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July 7, 2023

Dear friends, colleagues, city leaders, and residents concerned with South Bend's treatment of its riparian areas,

Following my resignation from the South Bend Board of Park Commissioner's Ecological Advocacy Committee (EAC), I wish to provide a written account of the committee's interaction with Venues Parks & Arts (VPA) staff and the park board. To my knowledge, the following is an accurate account of events from 2018 to the present. Where applicable, I have provided supporting evidence in photographs of site visits, EAC minutes, and park board reports. My motivation in compiling this document is to provide future ecological leaders with the tools needed to promote drastic change in how the city stewards its riverbanks and slopes.

July 2018

VPA Director of Facilities & Grounds John Martinez asked the EAC for planting advice on the slope of Gov. Joe Kernan Park. On July 24, VPA naturalist Garry Harrington joined committee members Andrew Tucker and myself on site to assess the property. Our trio found sediment washing into the river and a sign overgrown with vegetation indicating the hillside had been part of a restoration project.



Garry Harrington and Andrew Tucker survey erosion and hillside destabilization at Gov. Joe Kernan Park



A sign explaining that invasives have been removed is nearly illegible due to invasive plant growth

Following the visit, committee members advised the department that the bank was too unnaturally steep to be remedied with plantings and recommended the counsel of a civil engineer or landscape architect to advise on terracing the bank.

July 30, 2018

City Forester Brent Thompson shared a pdf document entitled *SouthBendRiverWindow*. The document contained locations, procedures, and before/after pictures of “river windows” at approximately 14 locations. Among the locations documented was the hillside at Gov. Joe Kernan Park. According to the photograph's timestamps, they cleared the hill's shrub layer sometime between June 2 and August 18, 2017. The area in the photographs below is the same spot surveyed by Harrington, Tucker, and Sass the following summer. By the overgrowth of the honeysuckle, it's apparent the invasive shrubs regrew quickly. Notably, they performed this work at the height of bird nesting season.

The full document can be seen here:

<https://www.indiananature.net/files/VPA/SouthBendRiverWindows.pdf>

Note: I added the yellow highlights on the first page.



BEFORE

AFTER

A snippet of the document *SouthBendRiverWindow* showing the widespread cutting of vegetation at Gov. Joe Kernan Park

July 11, 2019

The minutes of the Ecological Advocacy Committee indicate that John Martinez suggested that an upcoming project for the EAC is to create “Standards/ best management practices of River Windows within VPA Parks.”

Q & A from EAC Members – John Martinez

- VPA Facilities & Grounds staff will attend all future EAC meetings.
- VPA F&G would like to get suggestions/recommendations from the EAC electronically when necessary in between EAC meetings.
- Upcoming Discussion for the EAC –
 - Standards/ best management practices of River Windows within VPA Parks.
 - Plantings around Rum Village Nature Center.
- EAC suggested to VPA F&G staff that they would like to engage more during the early planning process.

Excerpt from the July 11, 2019 EAC Minutes

September 9, 2019

Concerned over park capital improvement projects advancing without their input, the EAC requested VPA provide an action matrix for upcoming projects and suggested creating best management practices for riverbank stabilization.

Action Matrix for Park Projects:

EAC is asking for an action matrix of each park property projects. This will include what phase the project is in, what the upcoming projects will be, and will highlight the sensitive properties. Patrick Sherman will create this list and updated in the Google Drive.

- The next project will be Leeper Park Phase 2 which includes the river overlook.
- Then trail along the river that leads to Howard Park. (This will come back to the EAC as a proposal for bank stabilization Best Management Practices).

Excerpt from the September 9, 2019 EAC Minutes

November 9, 2019

The EAC is introduced to Andrew Force, horticulturist with VPA Facilities & Grounds. The committee expressed concerns to Mr. Force over the ecological impact of the “river window” at Gov. Joe Kernan Park, and again recommended working with an expert on bank stabilization.

