



Montana Fish, Wildlife and Parks - Region 2  
3201 Spurgin Road  
Missoula, MT 59804  
(406) 542-5500  
03/01/2023

Missoula Development Services  
Attn: Dave DeGrandpre or Sean Amundson  
1201 S. 6<sup>th</sup> St. W. #102  
Missoula, MT 59801  
406-542-6633

RE: Aspire Subdivision – 2<sup>nd</sup> Agency Sufficiency Review

Dear Dave and Sean,

Thank you for the opportunity for Montana Fish, Wildlife & Parks (FWP) to provide continued input on the proposed Aspire subdivision located north of Interstate 90, centered between East Missoula and the Clark Fork River. FWP is interested in commenting on the subdivision plan because this area contains important fish and wildlife habitats and is an extremely important wildlife corridor. FWP suggests the following changes and/or mitigations to help offset potential negative impacts to the fish and wildlife species and their habitats.

Wildlife Comments

Bears, lions, and other wildlife cross through this area from Mount Sentinel and via Brick Yard Hill off the base of Mount Jumbo. FWP has documented this movement zone for the county. Several black bears, collared in a black bear study conducted on the MPG Ranch, crossed through this area. Additionally, moose, wolves, and elk have been documented crossing at this site. FWP Conflict Specialist Jamie Jonkel collaborated with city managers to identify areas in need of conservation to reduce wildlife conflict and retain wildlife movement corridors. Through that effort, rivers were identified as an important wildlife travel corridor. For those corridors to be effective, open space needs to be retained along the riverbank. This location is particularly important for wildlife, as it provides open spaces along the river south of East Missoula where wildlife can travel along the riverbank and cross underneath the I-90 bridge span over the Clark Fork River. Given the increased presence and movement of wildlife through this area, FWP recommends additional efforts to reduce potential attractants, such as a restriction on fruit trees and bird feeders in the subdivision.

The proposed project is located in an area where residents should expect to have wildlife using habitats around and within their property boundaries. FWP recommends *Living with Wildlife Covenants* be put in place as part of the project development. These types of covenants are critical to responsible development of natural areas. FWP requests that you review the covenants in the attachment and adopt these as official covenants for the project area, including adequate enforcement mechanisms that assure the covenants are followed by the eventual residents.

### Fisheries Comments

The Aspire Subdivision layout includes ~1,675 ft of Clark Fork River frontage that borders riverfront lots. The current proposal includes a designated riparian area along the riverfront, with a riparian buffer between the riparian area and proposed developments. The most proximate development is the walking trail along the edge of the buffer, between the riparian zone and private lots.

- The designated riparian setbacks in the proposal are appreciated and are essential for protection of water quality, riparian vegetation, river aesthetics, and fish and wildlife values. Protection of riverfront values would be enhanced with a wider buffer. Illustrated and enhanced planting of trees, shrubs, and woody vegetation are also a benefit to the riparian corridor.
- Given the proximity of individual lots and the developed trail to the riparian zone, and how narrow the designated riparian and buffer zones are, there will be a continual risk of degradation to these protections. Experience at numerous other subdivisions in the County has shown that individual lot owners will clear riparian areas for access, better views of the river, and other reasons in front of private lots.
- FWP continues to strongly recommend a fence along the length of the riparian buffer (e.g., jack-leg) adjacent to the proposed trail to minimize impacts to the riparian buffer. This type of fencing and the presence of a visual barrier have proven effective in reducing homeowner encroachment into riparian setbacks and development of trails in other locations.
- Subdivision covenants should specifically prohibit vegetation clearing and construction of user trails through the riparian zone to the river.

### Parks/Fishing Access Site (FAS) Recreation Comments

From an access and recreation perspective, there is a growing trail system in that area, with some tying into projects on our sites (Milltown State Park, particularly the Flats trail) and partner projects (the current and to be expanded shared use trail along Highway 200 near Sha-Ron FAS). Having appropriate connectivity to those networks is important to encourage active recreation and non-motorized or group commuter opportunities (public transportation). If there are more people on bikes commuting to school or work from that area, it is better for both humans and wildlife.

The following members of FWP's Region 2 team will be the primary contacts for this project:

- Ladd Knotek, *Fisheries Management Biologist*, lknotek@mt.gov, (406)542-5506
- Ryan Klimstra, *Missoula Area Biologist*, Ryan.Klimstra@mt.gov, (406)542-5516
- Loren Flynn, *Regional Recreation Manager*, LFlynn2@mt.gov, (406)542-5517

Thank you again for providing FWP the opportunity to comment on the proposed Aspire Subdivision.

