

New Hope Creek Corridor Advisory Committee

Minutes of Meeting of August 11, 2011

(Present: Berndt, Fowler, Edeburn, Goebel, Healy, Jacobs, Kent, Welch, Bo Howes, Helen Youngblood)

(1) Sandy Creek Park. Goebel reported on work by volunteers in the park, which has resulted in construction of new benches. The “butterfly garden” has been essentially ruined by flooding in July and will have to be replanted and slightly relocated. The 100 trees planted last spring have done well despite the drought. Goebel will start a Friends of Sandy Creek Park group on Facebook in order to provide the basis for an organization representing neighbors and users and to make it easy to call for volunteer work days. [N.B. This site is now up on Facebook, and NHCCAC members are encouraged to “like” it]

(2) Hollow Rock Park—no new news. Closure of Pickett Rd. will move slowly because there is some opposition from current users.

(3) Composition of NHCCAC—

The Committee reviewed and reappointed its membership according to guidelines in its Charter and Mission Statement

Duke Forest—Judd Edeburn

Durham Open Space and Trails Comm.—John Goebel, Charlie Welch

Friends of New Hope Creek—Bob Healy (Durham Co.), vacant (Orange Co.)

Chapel Hill Greenways—Chris Berndt

Orange Co Parks and Recreation—Floyd Bridgwater

Durham County landowners—Wade Penny, Wendy Jacobs

Orange County landowners—Bill Olive, Walter Fowler

US Army Corps of Engineers—receive minutes and meeting announcements

Advisors/Government--

John Kent (Streamwatch)

Jane Korest—Durham County

Helen Youngblood—Durham City/County Planning

Ed Harrison—Chapel Hill Town Council

Brendan Moore—Durham County

Bo Howes—Triangle Land Conservancy

Howard Lineberger—Durham Academy

Rosetta Radtke—Durham Parks and Recreation

Rich Shaw—Orange County Parks and Recreation

- (4) Comments on TTA transit alternative crossing NH corridor. After considerable discussion, the Committee voted unanimously to adopt the following resolution and to direct the Chair to distribute it at TTA public input sessions and to the State Natural Heritage Program.

Resolution by the New Hope Creek Corridor Advisory Committee in Response to Proposed “Locally Preferred Alternative” for a TTA Transit Corridor Between South Square and SW Durham Drive, as passed by unanimous vote August 11, 2011

For the last 19 years New Hope Creek Corridor Advisory Committee has worked to advise its four constituent local governments on the implementation of the New Hope Creek Plan, which each adopted in 1992. Those four "founding" local governments are: the Counties of Durham and Orange, the City of Durham and the Town of Chapel Hill. The Committee has, consistent with the Plan, endeavored to keep development out of the floodway and floodway fringe, provide for buffers to protect water quality, maintain or improve wildlife habitats, keep open the corridors that allow wildlife of all types free movement down the streams and stream banks, provide high quality recreational trails for visitors, and encourage educational use of the New Hope ecosystem, which was identified as one of Durham’s most important natural resources in the Durham County Inventory of Important Natural Areas, Plants and Wildlife. Financial support of our efforts by governments at all levels, dedication of public land to park use, park and trail development and purchase and donation of land and access rights by developers have to date been well over \$5 million.

We have assumed from the start of our work that some sort of transportation corridor might in the future connect Durham and Chapel Hill. In furtherance of that objective, we have tried through negotiation with developers and testimony at public hearings to encourage increased density along Old Chapel Hill Road and 15-501 [e.g. the apartment complex on Garrett Rd. just north of the Oak Creek Village Shopping Center] and discourage it within the corridor of New Hope Creek and its principal tributaries and along Erwin Road and Garrett Road.