- **River window – Keman Park:**
 - **Issues:**
 1. The slope of the bank
 2. Invasive Honeysuckle (which is the only thing stabilizing the bank currently)
 - **Possible Solution:**

Split the bank up into to sections (remove invasive Honeysuckle & plant native ground cover)

Riverwalk from Sample Street to Howard Park:

- Lower sidewalk is being removed.
- An upper sidewalk will be constructed.
- EAC tasked with providing suggestions of native plants/ground cover for bank stabilization.
- EAC believes it would be in the best interest to get input from a designer that deals with bank stabilization.

Excerpts from the November 9, 2019 EAC Minutes

January 6, 2020

With continued concern over the treatment of riparian areas, the EAC asked then VPA staff member Matthew Moyers to revise the 2017 Natural Resources Management Plan and add “bank stabilization” to the list of concerns. Good Shepherd Montessori teacher John DiTillo and IUSB professor Andrew Schnabel joined the EAC. Both would later cite their experiences of witnessing staff spraying native plants along the riverbank as their motivation to apply.

- 2. Matthew Moyers to include “bank stabilization” and “responsible lighting” in the updated NRMP and submit to the park board for approval.

Excerpt from the January 6, 2020 EAC Minutes

August 3, 2020

Garry Harrington reported that VPA will be cutting in river windows near Veteran's Memorial Park and is seeking input from the EAC.

Field at Veteran’s Memorial Park – Garry Harrington

- Garry Harrington visited the park:
 - Plants are coming back nicely except for some invasive species.
 - Milkweed is coming in as well.
 - Geese are present.
- VPA inherited this property from Public Works and have been managing this property.
- VPA Facilities and Grounds (F&G) have been tasked with cutting river windows (areas that the public can view the river).
- F&G is trying to balance the input from the public/leadership and from EAC recommendations. F&G are willing to change how they manage the properties. They need best management practices so they can properly train their staff.

Excerpt from the August 3, 2020 EAC Minutes

December 14, 2020

After eight months of work, I presented a draft of a completely revised and expanded Natural Resources Management Plan (NRMP) to the South Bend Board of Park Commissioners, who unanimously voted it into policy. The plan identified “erosion and bank stabilization” as one of its “guiding ecological principles” and created action strategies for vegetation buffers, river windows, and shoreline stabilization.

11. Erosion and Bank Stabilization

Construction activities and invasive vegetation management on slopes and near waterways can potentially result in the degradation of riparian banks. Therefore, any such activities that threaten bank or slope stability or have a potential for soil runoff should also include a strategy for preserving the integrity of the slopes and banks.

Guiding ecological principle from 2021 NRMP

3. Vegetation Buffers

Strategy: Create, Restore, and Maintain Natural Vegetation Buffers

Key Considerations: Natural vegetation buffers act to stabilize shorelines by preventing erosion. They also filter contaminants before they enter waterways, and they provide microhabitats and habitat corridors for the benefit of native plants and animals. Systems without adequate riparian vegetation are susceptible to degradation via increased sedimentation, non-point source pollution, increased solar exposure, and subsequent thermal stress. The creation, restoration, and maintenance of natural vegetation buffers will facilitate the goal of aquatic resource and water quality protection.

Process:

1. VPA and consultants map and characterize existing vegetation buffers for all aquatic resources (wetlands, ponds, streams) wholly within and adjacent to VPA property boundaries.
2. VPA and EAC create BMPs for natural vegetation buffers.
3. Train VPA F&G staff and other relevant entities on BMPs.
4. VPA staff work to restore and create new vegetation buffers, focusing first on “sensitive natural zones directly under VPA control.”
5. VPA implement education and outreach programs to enhance community understanding of the value of natural vegetation buffers.

Time Frame: Beginning 2021

Informing Documents: MP Strat 3.5.7 and pgs 45-46, SP Obj 2.2 and 2.3, NRMP VA1, VB1, VD6c, 9, and 11, RFTCF pg 49, SJRWMP.

Vegetation Buffers action strategy from 2021 NRMP

4. River Windows

Strategy: Review the procedures for the creation and implementation of river windows. Create guidelines for best management practices.

Key Considerations: “River Windows” are human-made openings in the tree canopy designed to provide enhanced, scenic river views. They are also potential sources for slope destabilization, erosion, and the introduction and spread of invasive vegetation.

Process: VPA and EAC review the procedures for the creation and implementation of river windows. Create guidelines for best management practices and examine the need for policy changes.