Sincerely,



Randy Arnold  
Regional Supervisor, Region 2

## Section A. Living with Wildlife

Homeowners must accept the responsibility of living with wildlife and must be responsible for protecting their vegetation from damage, confining their pets, and properly storing garbage, pet food, livestock feed, and other potential attractants. Homeowners must be aware of potential problems associated with the occasional presence of wildlife such as deer, elk, moose, black bear, grizzly bear, mountain lion, wolf, coyote, fox, skunk, and raccoon. Please contact the Montana Fish, Wildlife & Parks office in Missoula (3201 Spurgin Road, Missoula, MT 59804) for brochures that can help homeowners “live with wildlife.” Alternatively, see FWP’s web site at [www.fwp.mt.gov](http://www.fwp.mt.gov).

The following covenants are designed to help minimize problems that homeowners could have with wildlife, as well as helping homeowners protect themselves, their property, and the wildlife that Montanans value.

- a. Homeowners must be aware of the potential for **vegetation damage by wildlife**, particularly from deer feeding on green lawns, gardens, flowers, ornamental shrubs, and trees in this subdivision. Homeowners should be prepared to take the responsibility to plant non-palatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Also, consider landscaping with native vegetation that is less likely to suffer extensive feeding damage by deer. Native vegetation also protects wildlife, as there are many non-native shrubs and other plants that are poisonous to Montana’s wildlife species.
- b. **Gardens**, fruit trees, or orchards can attract wildlife such as bear and deer. Fruit-bearing trees and shrubs are **not allowed** in this subdivision because they can regularly attract bears in the fall. Keep produce and any fruit such as strawberries picked and off the ground, because ripe or rotting fruit or vegetable material can attract bears, skunks, and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Netting over gardens can help deter birds from eating berries, but netting should be kept taut and highly visible to prevent entanglement of birds and other wildlife.
- c. **Garbage** must be stored either in secure, bear-resistant containers or indoors to avoid attracting wildlife such as bears and raccoon. If stored indoors, garbage cans may not be set out until the morning of garbage pickup and must be brought in no later than that same evening. Consult Montana Fish, Wildlife & Parks for information on purchasing or constructing bear-resistant trash containers. If home sites are occupied seasonally, all garbage from the home and other buildings must be removed from the property before closing up for the season.
- d. **Do not feed wildlife** or offer supplements (such as salt blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that could lead to overuse of vegetation and disease transmission. Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-6-216; Unlawful supplemental feeding) to purposely or knowingly attract bears, deer, elk, or turkeys with supplemental food attractants (any food, garbage, or other attractant for game animals). Also, homeowners must be aware that deer might occasionally attract mountain lions to the area.
- e. **Birdseed** is an attractant to bears. Use of bird feeders is not recommended from April 1<sup>st</sup> through the end of November. If used, bird feeders must: a) be suspended a minimum of 20

feet above ground level, b) be at least 4 feet from any support poles or points, and c) should be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds.

- f. **Pets** must be confined to the house, in a fenced yard, or in an outdoor kennel area when not under the immediate control of the owner and must not be allowed to roam freely as they can chase and kill big game and small birds and mammals. Under current state law it is illegal for dogs to chase hoofed game animals (MCA 87-6-404). Keeping pets confined also helps protect them from predatory wildlife.
- g. **Pet food** must be stored indoors, in closed sheds, or in animal-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, raccoons, and other wildlife. **When feeding pets**, do not leave food out overnight. Pets must be fed indoors or inside kennels so wild animals do not learn to associate food with your home.
- h. **Barbecue grills** must be stored indoors and permanent outdoor barbecue grills shall not be allowed in this subdivision. Keep all portions of the barbecues clean. Food spills and smells on and near the grill can attract bears and other wildlife.
- i. **Fencing** lot boundaries is discouraged. If used, fences should be no higher than 3-1/2 feet (at the top rail or wire) and no lower than 18 inches (at the bottom rail or wire) in order to facilitate wildlife movement and help avoid animals such as deer, elk, and/or moose becoming entangled in the fence or injuring themselves when trying to jump the fence.
- j. **Compost piles** can attract skunks and bears and may not be used.
- k. **Apiaries (beehives)** could attract bears in this area and are not allowed in this subdivision.
- l. **Livestock or domestic** animals such as cattle, pigs, sheep, goats, llama, poultry, etc. (including those kept as 4H projects) are not allowed in this subdivision because they can attract bears, coyotes, and mountain lions.