

CONSERVATION COMMITTEE REPORT

April 20, 2011

9:05–10:00 am

140 West Pine Street

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

Members Absent: Stacy Rye

Others Present: Jackie Corday, Ken Jenkins, Bonnie Thompson, Donna Gaukler

I. ADMINISTRATIVE BUSINESS

A. Approve minutes.

Minutes of [April 13, 2011](#) were approved as submitted.

II. FINAL CONSIDERATION AGENDA ITEMS

III. CONSENT AGENDA ITEMS

IV. Grant of a conservation easement to the City on a 20.57 acre parcel on the west side of Mt. Jumbo and transfer in fee simple of a 6.28 acre parcel located adjacent and to the north. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 04/18/11) (HELD IN COMMITTEE)

MOTION: The committee recommends Council set a joint City/County public hearing on May 23, 2011 for adoption of a [Resolution](#) that authorizes the City to accept the conservation easement and land transfer in exchange for paying the survey costs incurred by the property owners in order to complete the transfer using 2006 Open Space Bond funds.

The Thompson and Huffs properties are located at the base of Mt. Jumbo north of the intersection of Rattlesnake Drive and Missoula Avenue adjacent to the City's Mt. Jumbo Open Space. Ms. Thompson's parcel is about 8.57 acres and the Huffs' parcel is 20.57 acres. Ms. Thompson proposes to deed 6.28 acres in fee title to the City via boundary line relocation. The Huffs propose to grant a conservation easement on their parcel to the City. The conservation easement terms include a 1.42 acre Building Envelope for one residence at the base of the mountain, which means that the remaining acreage, 19.15 acres, will be fully protected in its natural open space state. Ms. Thompson and the Huffs propose granting the property and the conservation easement for the total cost of \$9,810 to the City, which is approximately the fee proposal submitted by Montana Northwest Company for the surveying and re-zoning services needed to achieve these transfers. This proposal would protect another 25.43 acres on Mt. Jumbo at a cost of \$385/acre.

Jackie - the two properties consist mostly of steep timbered and grassland hillside. The open space values include hillside woodland and grassland habitat, a woody draw that attracts numerous bird and mammal species, a natural spring in the woody draw, and elk and deer winter range. Additionally, due to the long and narrow configuration of the Huff property, the eastern boundary line is about half way up the mountainside almost in line with the "L" on Mt. Jumbo. Thus, it provides highly visible scenic views from most of Missoula. Due to the steepness of the Property and the readily available developed trailheads located near the Property, the City does not intend to develop hiking trails or a trailhead on the Property. However, if at some time in the future a trail becomes desired by the public and the City, under the terms of the conservation easement, the City has the authority to construct trails outside of the Building Envelope to connect with the City's Mt. Jumbo Open Space.

Although the risk of any further development (other than what is being allowed) is low the main purposes for expending funds for these properties are: 1) to further consolidate the City's Mt. Jumbo open space; 2) to permanently protect wildlife habitat and elk winter range; and 3) under the terms of the conservation easement, the City has the right to access and use the water source within the cistern located on the Huff parcel for purposes of weed and fire management on the parcel and adjacent City Mt. Jumbo Open Space.

The Open Space Advisory Committee met at the site and approved the proposal given the low rate per acre of \$385 an acre, and this type of land generally sells for around \$1000 an acre.

Discussion:

Renee – the cost is to have the property surveyed for rezoning and we are paying the costs of survey and then we would need to maintain, so what is the benefit since the lands will probably stay in open space.

Jackie – the same type of question was posed by OSAC as to whether or not we are getting the value for the money spent. Although the land is not developable under the current regulations, those regulations could change. Given the price and the fact the conservation easement will protect the land in perpetuity along with the right to use the water, removal of the wire fencing, no more grazing, and the option to help out with weeds to maintain our pristine native plants, all indicated there was enough value at the \$385 an acre rate.

Ken Jenkins – for a long time Bonnie Thompson has wanted to donate the hillside property. Previously she tried to create an agricultural parcel, but this was not approved by the planning office. The area shares a common boundary with the City, and what will happen is essentially just moving the boundary so the area becomes part of the City's current open space. In order to complete the boundary adjustment survey work needed to be done. You are not allowed to create a boundary that does not coincide with zoning, so we went through the zoning process. The cost of doing all of the rezoning process is about half of the \$9800, and was paid to zoning, municipal facility exemption, review fees, recording fees.

Renee – thanks this helps explain the costs.

Marilyn – the City is getting a good deal at the \$385 an acre rate. In reading the support letter from OSAC the City will save about \$1700 a year in helicopter drop fees for water used for spraying weeds. I would like to clarify that it is appropriate for the City to partnership with property owners on weed control, but we cannot agree to take on additional property. The land owner has to participate and this also allows an opportunity for grants.

Dick – who will be responsible for fire management?

Jackie – the Thompson Parcel will be the city's responsibility, since it will go into City ownership, and with the conservation easement on the Huff property the owner is responsible but the conservation easement gives us the option to manage for fire and weeds.

Bonnie Thompson – this land has been in my family for 120 years. My father tried to donate some property to city, and it has always been my dream to buy out my sister's portion which is now owned by Huff. It is great that he shares the same respect for the property and is willing to put into a conservation easement. This has been a financial and emotional toll – but important to me to keep the property intact and try to keep as open space. I am just asking for a little help financially with the process and the \$9800 does not cover all the costs and I hope that you find the same value as I do.

It was moved to set a joint public hearing with the Board of Commissioners for May 23.
The vote was unanimous.

V. REGULAR AGENDA

1. Annual tree planting program update. ([memo](#))—Regular Agenda (Renee Mitchell) (Referred to committee: 01/24/11)(**INFORMATIONAL ITEM, REMOVE FROM AGENDA**)

Ben Carson has recently taken a new position with the University of Montana but provided the committee with the master tree planning schedule which includes species, location and justification for planting. Donna reviewed the location and criteria for the location of the 182 trees scheduled to be planted this spring by the Forestry crew.

- Tan – specifically requested by citizens, groups and individuals who will help water the trees
- Forest Green – trees to for planning in the underserved neighborhood and public right of way to help get a diverse forest developed

- Blue – replacement trees where trees were removed in past and the site is ready to receive a new tree
- Purple – trees installed in various developed park, based on master park plan, etc.
- Sage green – cost share or memorial trees requests
- Pink – trees that will be installed in BID

It was agreed that although the document may have taken some extra work by staff it provided Council with valuable information and also is a good tool for staff to use as part of a work plan. Several of the council members expressed their appreciation for the work done by Ben Carson.

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. Information on Trail Projects ([memo](#)).—Regular Agenda (Marilyn Marler) (Referred to committee: 08/23/2010)
3. Discuss the city's strategy to complete a boundary survey of Greenough Park. ([memo](#))—Regular Agenda (Dave Strohmaier) (Referred to committee: 04/04/11)
4. Confirm the reappointments of Sharee Fraser, Carol Gordon and Marjorie Jacobs to the Cemetery Board for a term commencing May 1, 2011 and ending April 30, 2014. ([memo](#))—Regular Agenda (Mayor Engen) (Referred to committee: 04/18/11)

Meeting adjourned at 10:00 am.