Time Frame: 2021 and then reviewed annually

Informing Documents: MP Strat 3.5.7, SP Obj 2.2 and 2.3, NRMP VA1, VB1, VD7 and 11, RFTCF pg 9, SJRWMP.

River Windows action strategy from 2021 NRMP

5. Slopes, Banks, and Shoreline Stabilization

Strategy: Develop and implement best management practice (BMP) guidance for shoreline management and stabilization.

Key Considerations: Impacts from construction projects, maintenance, invasive species removal, creation of river windows, etc. can introduce sedimentary and chemical pollution into waterways to the detriment of water and habitat quality, and biota. Excessive erosion, including undercut stream banks, sloughing shorelines, etc. can also threaten property and human health and well-being.

Process:

1. VPA and EAC develop BMP guidance.
2. Train F&G staff on the implementation of BMPs.
3. Implement BMPs at all sensitive natural properties and park recreation areas.
4. Monitor water quality and biological indicators to assess the benefits of BMP implementation.

Time Frame: 2021 and then updated annually

Informing Documents: MP Strat 3.5.7 and pgs 45-46, SP Obj 2.2 and 2.3, NRMP VA1, VB1, VB4, VD11. RFTCF pg 9, SJRWMP.

Slopes, Banks, and Shoreline Stabilization strategy from 2021 NRMP

The entire 2021 Natural Resources Management Plan can be found by following this hyperlink:
<https://sbvpa.org/wp-content/uploads/2021/03/2021NRMPFinal.pdf>

May 19, 2021

EAC member Emily Alderton noticed large-scale vegetation clearance along Riverside Drive. Unsure of who was doing this work, she contacted EAC and VPA staff for guidance.

Hi All - does anyone happen to know who one might contact / who is responsible for the extensive tree clearance that's just happened along Riverside Drive, right the way down the river banks? Seems a poor choice of timing, in the middle of nesting season. I've no idea if this is something beyond our control, but I'd like to know if there is anything that could be done to inform a better policy in that regard!

Emily.

May 19, 2021 email from Emily Alderton to EAC and numerous VPA staff

May 21, 2021

Based on Emily's concerns, VPA paused the project and issued a revised protocol for river window procedures. Added to the list are provisions for protecting steep banks, areas with high water flow, and nesting birds. These procedures again call for re-vegetating the riverbanks with native plants, and the 2021 revision refers to two appendices of suitable plants. To my knowledge, the department has neither replanted the cleared areas nor created these appendices.

River Vista VPA procedures (5/20/2021 update)

- A river window is a maintained open view of the river along the St. Joe river.
- It allows residents walking, biking, or even driving by to experience the beauty of our river.
- We clear only small scrub brush, invasive woody plants and unhealthy trees to accomplish this task.
- River windows are maintained by the City on public property only.
- The City maintains River Windows in parks and along the river walks.
- Removal of all invasive wood plants under 4" DBH
- Removal of small trees under 4" DBH unless root system could help stabilize river bank
- Removal of all trees with risk rating of moderate high, high or extreme
- Stump removal where possible without causing river bank destabilization problems
- Prune trees for vertical clearance for optimum vision following A-300 pruning standards
- Revegetation of river bank with native plants for bank stabilization
- Plant selection should be species which are considered relatively disease, deep rooting, pest-free and require minimal trimming to be maintained in an attractive condition.
- Areas experiencing slopes of 20 degrees or more shall only have visual obstructions removed and leave root zones of vegetation to maintain soil stabilization.
- Areas experiencing high water flow or that are within IDEM and IDNR restricted areas shall not have trees or vegetation removed.
- Revegetation of riverbank with native plants and trees for bank stabilization
 - Refer to Appendix B: Approved Native Riverbank Species (under current build-out)
 - Refer to Appendix C: Approved Native Tree & Shrub Species (under current build-out)
- Care is taken not to impact visible nesting during the River Vista process.

5/21/2021 updated river vista procedures

August 8, 2021

City forester Brent Thompson reported to the EAC that river window work was about to recommence and that he had been instructed to make the river look like Kernan Park "all the way up." However,

neither the methods described by Mr. Thompson nor those listed in their guiding procedural document included the widespread application of non-selective foliar herbicides to woody or non-woody vegetation.

