



Water Resources

CITY OF BURLINGTON

Memo

To: Hardin Watkins, City Manager

From: Bob Patterson, Water Resources Director
Tony Laws, Recreation & Parks Director
Amy Barber, Stormwater Manager

Date: January 17, 2022

Re: City Park Improvements – (Conservation Easement Dissolution, Buffer Enhancement, Tree Removal)

Background

In 2009, a 7+ acre riparian buffer conservation easement was dedicated as part of an Ecosystem Enhancement Program (now Division of Mitigation Services) stream restoration project. The project was aimed at improving water quality, enhancing flood attenuation, and restoring aquatic habitat through the implementation of several measures, including the establishment of a vegetative buffer adjacent to Little Alamance Creek flowing through City Park. Due to easement maintenance restrictions, the buffer quickly became overgrown with densely grown vegetation which limited visibility, threatening public safety in City Park. Responding to concerned residents and City of Burlington Police Department, the following has been completed to increase the safety of the public while enhancing the ecological integrity of the buffer.

1. July 1, 2020 – General Assembly approved Session Law 2020-79 (H1087), allocating \$837,755 to offset Mitigation Credits and to dissolve the conservation easement. Following about 6 months of this working through the State's internal processes, City Legal and Water Resources staff worked with the State Property Office in late 2020 and early 2021 regarding the documents and process for the dissolution of the easement. On February 2, 2021, City Council adopted Resolution 21-05 accepting the release of the conservation easement from the State of North Carolina. The dissolution of the conservation easement was recorded on February 11, 2021.
2. July 2021 through October 2021 the City contracted with a specialized contractor to begin the first phase of vegetation removal and maintenance, including the identification and removal of invasive vegetation and selective pruning of native vegetation.
3. On-going – City staff walked the buffer in October to identify areas where heavy thinning and vegetation control are needed. Results of this walk-through along with a vegetation survey performed by staff will be incorporated into future work by specialized contractors and City staff for subsequent phases of removal. The subsequent phases include heavy thinning, removal, and ongoing maintenance

within the buffer. Due to the difficulty in properly identifying vegetation in the dormant season, the heavy thinning/removal will begin in early Spring of 2022, to be completed by Fall 2022. Ongoing maintenance and controlled vegetation removal will be on a monthly and as-needed basis by a specialized contractor.

Project Points:

- City Council adopted Resolution 21-05 accepting easement release from the State. Dissolution of easement recorded on February 11, 2021.
- Phase I of vegetation removal and maintenance completed by specialized contractor Fall 2021. Phase I included the removal of invasive vegetation within the buffer.
- Phase II includes heavy removal, thinning, and cutting of critical areas selected by City Staff to be completed by Fall of 2022.
- Phase III includes ongoing monthly maintenance to control the density of the new growth within the buffer.

Tree Removal Project

As part of the City Park enhancements, City Staff identified trees throughout the park that needed removed due to safety and to establish grass in areas where heavy erosion is occurring. Trees were assessed for disease, insect damage, wind damage and threat before being selected for removal. Dead trees were also identified and removed. In total, 136 trees were removed from the western part of the park and buffer as part of this project.

Some work has been done on the soil preparation for grass seeding and landscaping. This work is being performed in house with our athlete maintenance staff. It will be an ongoing project over a period of time as the staff can work it in with their normal work load and seasonal conditions allow. The tree removal contractor ground all the stumps and removed that material. They also brought in topsoil and graded the area to level it.

During this work, our greenway and paved trails had tree root issues and uneven areas that were trip hazards identified. Our Street Dept. has completed correcting all of those issues.

Project Points:

- 136 trees removed from City Park in the Fall of 2021
- 98 trees from the western portion of City Park and 36 from the buffer area
- Trees were dead, diseased, or a threat to safety
- The removal will open the park to allow for establishment of grass to decrease soil erosion and enhance unsightly areas of the park.