

CONSERVATION COMMITTEE REPORT

December 16, 2009

08:35–10:00 am

140 West Pine Street

Members Present: Marilyn Marler (chair), Pam Walzer, Dave Strohmaier, Bob Jaffe, John Hendrickson, Dick Haines, Renee Mitchell, Ed Childers, Jon Wilkins and Jason Wiener, Stacy Rye

Members Absent:

Others Present: Donna Gaukler, James Jonkel, Erin Edge and Jared Markel

I. ADMINISTRATIVE BUSINESS

A. Approve minutes.

Minutes of - [December 9, 2009](#) were approved as submitted.

II. FINAL CONSIDERATION AGENDA ITEMS

III. CONSENT AGENDA ITEMS

IV. REGULAR AGENDA ITEMS

A. Discussion on Parks and Recreation department update on projects ([memo](#)).—
Regular Agenda (Donna Gaukler) (Referred to committee: 12/14/09)(**INFORMATIONAL ITEM, REMOVE FROM AGENDA**)

Donna Gaukler, Parks & Recreation Director provide the committee with an update on Parks projects.

- ⊕ HB645 – Installation of four new playgrounds as Sacajawea, Boyd, Marilyn and LaFray Parks. CTA was selected to procure and provide construction/installation of the playground. There will be workshops held in January in the four neighborhoods to get citizen input.
- ⊕ AARA – CDBG -HDR was selected to do the bridge project at Northside Pedestrian Crossing. The project includes maintenance and mitigation of safety issues.
- ⊕ Pineview Park is completed with a grand opening scheduled for Spring 2010. Marilyn – this park is a good example of water wise and native landscaping and using mulch.
- ⊕ 44 Ranch Park – construction of the five acre park is completed through Phase 1. The park includes a pond, natural scape area, large turf area and numerous paths. The developer built the park based on park standards with some of the funding from impact fees. The City is only paying half of the cost.
- ⊕ Conservation Lands Management Plan – ERG was selected to facilitate the development of the plan. Staff is reviewing the rough draft which will then be reviewed further by the technical and citizens working groups. After revisions the plan will be presented at a public open house and once a final draft is complete the plan will go through the process for Council approval.
- ⊕ Mountain Pine Beetle – Parks staff is working with DNRC and other experts to determine the impact on urban forest from the Mountain Pine Beetle. This winter there is a plan to remove over one hundred trees which are infected. Staff is also working with the Forest Service on Mount Jumbo property. One of the methods to deter the beetle is the use of pheromone packets, which will be bought and placed on legacy trees.
- ⊕ The Parks Department's Urban Forestry program received a DNRC grant for \$15,000 which part of the grant will be to buy tree specific software. The Department is working with a Tree task force which includes staff from the University, DNRC and Ken Wall to look at the entire urban forest issues and recommendations for the future.

Dave Strohmaier suggested having a panel discussion on the Mountain Pine Beetle issue.

- ⊕ Virginia Graham Baker Act – is a federal mandate which requires municipal pools to change the drain system. Even though the new aquatics facilities drains meet and exceed the standards; the drain covers are not stamped with VGB. State law requires the replacement of the drains at a cost estimated at \$50,000. The Department will have the drains replaced this year.

- ✦ Gardens: Staff is working with Garden City Harvest, 1000 Gardens, County Park Board and OPG to develop a program and process to include more neighborhood garden on underutilized public lands.

B. Consider an ordinance amending Missoula Municipal Code Title 8, entitled "Health and Safety," Chapter 8.28, entitled "Garbage and Rubbish" to provide for special management of garbage in specific areas within the City of Missoula where there is conflict with bears ([memo](#)).—Regular Agenda (Pam Walzer and Urban Wildlife Subcommittee) (Referred to committee: 09/14/09)(**HELD IN COMMITTEE**)

The Urban Wildlife Subcommittee of the Conservation Committee has met throughout the past year working on reducing the conflict between humans and bears within the city limits. The UWS consisted of Council, Animal Control Fish, Wildlife and Parks Allied Waste, and Defenders of Wildlife.

Effort was focused on how to prevent bears from acclimating to human garbage. The City's Wildlife Feeding Ordinance addresses many of the sources of these foods but it was not recognized that the Garbage Ordinance allowed garbage to accumulate in alleys and backyards. The UWS developed waste management strategies that reduce the availability of human garbage to bears and thus reduce bear/human conflicts. UWS developed an amendment to the Garbage Ordinance to eliminate the accumulation of garbage that allows bears access. These requirements are limited to areas in the City where there is potential bear/human conflict. (See map)

The goal of the meeting is to set a public hearing on the proposed changes to the Ordinance.