V. VPA and City Updates

A. River windows - Spring bird nesting season should be over, so work on ridding some areas of invasive shrubs (eg, honeysuckle) could begin again. VPA leadership would like most of the river corridor to resemble the work done at Kernan Park. Brent Thompson explained that removal of unwanted woody plants involves cutting and applying herbicide to the stump, but does not involve pulling stumps, because of the potential for erosion. Most of the removal is on the upper edges.

Excerpt from August 8, 2021 EAC minutes

September 30, 2021

I received an email from Ricky Klee, a South Bend resident concerned about the river window project. Among Mr. Klee's concerns were heavy machinery/compaction, flail mowers, unmarked/non-delineated use of herbicides, bare areas of soil, and an influx of invasive species due to the heavy disturbance.

Hi, Steve,
Thanks for your note and for this context, too. First let me say how glad I am that someone like you is so involved in assisting the city. Thank you for your service to our community!
I took a closer look at things on my bike ride along the river yesterday. Yes, herbicide may have been applied. But there is not any marking where this was done, which is a problem because this is all public space, easily accessible from the Riverwalk. So kids should not be down there if this was done on a large scale, and my kids often are. Besides invasives some stretches of the riverfront still had native populations of wildflowers and grasses. It seems to me that some of these, too, were flail mowed or run over with machinery. If so, it would support your contention that the city just sent a mowing / earth moving crew out and not someone trained in ecology or plant ID. In some places, the trail itself was damaged by heavy equipment use, resulting in large cracks or separation of the pavement. The riverfront and shoreline is in some places also visibly changed by compaction due to the equipment, which in places apparently went right down to the riverbank.
And then there are large stretches of riverfront that are now just open dirt. I saw this about 5 years ago with the woods near Woodlawn and Oakwood by Riverside: they used similar equipment to restore a trail and left large swaths disturbed by the machinery. Now invasives are prolific in these swaths, and the native communities are visibly reduced. I fear we will see worse things along the river thanks to how this is being done, work that as I write is happening closer to my home and heading north to those woods soon.
Peace,
Ricky

Ricky Klee's September 30, 2021 email detailing his concerns

October 1, 2021

I emailed the rest of the EAC members with Mr. Klee's complaint (who I kept anonymous at the time). EAC member Emily Alderton responded that she had seen the river clearing and shared Mr. Klee's concerns.

I can confirm (as I cycle along there most days), they have caused an enormous amount of disturbance, right down to the waters edge. I'll take some photos today. I was most concerned about the obvious bare ground and erosion issues, as well as the destruction of habitat. These aren't so much "river windows" as they have opened up the entire length of river bank, causing disturbance right along riverside drive.

Body of October 1, 2021 email from then EAC member Emily Alderton

Later that day, EAC member John DiTillo weighed in,

I was on the river in my canoe last weekend and the heavy disturbances at the river's edge were hard to miss. The concerned citizen whose email pointed out the use of heavy machinery, herbicides, and clearcutting (with disregard to the status of the plants as native/ invasive) appears to have legitimate concerns on all counts. Strategically removing invasive honeysuckle and replacing it with systematic native plantings would both enhance view of the river and improve the ecological integrity of this zone. What is happening is *not* that.

Portion of October 1, 2021 email from EAC member John DiTillo

Upon returning to the site, Emily Alderton took many photographs of the results of the work, which she shared with the committee. Emily's email further detailed her concerns with the project and her conversation with an anonymous VPA employee who confided that they were also disappointed with the extent of the clearing.





Two of over 40 photos by Emily Alderton of the riverbank along Riverside Drive on October 1, 2021

Hi All,

A little update on this. Today I cycled along the river walk and took some photos of the disturbance caused so far. I also met someone from VPA (who wishes to remain unnamed), who told me that they too were disappointed with the extent of clearing, which goes far beyond "windows" onto the river. They told me that the scope they had received was to clear the entire stretch between Angela Blv. bridge to the sewage works (!) - excluding Woodlawn Park and the stretch north of Pinhook where the woodland is particularly wide. Based on what has been cleared so far, and where I saw the Bobcat parked today, they have got as far as the little river look-out opposite Good Pl.

