

## CONSERVATION COMMITTEE REPORT

July 13, 2011

9:05–10:00 am

140 West Pine Street

**Members Present:** Marilyn Marler (chair), Pam Walzer, Bob Jaffe, Renee Mitchell, Dave Strohmaier, Dick Haines, Cynthia Wolken, Ed Childers, and Lyn Hellegaard

**Members Absent:** Stacy Rye, Jon Wilkins

**Others Present:** Jackie Corday, Payola Hoyt, Carla Boehmler

### I. ADMINISTRATIVE BUSINESS

#### A. APPROVAL OF MINUTES -

Minutes of [06/22/2011](#) were approved as submitted.

### II. FINAL CONSIDERATION AGENDA ITEMS

### III. CONSENT AGENDA ITEMS

1. A resolution that authorizes expending up to \$13,840 of 2006 Open Space Bond funds for a conservation easement on a 160 acre parcel in LaValle Creek Valley. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 07/11/11)

**Motion: The committee recommends the Council set a joint public hearing with the County Commissioners on August 8, 2011 for adoption of a resolution that authorizes expending up to \$13,840 of 2006 Open Space Bond funds for a conservation easement on a 160 acre parcel in LaValle Creek Valley.**

The Boehmler family has decided to donate a conservation easement to Five Valley Land Trust (FVLT) on their 160 acre property. The family has requested that the transaction costs, which include title insurance, mineral research report, baseline report perpetual maintenance and monitoring fee and closing costs be funded by the open space bond fund. Due to the high costs of conservation easement appraisal approximately \$8,000, FVLT is foregoing hiring an appraiser as the value of the donation vastly exceed the transaction costs. The minimum value of property in that area is approximately \$1000/ace. The Boehmler property is highly desirable for large lot development with many possible home sites and thus worth more than the minimum open space value per acre.

The conservation value of the property includes a diverse habitat and location that makes this a value area for wildlife. The property is heavily used by the North Hills elk herd as a critical migratory corridor and winter range. The variety of the habitat niches on the property supports an impressive array of bird species.

The conservation easement would allow the current existing small cabin located on the property and also one more residence to be placed within either of the two building envelopes that are currently are agricultural builds and existing residence. The building envelopes are located near the eastern border of the property which leaves approximately 4/5 of the property in open space without any structures. Any additional agricultural buildings over 5,000 square feet must be located within the 2 residential building envelopes.

The property meets four of the seven types of lands listed by the 2006 Open Space bond. The Open Space Advisory committee has met and unanimously recommended the approval of the property. The \$13,840 would be deducted from the City's portion of the bond. The acreage would be managed and maintained by the Boehmler family.

Discussion:

Public comment:

Carla Boehmler– our family purchased the property for the recreation value, horseback riding and playing out of doors. It is close to Missoula and has a nice diversity of eco systems, which results in diverse wildlife. Our family is united on preserving the property and do not want to see the area sub divided and would hope you will support our effort.

#### IV. REGULAR AGENDA

2. Update on the open space projects. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 06/27/11) (**informational item, remove from agenda**)

Jackie Corday - this is to give you an update on the City's open space acquisitions and conservation easements obtained in the past 5 years in order to give members a perspective of where we have spent the bond money, who have been our major partners, who has originated the request, and what types of lands we've protected. Jackie began by explaining the difference between the 1995 and 2006 county wide bonds. Jackie showed Map F from the Open Space Plan and explained that the boundaries of the Open Space Plan remained the same in the 2006 Update of the Plan as they were in the 1995 Open Space Plan. The boundaries include all of the City and an area approximately 3-4 miles surrounding the City, which is pretty close to the same boundaries as the Missoula Planning Region. There are 9 planning regions in the whole county. The City's \$5,000,000 portion of the 2006 bond must be spent within those boundaries and the County's share is spent on the other 8 planning regions. Map F also shows the Cornerstone priority areas for preservation of open space. Those Cornerstones were established in the 1995 plan and expanded slightly by the 2006 update.

The five million 1995 bond was to acquire open space in or near city, including such areas as Mount Jumbo, North Hills, South Hills, the Clark Fork river corridor, playing fields or trails. There is a balance of \$385,000 remaining in the 1995 bond which is being held to purchase parkland for under serve areas such as Franklin to the Fort. The 2006 bond did not include the urban area park land, but focused on water quality, wildlife habitat, conserving working agricultural lands, etc.

We inquired into obtaining land from MRL at South and Johnson to extend the Bitterroot Branch Trail which currently stops at North Avenue. However MRL has not completed their planning for this property and are not willing to sell or grant an easement at this time. There is also an opportunity for working with the Forest Service on the USFS Motor pool site at 14<sup>th</sup> and Catlin Streets as this property may come available within the next few years.

Renee Mitchell was concerned about environmental issues related to this property.

Jackie explained the site has already had a phase 1 environmental assessment prepared and is now in Phase 2.

Cynthia Wolken inquired as to why there is not more public access on conservation easements or more land purchased for public access.

Jackie explained the 1995 bond focused on purchasing land as land prices had not escalated at that time, and the City was able to acquire lands for \$500-\$2000 an acre which is a reasonable price.

When the 2006 bond passed, land prices were at their height and in order to stretch the dollars partnerships were used to lever funds. Conservation easements are cheaper, and require no maintenance from the City. Many of the properties are still working ranches and in some cases public access is not feasible or appropriate. However, on the Deschamps property, the family is not living on property and Parks negotiated an agreement to allow the Department to conduct four field trips each year. Also, if the conservation easement is donated the family is generally not asked for public access.

Future priorities from the Open Space Advisory Committee include continued preservation of the riparian area along the Clark Fork River, expand the Bicycle Commuter Network and continue to preserve agricultural land and purchase park land for the City's underserved areas.

Jackie also announced that the 5 year anniversary of passage of the 2006 Open Space Bond and the 2006 Update to the Open Space Plan is approaching. OSAC and their County counter-part, the Open Lands Committee (OLC), have recently decided to form a joint sub-committee to work together on planning joint celebration events for the fall of 2011.

**Remove from Agenda**

1. Remove --Information on Trail Projects ([memo](#)).—Regular Agenda (Marilyn Marler) (Referred to committee: 08/23/2010)
2. Update on the University's efforts to install or utilize biomass fuel to generate energy on campus. ([memo](#))—Regular Agenda (Dick Haines) (Referred to committee: 04/25/11)

#### **HELD IN COMMITTEE**

1. Update from Greenhouse Gas Energy Conservation Team. ([memo](#))—Regular Agenda (Ben Schmidt and Marilyn Marler) (Referred to committee: 04/11/11)
2. Discuss the city's strategy to complete a boundary survey of Greenough Park. ([memo](#))—Regular Agenda (Dave Strohmaier) (Referred to committee: )
3. Approve and authorize the Mayor to sign the agreement with MRP for procurement and transfer of wood waste to support the Missoula Sawmill Site Wood Waste Reclamation Project, per the DNRC Wood Waste Grant awarded the City of Missoula. ([memo](#))—Regular Agenda (Alan White) (Referred to committee: 06/27/11)