We note that the Corridor on the south side of 15-501 [the “15-501 Bottomlands”] extending to Old Chapel Hill Road is a forested, wetland area, with New Hope Creek essentially flowing down the center of it. The stream very frequently leaves its defined channel after rain events and the area, part of it in wildlife significant floodplain pools, stays wet for long periods of time. This constant overflow has created a large block of wetland forest, more particularly a hardwood bottomland forest, which is our special type of wetland in the North Carolina Piedmont. The 15-501 Bottomlands is not an isolated natural area, but a central and strategic link in a much larger block of wetlands called the “New Hope Creek Bottomland Forest,” which extends from the shores of Jordan Lake to a point just beyond Erwin Road in the Duke Forest. According to the NC Natural Heritage Program, this larger block of wildlands is one of the two best remaining of its type in North Carolina. Sandy Creek, a tributary of the New Hope, and covered in the New Hope Creek Plan, enters the New Hope from the east in the 15-501 Bottomlands area and also frequently spreads over its banks and creates a distinctive vegetative zone.

The Committee is profoundly concerned about the damage to natural systems and to recreational uses that would be created by any crossings of New Hope Creek or Sandy Creek other than on existing roads and bridges or on elevated structures that are immediately adjacent and parallel to them. We note that the proposed “locally preferred alternative” as mapped (see footnote) would run a rail corridor directly across the heart of the wetland area. The New Hope Creek Corridor Advisory Committee believes that this routing would produce major and negative impacts on the environment and on recreational use in the New Hope corridor. Specifically—

--the construction of an elevated track on pylons or other structures within the 100 year floodplain south of 15-501 would severely damage the function of wetlands and even the stream course, both by the erection of new structures and by the heavy equipment and temporary roads that would have to be built during construction;

-- The New Hope Advisory Committee, with the support of all the local elected bodies, worked at length to ensure that the newly completed 15-501 replacement bridge over New Hope Creek was re-designed to have a higher and wider opening underneath to allow for people and wildlife to safely pass under the fast and voluminous highway traffic in this area. Any structure built for transit use through the 15-501 Bottomlands at “mid-block” and away from 15-501 or structures along Sandy Creek would present a new barrier to wildlife movement. Removing vegetation, particularly large trees from this high-canopied, mature forest, during and after construction, would make an incursion into the area and fragment contiguous forest interior habitats, which are increasingly rare in urban environments. The area now, in spite of the power line cut essentially parallel to the Creek, offers a macrosite favorable to “large guilds” of interdependent species.

Fragmentation would have very significant impacts on these guilds, and would favor common “edge” species over those requiring unbroken forest and den trees;

-- Nearly 15 years ago, the Committee worked with volunteers and with the City and County of Durham to build a nature trail in the bottomlands. It was built with \$30,000 in funding from the National Recreational Trails program, matching funds from Durham, and private donations. The trail now receives significant recreational use, and the NHCACC has plans to increase its educational value through signage and other materials based on a “bottomland hardwoods” theme and consistent with the nature of the land. We have since then collaborated with Durham County and volunteer and community groups to keep it maintained. A transit routing across the corridor near or over this trail would produce noise, vibration, visual distraction and interference with the educational value of our proposed interpretation of the bottomland forest;

--the route as mapped would also require permanent structures and damage during construction in the floodplain of Sandy Creek east and west of Garrett Road;

--according to the Triangle Transit draft Alternatives Analysis, an 18 acre train maintenance facility is proposed for a portion of Patterson Place very close to both the wetland area and to 15-501. This is a quasi-industrial use, with a rail line spur, to and from the LRT mainline, along the slope at the west edge of the 15-501 Bottomlands. Activities at this complex will include washing of transit vehicles and storage and use of a variety of chemicals. It also would surely involve a high degree of impervious surface. Ironically, this property, which is close to a proposed station, would seem to be better suited to high density residential or similar use that would be passenger generating;

---the location of the proposed Patterson Place Station could encourage new development (and its run off) on sensitive lands, in particular from the proposed location just west of SW Durham Drive onto the 15-501 Bottomlands (and the slopes above them) and downstream onto the New Hope Creek Corridor lands south of Old Chapel Hill Road.

--In general, station location in the vicinity of the New Hope Creek Corridor, including areas near lower Sandy Creek, must foster more intensive use of already developed land and avoid the creation of pressure to develop sensitive lands.