I have dropped all the photos I took in this folder in the EAC drive (Photo Gallery > River Walk). I tried to take a couple of photos along the riverwalk and across the street to show the location, followed by the close up photos of the disturbance:

https://drive.google.com/drive/folders/137_d-Jmi6mb-Nogoeuo3ISlucglf_o2?usp=sharing

Several particularly bad areas jumped out at me - first, near Riverside North Appts, where the work has caused extensive erosion of the river bank, and damaged the bike trail paving. In other areas, some ground cover has been left in place, but seems to have been sprayed. Areas of wildflowers have also been removed, including the small patches of flowers along the river edge by the Keller Boat Launch seating area (I was just admiring those last week, and the huge diversity of hymenoptera on them, but now they have been completely flailed). Which seems unnecessary with the "river window" remit - they were in no way obstructing the view!

— continued —

I would note however that while I was out I met several people who (I was slightly sad to hear them say), fully supported the clearing, and hoped the city would get rid of all the trees along the river so they could have unobstructed views. It seems the idea of turf grass right up to the waters edge is perhaps still the ideal for some...maybe an area for future outreach to try and help shift perceptions of what city "ecology" could/should look like?

Emily.

October 1, 2021 follow-up email from EAC member Emily Alderton

October 7, 2021

After visiting the site, VPA naturalist Garry Harrington commented and essentially agreed with the EAC and citizen's concerns.

Good morning, EAC members,

As I told Steve earlier this week, I looked at the river windows project two days ago, and was not pleased with what I saw. I was asked to pass on the concerns of the EAC to Brent Thompson and John Martinez, so I did just that this morning. In bullet form, here is what I said:

- A lack of soil stabilization in some places, and soil washing into the river.
- Because chemicals were sprayed so close to the river, possible chemicals washing into the river. Also, some concerns by a park patron that their kids walk with them by the river, but there was no flagging to keep kids back or a head's up to parents that the area had been sprayed.
- The spraying of chemicals caused huge areas to be devoid of plants.
- Some areas look a bit butchered. A lot of trees were unnecessarily removed, and went beyond just creating river windows.
- This is a sensitive riparian (riverbank) area, with a lot of wildlife living there.
- All of the areas near water within the park system have been listed as Sensitive Areas, and should be managed more carefully than those areas not listed as such.
- One person commented that while canoeing, the riverbank now looks pretty ugly in some places, and no longer looks scenic like it used to.
- One member asked why the honeysuckle wasn't just removed, and replaced with natives.
- In some places along the river, possible placement of some signage to educate people on what a healthy riparian ecosystem looks like.
- Across from Riverside North Apartments, there was extensive erosion seen along the riverbank
- In the course of spraying herbicides along the riverbank for invasives, the native grasses and wildflowers were also killed. Wildflowers by the Keller Pak boat launch, which were not obstructing the view of the river, were also killed.
- A resident who walks along the river was concerned about soil compaction, due to heavy equipment use, and the presence of open dirt all the way to the water.

I will wait for their response, and keep you informed. Thank you to those who promptly checked on this issue!

Garry

Email from Garry Harrington to EAC on October 7, 2021

October 10, 2021

I visited Gov. Joe Kernan Park to get an idea of what look VPA desired for the entirety of Riverside Drive, and I found the entire slope recently sprayed with herbicide. Most of the plants killed were native riverbank grapes (*Vitis riparia*).



The slope at Gov. Joe Kernan Park following treatment with herbicide on October 10, 2021

October 18, 2021

At the monthly park board meeting, VPA Partnerships, Community and Standards Coordinator Matthew Moyers presented the commissioners with a draft resolution renewing the Ecological Advocacy Committee. The most substantial change to the renewing resolution was the introduction of a mandatory term limit to the chair position.

October 27, 2021

Following the completion of the vegetation removal along Riverside Drive, I walked the trail and conducted a botanical survey of the trees left behind.

Of the 98 remaining trees, 37 (38%) are exotic to St. Joseph County. 35 of which (36% overall) are “officially invasive” in Indiana, as per the Indiana Invasive Species Council.

