

# MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES AND THE COUNTY OF SHELBY, ALABAMA

This memorandum of Understanding (MOU) is made and entered into by and between the State of Alabama Department of Conservation and Natural Resources (DCNR) and the County of Shelby, Alabama, In order to support shared objectives of improving and increasing tourism visits to Oak Mountain State Park by improving the recreational quality of the Mountain Bike trail system.

## ARTICLE 1: BACKGROUND AND OBJECTIVES

WHEREAS, DCNR manages and operates Oak Mountain State Park for the purpose of providing recreational opportunities for the citizens of and visitors to the State of Alabama; and,

WHEREAS the existing mountain bike trail system, (Red Trail) consisting of approximately 17 miles of multi-use trail (~10 miles of single track trail and ~7 miles of Double track Jeep trail) attracts thousands of visitors and several events to the park on an continuing basis, and,

WHEREAS, Mountain bike tourism is an environmentally friendly, non polluting and low impact form of recreation, and,

WHEREAS an increase in visitors to the park is in the economic interest of Shelby County and DCNR due to increased revenues generated, and will promote the health and welfare of the citizens of Alabama by providing additional recreational opportunities, and,

WHEREAS, the existing trail does not provide for the needs of or attract the expert rider, who must travel out of state to find a mountain bike experience equal to his skill level, and,

WHEREAS, the existing trail system could attract even more visitors to the park if it met the environmentally sustainable standards of the International Mountain Bike Association (IMBA) for an "Epic Ride, (25 or more miles of single track trail designed to meet the needs of riders from Beginner to Expert skill levels) and,

WHEREAS, additional trail will not significantly impact the natural environment or wildlife in the park, or adversely impact other users of the park, and

WHEREAS Shelby County is willing to provide for the services, means and methods to accomplish the creation of an epic trail system at Oak Mountain State Park at no cost to DCNR.

Now, therefore, DCNR and Shelby County agree to partner to create, manage and further develop the mountain bike trail at Oak Mountain State Park as follows:

## ARTICLE II: STATEMENT OF THE WORK

In accordance with existing laws, regulations and policy and subject to the availability of funds and other means necessary, both parties mutually agree that Shelby County may cause the following improvements to the Mountain Bike trail system to be built, in accordance with the sustainable standards of IMBA, using what ever means and methods it has at its disposal, including the use of interested volunteers, local interest groups and inmate labor:

1. South Lake Trail: New singletrack multipurpose trail around Double Oak Lake, connecting Mr. Toads trail and the day use area to the Seven Bridges trail, eliminating the need for riders to traverse Terrace Drive between these two trails and providing a relatively level multi use trail for day use of hikers, walkers, runners and mountain bikers around the lake, with the following features:
  - 4 to 5' wide trail to provide for easy passing of pedestrians by cyclists and runners. Trail will also be ATV accessible (for maintenance and emergency use only).
  - A second narrower singletrack trail extending off the multiuse trail.
  - Handicapped parking near existing pump house.
  - Surfaced handicapped accessible path on top of dam from parking to the bridge and to a fishing pier on the lake side of the dam.
  - Approximately 60' span aesthetically attractive legally engineered bridge over the dam spillway.
  - Pedestrian path adjacent to bike lane to provide pedestrian connection on northeast side of Terrace Drive.
  - Completion of hiker trail around pond from Seven Bridges trail head to Tree Top area.
  - Appropriate signage.
2. Mtn Bike Skills Park: Approximately ¼ to one acre in size, (location to be mutually agreed upon), the purpose there of is to provide for the learning and practice of mountain biking skills in a safe environment, thereby encouraging new users to participate in the sport of Mountain biking.
3. Campground Link Trail: New Trail from the campground area to connect to the Red Trail crossing Finley Drive.
4. Group Camp Road Re-route: (New Singletrack): New single track trail to replace current doubletrack section, roughly parallel the existing Group Camp Road to eliminate the need to ride the camp road, connecting the Garret's Gulch trail with the Seven Bridges trail.
5. Red Road re-route: New Singletrack from Top of hill on Red Road to Bump trail above Blood Rock, roughly parallel to Red Road, to provide a

single track multi use trail connecting the existing red trail to the BUMP trail.

6. Quarry Road re-route: New single track extending from just below Blood Rock area to connect with the BUMP trail where it comes closest to Quarry road. (Maintain Quarry road as emergency ATV access only).
7. Chimneys trail: Minor reroute or reconstruction so as to meet IMBA standards for sustainability and erosion control.
8. North Diamond Level Trail loop: New Diamond Level (expert) trail in undeveloped North End of Park to attract Expert riders to the park
9. Miscellaneous: Additional kiosks and signage as needed to inform the public and provide for public safety and rescue.

### ARTICLE III: CONDITIONS

- A. **NON-FUND OBLIGATING DOCUMENT**. This MOU is neither a fiscal nor a funds obligation document. Nothing in this document shall obligate either party to expend funds or to enter into any future contract, supplemental agreement of obligation with the other.
- B. **FORCE AND EFFECT**: If any provision of this MOU is determined to be inconstant with existing law, regulations or directives governing the signatories, then only that provision of the MOU affected by a finding of inconsistency shall be voided.
- C. **TERM**: This MOU shall be in effect from the date of signing until the improvements are completed or mutually abandoned, unless terminated as provided for below.
- D. **DESIGN AND CONSTRUCTION**: All new and modified trail shall be multi-use single track trail designed and constructed as contour trails in complete accordance with the trail design standards of the International Mountain Bike Association (IMBA), so as to low impact, sustainable, low maintenance and appropriate to the level of skill for which the trail section is intended. The Proposed Bridge and trail to be constructed at the existing dam shall be designed and engineered by an experienced engineer licensed in the State of Alabama so as to meet current applicable standards and regulations. Any work that is visible to the public shall be designed so as to be aesthetically compatible with the natural environment of the park. DCNR shall have the right to review and reasonably approve any and all work impacting the dam and visible to visitors to the park. Adequate means, such as fencing, shall be provided to deter the public from deviating from the approved path over the dam.
- E. **MAINTENANCE**: It is agreed that the Red Trail and any extensions thereof as contemplated by this MOU will continue to be maintained by the

Birmingham Urban Mountain Pedalers, Inc, the local non profit mountain bike organization, using appropriate methods and tools, including power tools as deemed necessary.

F. AMENDMENT: This MOU may not be altered except by mutual agreement of the parties hereto.

G. TERMINATION: This MOU may be terminated by either party upon delivery of written notice to the other within thirty days of a breach of the terms of this agreement, unless the party corrects the breach with in a additional thirty day period.

H. CONTACTS

[INSERT CONTACT INFORMATION FOR EACH PARTY]

IN WITNESS THEREOF, the parties herein set below their signatures:

*DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES*

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*SHELBY COUNTY*

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