Jerod Merkle – Graduate student in Wildlife Biology Program provided the Committee with information he has done the last year for the Fish, Wildlife and Parks on movement and foraging ecology of black bears in the Missoula Urban area. The study started last year is half way completed. His position was funded by a grant to pay for his time and to fund GPS collars to be placed on bear. The goal was to develop an understanding of black bears and human conflicts to assist in the development of management strategies to minimize human/bear conflicts. During the first part of the study, thirty bears were captured in the North Hills with twelve bears collared. The GPS collars take a location every three hours. A map can then be developed which shows the movements of the bear. During the summer of good food year the bear stay in the natural areas in the Rattlesnake and Grant Creek drainages. Sometime in August the bears start to move to urban areas and feeding sites. Jerod visited 180 locations when a bear was sighted and was able to determine that at 107 of the sites the bears were foraging for food.

There are sixteen states which have regulations governing the feeding of bears. Nevada and Alaska have both passed ordinances which lead to a decline in number of bear complaints, and fewer human/bear conflicts/ The successes in reducing conflict, animal resistant waste management system and enforcement of garbage and anti feeding ordinances.

Jerod recently attend the Western Black Bear Workshop and it was recognized that implementing garbage and feeding ordinances is the most important thing to reduce bear conflicts.

Jamie Jonkel, Fish, Wildlife and Parks along with and Erin Edge, Missoula Bear Aware Coordinator also presented the committee with additional information on bears in the urban area.

James works with variety of wildlife species in Missoula area and today's focus is on black bear issues. In 2006 City Council passed the Wildlife feeding Ordinance 3330. The ordinance contradicts the feeding ordinance and as a result uncontained garbage cans are allowed year round. One of the changes would require bear resistant dumpsters. In Missoula between 2003-2008 there were 857 conflicts calls and reports related to bears. 86 black bears trapped and handled and the majority were aversive conditioned and relocated but seven bears had to be destroyed. The majority of conflicts involved black bear accessing garbage and other food attractants. The decision to destroy bear is considered when the bear threatens someone, or breaks and enters into a home. This elevated behavior can cause the bear to be destroyed. The key is to work or remove the items attracting the bear. You can move one bear but another bear moves in if the problem is not resolved.

Erin Edge – Missoula Bear Aware provides education and outreach and has a concentrated effort in the Rattlesnake. The City can tap into existing bear aware efforts and education. There is a Rattlesnake bear task force web site, www.missoulabears.org which provides bear alerts, education and a reporting form. This organization also does press releases, door hangers for wildlife feeding ordinances and has brochures, and outreach information already created.

Jamie – you can create a front line of defense by creating a bear buffer zone using bear resistant products.

Pam – reviewed the proposed changes to the Ordinance – there are only specially designated areas (bear buffer zones) which will require any special garbage handling. Garbage that does not contain bear attractants does not require special handling, so the special areas are not city wide.

There are multiple options for compliance including the purchase or rental of a bear resistant container or keeping bear attractant waste secured in a building or enclosure that a bear cannot get into until after 5 am of waste pickup. Garbage containers must be picked up by 9 pm that same day. This ordinance does not include road kill or windfall fruit.

The penalty for not complying with the ordinance would be a misdemeanor and a fine not less than 25 dollars. During the first year non compliance issues will get a warning. The enforcement agency would be the health department, police and parking commission.

Jason – I move to set the public hearing for adopting a single ordinance for both general and special areas for January 25, on 8.28 to include general and adopt special regulations for waste management.

After more discussion it was decided to continue the discussion at the next meeting on January 6, 2010 and Jason withdrew his motion.

Public comment –

Gary Bakke from Missoula Chamber of Commerce had several questions he would like the subcommittee to answer including what is the increase in the population of bears and should there be different management or a reduction of bears. He would like to see the County included as the bears will not be aware of the buffer zones. He is also concerned about cost of compliance.

V. NON-AGENDA ITEMS

VI. HELD AND ONGOING AGENDA ITEMS - PER COMMITTEE CHAIR – Marilyn Marler

A. Support for City employee cash for Bus Commuters Program ([memo](#)).—Regular Agenda (Ben Schmidt and Nancy Wilson) (Referred to committee: 08/24/09)

B. Consider an ordinance amending Missoula Municipal Code Title 8, entitled "Health and Safety," Chapter 8.28, entitled "Garbage and Rubbish" to provide for special management of garbage in specific areas within the City of Missoula where there is conflict with bears ([memo](#)).—Regular Agenda (Pam Walzer and Urban Wildlife Subcommittee) (Referred to committee: 09/14/09)

ADJOURNMENT - The meeting adjourned at 10:00 am.