December 6, 2021

At the regular meeting of the EAC, talk continued to center around the river window project. Brent Thompson commented that in the Spring of 2022, the crew would begin work on Plaza and Pier Parks. The EAC questioned the wisdom of removing vegetation on such steep slopes, reminded VPA staff that we still haven't seen plans for re-vegetation, and offered to visit the Plaza Park site with staff.

III. Old Business

A. Continued discussion of River Windows project

An extensive discussion centered around two areas:

1) Plant removal, herbicide use, and revegetation along Riverside trail

EAC members asked about the process of woody plant removal along Riverside and use of herbicides during the process. Brent Thompson reported: The forestry crew used Tordon on tree stumps, but that no herbicides were used on smaller brush that was mowed. Plans for next year are not to remove any of the stumps or previously mowed shrubs due to concerns about erosion, but instead to use foliar herbicides in spring 2022 as invasives resprout (especially honeysuckle). When herbicides are applied, flagging or other signage should be used.

Questions were also raised about plans for revegetation. It was unclear how far along those plans were, and so EAC hopes to communicate early in 2022 with Andy Force about those plans. Andrew Tucker noted that EAC's shared GoogleDrive site includes a native plantings guidance folder, which has a river guidelines document from Chicago with information directly relevant to this discussion (eg, BMPs about how to treat banks):

https://drive.google.com/drive/folders/1Xa_BdrKUaS5Z8Bo9F-kbzDUPZ82Uj5AJ

2) Next steps in project and possible EAC consultation

The next work will be between Pier Park and Plaza Park, as well as some areas south of the footbridge. EAC questioned the need and scope of this project and noted the difficulty in working on the steep hillside. It was suggested that the goal, as set by Aaron Perri, is to be able to see more of Howard Park from vantage points across the river. It was also suggested that John Martinez, Garry Harrington, Matt Moyers, Brent Thompson, and perhaps some EAC members visit the area to review the sites that might be affected. EAC could then offer input on the proposed work early in 2022, as work will not actually take place until late summer/early fall 2022.

Excerpt of December 6, 2021 EAC Minutes

December 9, 2021

In the EAC's report to the South Bend Board of Park Commissioners, I wrote extensively about the committee's concerns over river windows. The following Monday, December 12, I presented the report to the commissioners, with photographs of the damage to the city's riparian area.

River Windows

River windows are areas along the St. Joseph River intentionally cleared of view-blocking vegetation to provide scenic vistas for humans. Several years ago, City Forester Brent Thompson supplied the EAC maps and photos of 16 river window locations. The department's guidelines state that they "clear only small scrub brush, invasive woody plants, and unhealthy trees."

The 2021 Natural Resources Management Plan calls for a River Windows Best Management Practice Document, and it has been on the committee's shortlist of tasks. However, VPA staff informed the committee that their number one ecological priority for 2021 was to create a Canada Goose management plan.

On May 19, EAC member Emily Alderton reported seeing "extensive tree clearance along Riverside Drive" and questioned the wisdom of conducting such work during bird nesting season. The EAC voiced our concerns to Facilities & Grounds staff, who agreed to postpone the work until after nesting season. However, Mr. Thompson indicated that the department had greatly expanded the river vista concept and that he had orders to "make the river look like Kernan Park all the way up."

In early October, as the work began again, I spoke with two individual citizens concerned about the extent of the vegetation clearing. Ms. Alderton confirmed, "They have caused an enormous amount of disturbance, right down to the waters edge. I'll take some photos today. I was most concerned about the obvious bare ground and erosion issues, as well as the destruction of habitat. These aren't so much "river windows" as they have opened up the entire length of river bank, causing disturbance right along Riverside Drive."

