibilities for the periodic and long-term maintenance of project elements associated with the project. Maintenance of the boardwalk is solely the responsibility of MCWD.

Continuing through the present, staff inspections have documented boardwalk surfaces displaying unexpected materials durability issues. Multiple areas of boardwalk decking and handrail appear to be rotting. As boards begin to deteriorate, dark coloring is observed and the wood becomes soft as pressure is applied. Boards eventually begin to splinter and develop holes. The formation of holes typically only occurs on a specific portion of individual decking or railing boards, no greater than the width of one board (approximately 2-4 inches).

**Revised Interim Maintenance Protocol:**

Staff will continue to perform bi-weekly inspections of the surface structures, marking boards with deterioration with fluorescent orange spray paint, patching holes with plywood, and posting signage. Staff will also maintain contact with City of St. Louis Park staff, who recreationally walk the boardwalk on a more frequent basis and regularly report condition issues to MCWD staff. This process has resulted in acceptable management of the boardwalk system to date and will continue.

The impact to users does not appear to pose an immediate safety risk to the intended user. It is not logistically efficient or economically sound to replace one or several boards when deterioration begins to be observed. Rather, upon inspection, staff will respond to boards that develop holes through measures including marking with fluorescent orange spray paint, and within two weeks of observation staff will patch holes with plywood, and use signage as necessary, to alert users to the damage until the planking is replaced. Ordinarily, safety cones and/or plywood will be deployed if an increased safety risk is observed, e.g. a hole of greater size or area.

Given the upcoming planned reconstruction of the wood materials in the winter of 2022-2023, staff no longer recommends batch replacing decking boards.

In summary, the revised interim inspection protocol is adopted as follows: bi-weekly inspections of the surface structures with fluorescent marking of deteriorations, with further safety measures taken by staff within about two weeks including utilization of safety cones, plywood, signage and/or other safety measures. Batch replacement of decking and handrails will no longer occur, given MCWD's planned reconstruction of the wood materials in the winter of 2022-2023.