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Subject: Aspire Subdivision First Sufficiency Review – Five Valleys Audubon Comments
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Five Valleys Audubon Society has had a long-standing interest in land development activity that may impact areas having valued bird habitat. In the case of the Aspire Subdivision, it is the development's impact on riparian habitat along the Clark Fork River. Riparian environments exist as critical habitat for a wide range of wildlife, including birds, large and small mammals, amphibians and reptiles. It is a habitat that occupies less than four percent of Montana's land area. Yet, in spite of its limited presence, it's used by over 80 percent of the bird species found in the state during all or part of the year. No other habitat in the West supports a higher diversity of breeding birds. Further, migrating birds follow river corridors during their journeys and use riparian habitat as stopover areas for resting and feeding.

We have no survey data regarding bird use on land comprising the Aspire Subdivision. However, observations in areas upriver having similar vegetation suggest what bird species would use the site's riparian habitat. Overstory conifers provide hunting perches for large raptors, including both Ospreys and Bald Eagles. The shrub vegetation affords a substantial number of bird species with an area for feeding and nesting. Among the birds we would expect to find are Orange-Crowned, MacGillivray's, Nashville and Yellow warblers, Ruby-crowned Kinglets, Gray Catbirds, Eastern Kingbirds, Western Wood Pewees, Dusky and Willow flycatchers, Cassin's and Warbling vireos, Lazuli Buntings and Calliope hummingbirds.

Our concern with the proposed Aspire Subdivision relates to the impact of its planned riverfront homes on the site's valued riparian habitat. In a development like that being proposed for the Aspire property, we would expect riverfront homes to be sited much further away from the river. The large subdivision development immediately across the river exemplifies what we think should be the case. There, a substantial open space separates homes from the riverine environment.

Recently, Missoula County updated its zoning regulations at the conclusion of a lengthy process involving extensive community involvement. It was a comprehensive effort aimed at developing tools needed to achieve a future envisioned in the *Missoula County Growth Policy*. Important among the regulations were those aimed at protecting the integrity of Missoula's riparian resources. Adopted in 2022, the regulations thoughtfully address land development along Missoula County's rivers and streams. Significantly, they speak to the specific reach of the Clark Fork River that flows by the proposed Aspire Subdivision. There, the regulations call for a minimum 50-foot setback from the high-water mark to protect the riparian resource. An additional minimum distance of 125 feet is required to separate the riparian resources from development activity on adjoining land. These setbacks, as discussed in the County zoning regulations, are appropriate for the site and the Aspire development plan should be revised to reflect them. The riverfront lots now being contemplated for the subdivision are too close to the riparian habitat.

We realize that decision-making on this land development proposal will be guided by laws and regulations of the city. At the same time, serious consideration should be afforded the protective measures offered by the County zoning regulations. With their adoption, the Missoula community has expressed the specific manner in which it wishes to protect riparian habitat affected by the Aspire Subdivision. It is valued habitat within the Clark Fork River corridor, a significant natural resource asset of the Missoula community that deserves thoughtful protection both now and for future generations.

Thank you for the opportunity to offer our comments during this early stage of review for the proposed Aspire Subdivision.