Over the course of several meetings, the EAC had conversations with VPA staff over the reasons and the methods for such widespread clearing. Ultimately, the EAC could not reach a consensus recommendation to the Park Board, but the following is a summation of the committee's concerns:

- The perceived necessity of opening up large sections of the river, which has virtually no ecological benefit and numerous drawbacks, including:
 - Potential for increased erosion, streambank destabilization, and sedimentary contamination of the river
 - Increased resident Canada Goose habitat
 - Destruction of shrub habitat that is utilized by wildlife, especially breeding birds
- Indiscriminate cutting — Plants are being removed based on trunk diameter instead of species.
- Work performed using heavy machinery, resulting in soil compaction and disturbance, and damage to infrastructure.
- Public safety — Areas along Riverside Drive no longer have safety barriers between pedestrian trail and river.
- The staff has not provided EAC clarity of what constitutes a river view. What is the maximum allowable height of understory species?
- EAC has not seen any plans for replanting
- The maintenance plan will apparently call for an annual mowing of the riparian area. Doing so will eliminate both desirable and undesirable woody species.
- Virtually no public disclosure or input into the project
- Disregard for ecological standards outlined in the 2021 Natural Resources Management Plan
- There are currently no plans to remove the mature, seed-producing invasive trees left in place by the project.

Excerpt from December 2021 report from EAC to Board of Park Commissioners

January 10, 2022

At the year's first EAC meeting, the committee reminded staff that we are concerned about upcoming work to the hillside at Plaza Park. Garry Harrington commented that due to changes in city engineering staff, the site visit had been postponed indefinitely.

- b. Plaza Park – the committee continued to voice concern over the planned vegetation cutting/removal associated with the “River Windows” project. Previously, EAC and VPA and city staff resolved to visit the property to assess the risks, but Garry reported that due to changes in city engineering staff that the visitation has been indefinitely delayed.

Excerpt from the January 10, 2022 EAC Minutes

February 14, 2022

At the regular EAC meeting, the committee again raised concerns over the upcoming work on Plaza Park. Garry Harrington explained that the weather has been too poor for a visit but vowed to set something up. EAC member Andy Schnabel suggested that the discussion should include the upper-level staff. EAC member Lindsay Chadderton volunteered to draft a letter explaining the EAC's concerns.

IV. Old Business

A. Plaza Park Update

Garry Harrington informed visits to examine Plaza Park have been postponed thus far due to weather. With snow cover, it is hard to review the grounds. Will organize EAC members being able to be present for the walks. Work is scheduled to commence still around summer potentially.

Amy commented that with how steep the riparian area is that river windows should be reduced in number and in size.

Convincing those who make decisions on riparian area river windows on how to prevent erosion and invasive species proliferation to be more concerned about EAC suggestions here is becoming more pressing. Andy Schnabel brought up having VPA members at our next meeting to be present so that concerns such as this can be discussed at next month's meeting. Matt said this was possible and would arrange for it.

Lindsay would be glad to take on putting together a short document describing EAC concerns to present to any VPA member.

Excerpt from the February 14, 2022 EAC Minutes

March 26, 2022

The EAC completed the draft of a memorandum to the South Bend Board of Park Commissioners, VPA Executive Director Aaron Perri, Office of Sustainability Director Evie Baughman, VPA Director of Facilities & Grounds John Martinez, South Bend City Forester Brent Thompson, and others. The memorandum again outlined the EAC's concerns over the River Window project and offered specific recommendations.

April 25, 2022

In response to the EAC's memo, Executive Director Aaron Perri and other VPA officials met virtually with several EAC members to discuss the committee's concerns. All parties expressed a desire to work towards a solution amicable to everyone. One notable oddity from this discussion was the sudden departure of the term "river windows." Matthew Moyers tried to explain that all of this work was nothing new but, in fact, part of the department's ongoing "trail maintenance." During this discussion, I stated that the ultimate solution is to work with various regional stakeholders to create a comprehensive, long-term river management plan.

May 14, 2022

EAC member Charlene Rountree and I met on-site at Plaza Park and later along the East Race with VPA staff members Garry Harrington, John Martinez, Matthew Moyers, and Brent Thompson to advise on best practices to open up views of the St. Joseph River without further exacerbating the existing erosion problems.



Eroding shoreline at Plaza Park as seen on May 14, 2022

June 27, 2022

The EAC discussed the May 14 site visits and reiterated our position that on such a steep incline, if they absolutely had to, VPA could cut the honeysuckle, but the stumps should not be removed or

treated with herbicides. Because the honeysuckle will regrow aggressively, yearly maintenance will become necessary. The committee again questioned the wisdom of this project.

