

OPEN SPACE ADVISORY COMMITTEE  
ABBREVIATED MINUTES

December 10th, 2009  
4:00 – 6:00 pm

<b>Present:</b>	Tim Aldrich	<b>Absent:</b>	Karen Knudsen
	Bob Clark		Peter Bugoni
	Mary Manning		Ginny Fay, Park Board Rep
	Jed Little		Jeff Stevens
	Maureen Hartman		
	Gary Knudsen		
	Adam Liljeblad		
	Ethel MacDonald		

Also Present: Jackie Corday, Open Space Program Mgr, Pelah Hoyt (FVLT), & Jim Habeck

**North Hills – Allied Waste property (FVLT)**

Pelah Hoyt from FVLT gave a powerpoint presentation regarding an approximately 312 acre parcel purchased by Allied Waste from the Ryan Family located in the North Hills north of the current landfill. The property was part of the Ryan Family sheep ranch for many decades. They also owned another quarter section to the SW that Allied Waste also purchased for expanding their landfill operations. To the west is property owned by Scott Cooney, Ken Knie owns property to the north, the east is bordered by the Spurlock Ranch, and the south is bordered by City open space (the Schilling property) and the Carlson Ranch. The property is unzoned and outside of City limits.

Max Bauer, Manager of the Allied Waste landfill, would like to see the 312 parcel preserved with a conservation easement held by FVLT. He has an interest in improving the wildlife value of the land and has already begun projects towards that goal, including removing the sheep fencing along the northern border this past fall to make it easier for the North Hills Elk Herd to utilize the area. The conservation easement appraised value is \$1,710,000. Allied has requested \$495,000 for granting the conservation easement and thus that represents a donation of 71% of the value. Additionally, Allied will cover the \$25,000 transaction costs. FVLT will contribute \$50,000 and is requesting \$445,000 from the City's Open Space Bond funds.

Pelah's presentation included the following information:

- 40% of the property contains Locally Important Soils (~128 acres);
- Protecting agricultural soils, wildlife habitat & corridors, and scenic viewshed are all Open Space Plan goals that would be achieved with this project. The property is located completely within the North Hills Cornerstone;
- The property is mainly open grasslands traversed by several woody draws that provide great habitat. The draws contain many huge Ponderosa pines;
- There are no structures on the property – just a couple ranch dirt roads and powerlines;
- FWP classifies the land as elk winter range for the North Hills Elk Herd;
- Native grasses are doing well on the eastern 1/2 of the property. Western 1/2 has been heavily impacted by sheep grassing – lots of cheat grass & knapweed, but no spurge;
- Many species of birds and raptor utilize the land – there are 4 bird Species of Concern, including the Swainson's Hawk;
- Two small livestock ponds are located on the property, which Max plans to restore;
- This property is part of the beautiful open space views enjoyed by all South Hills residents and from many places around the city;
- City hasn't spent money on the North Hills since 1997;
- Allied has agreed to provide public access for hunting and hiking – terms will be worked out later with the City to formalize how and where access will occur;

- Easement terms are very restrictive compared to other FVLT easements. For example, no houses will be allowed and agricultural buildings are restricted to an approximately 10 acre building envelope in the SW corner of the property. Additionally, the terms prohibit land-filling, mining, subdividing (must keep as a single tract), and commercial recreation;
- There is urgency to this project as Allied is a publicly traded company that must receive reasonable compensation for the easement. If the funding is not approved, their other choices include selling it for development or keeping it for landfill.

Jackie informed members she was concerned about the price and had asked Pelah a few weeks ago to inquire with Allied if it could be lowered and/or if FWP could help contribute to the project. Pelah made those inquiries and the answer was no in both cases. Jackie also explained that the public access opportunity is something great to preserve for now. However, Morgan Valliant and Jackie visited the property with Pelah this summer and agreed that access must be carefully planned in the future to protect the high wildlife values of this property. For example, a loop trail through the whole property that allowed dogs off-leash would quickly diminish the ground nesting bird habitat. Also, Mrs. Spurlock has a life-long grazing lease on the 120 acre City Open Space property to the south (Schilling property), and thus no access can be obtained through it to the Allied property until that lease terminates.

Gary pointed out that the long contiguous open area on the property is what makes it such valuable raptor habitat. Moe wondered why Allied was interested in preserving the property as they are in the business of landfills. Pelah explained Max's passion for wildlife coupled with the fact that keeping houses off it will be a good buffer for the existing landfill and the goodwill to the community is also looked at as a corporate benefit.

### **Bonner Hill Property Rough Cut**

Members completed the Rough Cut evaluation for the approximately 101 acre property adjacent to the Bonner School grounds currently owned by TNC as part of the Montana Legacy project. The Bonner School is asking for a \$25,000 contribution towards the \$140,000 purchase price. Moe asked if community or cultural values are part of the evaluation criteria. After reading the 2006 Open Space Bond language and the Rough Cut criteria, Jackie concluded that community and cultural values are not part of the initial evaluation. However, the Open Space Plan contains a section called "Open Space Values and Function"; included in that list are cultural and historic values. Also, the Conservation Lands Innate Characteristics Matrix includes "Human Use Values" such as "the land presents opportunities for environmental education" and public use.

