

## CONSERVATION COMMITTEE REPORT

June 2, 2010  
8:15–09:00 am  
140 West Pine Street

**Members Present:** Marilyn Marler (chair), Pam Walzer, Dick Haines, Renee Mitchell, Ed Childers, Jon Wilkins, and Lyn Hellegaard

**Members Absent:** Bob Jaffe, Dave Strohmaier, Stacy Rye, and Roy Houseman

**Others Present:** Jackie Corday, Jim Berkey, Doug Ardiana

### I. ADMINISTRATIVE BUSINESS

#### A. Approve minutes.

Minutes of May 19, 2010 were approved as submitted.

### II. FINAL CONSIDERATION AGENDA ITEMS

#### III. CONSENT AGENDA ITEMS –

#### IV. REGULAR AGENDA ITEMS –

A. Resolution authorizing the contribution of \$25,000 towards the purchase of a 102 acre parcel with 2006 Open Space Bond funds ([memo](#)).—Regular Agenda (Jackie Corday)  
(Referred to committee: 05/17/2010)(**REMOVE FROM AGENDA**)

The Nature Conservancy ("TNC") requested the City to contribute \$25,000 towards the \$140,000 purchase price of an approximately 102 acre parcel for the Bonner School District that is located adjacent to and east of the Bonner School playground. The remaining \$115,000 portion of the purchase price has been awarded through the Natural Resource Damage Program ("NRDP"). TNC is negotiating with FWP and the USFS to purchase multiple parcels surrounding the Milltown/Bonner area in conjunction with the whole Milltown Dam removal/river restoration efforts.

The property is located within the Open Space Plan boundaries on the eastern edge. This land was formerly owned by Plum Creek Timber and purchased by TNC as part of the Montana Legacy Project. It is mostly steep timbered hillside with one logging road that switchbacks once on the property and then continues NE onto the adjacent privately owned property. The property has traditionally been used by school children and the East Missoula residents as an extended playground for hiking and environmental education. It is an important part of the view shed to the Milltown/Bonner area. Superintendent Ardiana is very enthusiastic about the school owning the parcel. He believes that the school is a good fit and will be able to handle management of the property with in-put and help from the local residents.

Jim Berkey - these parcels were purchased in Phase One of the Montana Legacy Project acquisitions from Plum Creek Timber. We first approached FWP and the Milltown Re-development Group, and the County to see if they had an interest in any of the lands, but it was determined this is within the part of City Open Space plan boundaries. To the Bonner School the B hill is significant and open to the public. The property didn't fit with FWP goals and it is more important for Bonner, Milltown community as the School has been using the parcel. The concept will be for passive recreation and as a resource for the whole community as well as innovative educational programs. There is a deed restriction which stipulates the property must be utilized and maintained as open space. This deed restriction assures permanent protection of the property.

Jon – with school budgets tight, how will the school be able to afford to maintain this property?

Doug Ardiana - Bonner School Superintendent addressed the maintenance question by saying the community is supportive, along with the school board, and there are some discretionary funds to put toward initial management. He does not have an estimated amount for maintenance but the school will rely heavily on volunteers or a possible mil levy to support this project in the future.

Marilyn Marler – there are matching grants for weed suppression.

Renee – How will the property be protected as open space if the school owns it?

Jackie – because the school is not a traditional partner in land conservation, the NRDP funding of \$115,000 was made contingent upon a deed restriction and reversion in favor of the State be placed on the parcel "to assure the property has a recreation/conservation end use in the long-term. TNC has discussed two options with the state NRD program regarding the deed restriction to ensure perpetual base-level protection of the Bonner Hill parcel:

- 1) TNC sells the property to the State of Montana, who places a deed restriction with a reversion clause on the title and then sells to the Bonner School; or
- 2) TNC sells the property directly to the Bonner School District with a deed restriction.

As of this date, TNC has not decided upon which of these options they will take. OSAC members felt that the deed restriction could be stronger and more specific and thus unanimously voted to recommend to the Council and Commissioners to make the Open Space Bond funding contingent upon the following:

That a deed restriction and reversion in favor of the State or The Nature Conservancy be placed upon the property in order to assure that the property's open space values of wildlife corridor and habitat, scenic view-shed, public trails, and environmental education are permanently protected. The reversionary clause in the deed should include language similar to the following "The 102 acre parcel must be utilized and maintained as public open space land without any structural development occurring other than for improvements related to its public open space status."

Dick – if you look 10 years down the road will there still be enthusiasm for weed control and fire suppression?

Pam – every year there will be new young stewards of the land willing to help with this.

The item will be discussed at the next City Council meeting during the joint public hearing with the Board of County Commissioners.

**V. NON-AGENDA ITEMS**

**VI. HELD AND ONGOING AGENDA ITEMS - PER COMMITTEE CHAIR – Marilyn Marler**

**ADJOURNMENT** - The meeting adjourned at 9:45 am.