--from a procedural standpoint, members of the NHCCAC participated in public meetings sponsored by TTA and raised these concerns. We also invited TTA representatives to attend our April meeting and discussed our concerns with them. Despite this input, the corridor listed as the “preferred alternative” has not changed, and we believe it will cause much greater negative environmental impact as compared with another routing (see below). We intend to participate in subsequent environmental impact analyses of corridor alternatives. We respectfully request that the corridor routing described below, adjacent to 15-501 be included among the locally preferred alternatives to be analyzed.

--we believe an alternative routing exists that would allow multiple transit technologies, including bus, bus rapid transit, and rail, without producing the negative impacts described above. (see attached PDF) Most of the problems associated with “mid-block” crossing of New

Hope Creek could be avoided by locating the transit route immediately adjacent to the south side of 15-501, with the main New Hope Creek transit crossing at the new highway bridge. We understand that the FONSI (environmental impact analysis) for the bridge provided for future construction of a transit corridor directly adjacent to the bridge, on the south side. This is a recently cleared area, the result of construction of the new bridge, that could provide much of the right-of-way. Equally important, access to the site for construction could be obtained by using this cleared area, or (for very large equipment) 15-501 itself. A transit crossing, with an underpass opening as high and wide as the bridge itself, would have a de minimis impact on animal migration routes down the corridor. In addition, instead of adding two new, long, edge areas on either side of a new swath across the 15-501 Bottomlands, as the currently proposed “locally preferred alternative” would produce, the already cleared area along the south side of the 15-501 right-of-way could be used. In addition to reducing disturbance to vegetation, any transit noise and vibration would be confined to an area of existing noise and vibration. There should also be ways to avoid intrusion into the Sandy Creek wetlands and the encouragement of increased density in that environmentally sensitive area.

--Another crossing with fewer environmental impacts would be parallel to Old Chapel Hill Road. It is, we note, the route proposed for the BRT-Low Alternative. (If this technology and route are favored, the Committee would want to be further consulted as the project progressed, especially with regard to the area near the bridge over New Hope Creek.)

In conclusion, the Committee has long been supportive of non-automobile transportation alternatives within the New Hope Corridor. But we are very much opposed to placing transit where it destroys valuable community resources. What we need are transit alignments that will complement, rather than compromise, the wildlife, open space, and recreational values of the New Hope Creek Corridor.

Note: See “Durham-Orange Corridor” (at: <http://www.ourtransitfuture.com/index.php/get-involved/reports/durham-orange-alternatives-analysis-documents-july-2011/>) and in particular “Durham-Orange Vol 1 Detailed Definition of Alternatives (11.2 MB | PDF),” pdf p 41, and “Durham-Orange Vol 2 Plans and Profiles - Segments C & D Friday Center to Cornwallis 22.19 MB | PDF,” pdf pp. 17-19 (download version) or pdf pp. 58-60 (DVD version) aka Sheet D-6 through D-8.

[N.B.] This resolution was a response to the TTA “preferred alternative” route map made available to us at the public input session in March. Subsequent to the adoption of the above, on August 26, before its public input sessions of August 29-30, TTA issued an addendum to its route map—see http://www.dhcmpo.org/index.php?option=com_content&task=view&id=85&Itemid=35. TTA indicated that the addendum “clarifies the effective study area in the Little Creek and New Hope Creek corridors and the ongoing process to identify the location of stations.”

For your convenience, I am attaching copies of the March route map and the August map. The new map widens the study corridor to include a route along 15-501, though it also includes the original “cross country” corridor.

Kent, Healy and other members of the NHCCAC attended the August 30 public meeting in Durham and talked extensively with TTA staff and consultants. We also formally submitted our July 11 resolution. It is important to note that the new (August 26) corridor alignment still

includes cross country corridors that have all of the negative environmental impacts described in the resolution. However, we found a willingness at TTA to discuss routing and stations and we intend to follow up with this. As part of this process, Kent has done extensive research on alternative, less environmentally damaging alignments and station locations. He will present these at the September NHCCAC meeting.