Gary said he would still like more information about the property's value as a wildlife corridor and if there will be access all the way to the river via the RR corridor. Jackie asked all members to send any questions they still have about this property to her prior to the final evaluation, which is scheduled for February's OSAC meeting. Members then unanimously scored the property high enough to pass it along to the next evaluation phase.

### **Open Space Updates**

- 1) OSAC member - Peter Bugoni has moved to Helena recently and thus the City has begun the process to fill the vacancy.
- 2) Council Update - Jackie recently gave City Council an open space update using a map that showed all of the open space purchases with the 1995 and 2006 bonds since 2004. Here is the link to the map: <http://www.ci.missoula.mt.us/DocumentView.aspx?DID=2662>
- 3) Great Year for Open Space - Working together with FVLT, RMEF, TNC, we had either a fieldtrip or project evaluation on the agenda for every OSAC meeting in 2009. We completed closing on the East Jumbo YAWLE property and the RMEF Spooner Creek conservation easement, completed evaluation of the TNC Marshall Canyon property (216 acres), and began evaluation on the TNC Bonner Hill parcel and the FVLT Allied Waste North Hills parcel.

- 4) Grass Valley – Last year FVLT took Karen and Jackie on a fieldtrip out to visit an approximately 120 acre parcel that is north and adjacent to the Mastel Farm. FVLT had contacted the owner, Drake Lemm, to inquire about his interest in preserving the property. His interest is mainly in getting fair market value. He subdivided the property in the late 1990's but never filed the final plat and thus the subdivision approval lapsed. The property is located at the base of the clay hills and has many woody draws that are very valuable wildlife and bird habitat. Denver Holt, an owl expert who also attended the fieldtrip, has been conducting owl research on the property for many years. Jim Brown with Audubon recently informed Jackie that the property is currently listed for sale. Jackie spoke with the realtor who said it has been listed since this summer for \$2,000,000, which Jackie believes is a very inflated price in the current market. But even at half that price, it is out of reach unless many partners come to the table.
- 5) Sherry Property - Jackie and RMEF had hoped to secure a conservation easement on this crucial elk corridor property by late fall, but unfortunately, Mrs. Sherry passed away in November, and it is now up to her children to decide if they want to carry out her wishes of protecting the property.
- 6) Spooner Creek – RMEF closed on this conservation easement in early December.
- 7) GCH community gardens – Parks is working with Garden City Harvest to identify locations for more community gardens that allow folks to purchase garden plots each season. We are looking at miscellaneous small undeveloped city properties and under-developed parklands in neighborhoods that would likely have citizens interested in garden plots.
- 8) CLM Plan – The consultant hired to draft the Conservation Lands Management Plan, Ecosystem Research Group, has recently provided a complete draft of the plan for Park's review. Morgan, Jackie and Donna will review and revise the draft. After that, it will go out to the Technical Working Group (which includes Mary) and the Citizen Working Group for their review by mid-January. A public open house is scheduled for February 9<sup>th</sup> (more details later). Jackie said that she will be sending the draft to OSAC members for their review prior to the open house.
- 9) New Zoning Code - The time devoted in 2008 to drafting new parkland regulations paid off in 2009 when the City Council adopted the changes to the subdivision regulations in March and the zoning code changes in October. The new regulations require parkland dedication or cash-in-lieu for minor subdivisions, change the way parkland dedication is calculated for multi-family projects to increase land dedication, and require parkland dedication for apt and condo projects that don't go through subdivision review. The main purpose of the changes is to get parkland for those residents who need it most – apt and condo owners who have little or no yards.
- 10) Milwaukee Trail - Working together with Dave Shaw and WGM, we completed acquisition of the trail easements for the Milwaukee Trail between Russell & Davis, making many folks in the community very happy indeed and so excited about trail construction in the spring of 2010! Also, we made significant progress with requesting from MRL trail easements to extend the Kim Williams trail east.
- 11) Grant Creek Trail – Territorial-Landworks, Inc. completed the preliminary design work for locating the trail in 2009. There are 14 easements that need to be acquired for the 3 mile trail and that task has been split between TLI and Parks. Our goal is to have all easements secured by spring of 2010.
- 12) YAWLE Trailhead – As was discussed for the YAWLE property acquisition, Morgan and his crew completed installation of a new trailhead at Hidden Trails in East Missoula on the east side of Mt. Jumbo that now provides access to the City's Mt. Jumbo open space.

The meeting adjourned at 6:00 pm with the next meeting date scheduled for 3:30 – 5:30 on Thursday, January 14<sup>th</sup> at Currents.