IV. New Business

A. Seitz Park Visit and Long-Term Plan for River Windows

Garry Harrington began the discussion by summarizing a recent site visit to Plaza Park and areas of the East Race Trail attended by several members of the EAC and VPA staff. The purpose of the meeting was to assess and make recommendations on the removal of vegetation along those areas in order to improve river views. The consensus from the EAC was that due to existing erosion and slope of the banks that invasive honeysuckle could be cut back, but not removed or treated with herbicide. EAC questioned the importance of creating river vistas along these delicate areas.

Steve pointed out that the river's riparian area is important wildlife habitat and corridor as evidenced by the snapping turtle and eastern cottontail observed on the visit, and stands of native sumac near Pinhook Park, and suggested that the city should cease using "brush hogs" along the river entirely. However, committee members were also sympathetic to the staff's mandated timelines and suggested that staff could mark native vegetation and survey for fauna before the commencement of work.

Excerpt of the June 27, 2022 EAC minutes

September 19, 2022

At the September EAC committee meeting, Matthew Moyers reported that he knew of no updates on future riverbank work but stated if future plans unfolded, the EAC would be VPA's primary consultants.

E. River Vista Program

Matt Moyers reporting on what information he knows from John Martinez. As of now, there were no updates on implementation. If additional funds are approved for riparian projects, than the EAC will be the main advisory source for how to address use of these funds and direction of the project. This is in perspective of how city crews have reduced vegetation at places such as Plaza Park.

Excerpt from the September 19, 2022 EAC minutes

October 24, 2022

At the October EAC meeting, John Martinez reported that the approved 2023 budget included funds for replanting the cleared riparian areas but did not provide any specifics.

John Martinez informed that the budget was approved for what was needed for park projects, as well as additional funds for contracted native riparian plantings added by VPA. Steve Sass reiterated proper maintenance needs and any needed contracted delegation of such.

Snippet from the October 24, 2022 EAC minutes

May 22, 2023

Along with the now former Office of Sustainability Director Evie Baughman, I was the dual recipient

of an email from South Bend resident Debra Durall. Debra had witnessed city crews spraying the riparian area along Riverside Drive with the herbicide Triclopyr 3 (identified by the applicator). Debra had several justifiable concerns:

- The wisdom and legality of spraying herbicide in an area situated between the river and a well-traveled pedestrian/domestic animal walkway (on what she described as a “breezy day”)
- The failure close or cordon off the treatment site during the application
- The non-selective targeting of all vegetation



Dead and dying prairie trillium (*Trillium recurvatum*) along the bank of the St. Joe River (May 22, 2023)

June 22, 2023

I received a phone call from Jessica Merklings, an Urban Wildlife Biologist from the Indiana Department of Natural Resources. Jessica called me to relay a complaint the DNR received from South Bend resident Susan Knight about the condition of the riparian area at Plaza Park, notably the amount of accumulated trash, which she described as a hazard to waterfowl and turtles. I contacted Ms. Knight to let her know that I was looking into her concerns, and later that afternoon, I visited the site and found that the VPA staff had disregarded the EAC’s advice and sprayed herbicide onto the foliage of the shrubs in and around the steep slope and along the riverbank. In addition, as she described, I found a significant amount of trash along the river’s edge, likely aided by the removed vegetation buffer. I passed on my findings and concerns to EAC and VPA staff.



Steep slope at Plaza Park post clearing and foliar herbicide application (June 22, 2023)

June 24, 2023

After four years of trying, the May 22 and June 22 incidents, coupled with John Martinez's reply to my email regarding the June 22 citizen complaint, led me to conclude that the EAC's efforts to work with VPA leadership to create ecologically-responsible riverbank management practices are futile. I realize that my pessimism isn't necessarily shared by my EAC colleagues, and I wish them the best in their efforts to change a system that sees itself as well overall and doesn't want to be changed.

Epilogue

Following my resignation, I returned to Gov. Joe Kernan Park, where this journey began, to find the sprayed hillside a combination of bare ground and early successional, mostly Eurasian weeds.



Gov. Joe Kernan (July 2, 2023)