

OPEN SPACE ADVISORY COMMITTEE
ABBREVIATED MINUTES

March 13th, 2010

4:00 – 6:00 pm

Present:	Tim Aldrich	Absent:	
	Jeff Stevens		
	Bob Clark		Ginny Fay, Park Board Rep
	Ethel MacDonald		Mary Manning
	Adam Liljeblad		Gary Knudsen
	Jed Little		
	Jenny Tollefson		
	Bert Lindler		
	Maureen Hartman (via phone)		

Also Present: Jackie Corday, Open Space Program Mgr, Jim Berkey & Caroline Byrd (TNC), Jim Habeck, and Heather Garramon (U of M Forestry student)

Bonner Hill Property – Final Evaluation

Jim Berkey from The Nature Conservancy informed us that the Natural Resource Damage Program funding request of \$115,000 for the 102 acre property adjacent to the Bonner School grounds was approved. Thus, if OSAC and the governing bodies approve the \$25,000 request from the 2006 Open Space Bond, the school will move forward with the purchase. The goal is to complete the purchase of all 4 parcels in the Milltown/Bonner Clark Fork and Blackfoot River corridors in 2010. The FWP purchase process is even lengthier than the City's so it will take some time.

Jim said that Bonner School District has expressed their intent that this property would remain open to the general public and would serve not only as general public open space, but also as a resource for Bonner School kids and kids from area schools to use this forest for various curricula that would benefit from such an outdoor site. The deed to the property will have perpetual restrictions prohibiting subdivision and development or transferring ownership in any way that would limit its intended purpose for public open space, field-based education, and wildlife habitat.

Details on how the School District drafts a management plan for the property (and who is involved in the planning process) and what that plan looks like are still to be determined. Jim has already offered to help the school draft a management plan and outline a process for getting there and expect that this process will go on for some time. In regards to the question "Why does the community really want this parcel," Jim said that what he has heard from their Bonner community meetings and the Bonner School District meetings is that this parcel means a lot to the Bonner Community. They have looked at it, walked on it, hunted on it, and maintained their "B" on it for generations and would like to continue to do so. Though some folks might see it as a steep patch of heavily managed timber, it seems the Bonner community has a lot of pride and identity wrapped up in that hill.

Bob asked if the school had plans to draft a land management plan for the property, and if so, how could the City have a role in that, i.e. a seat at the table? Jim said he believes it is the schools intent to draft a plan, but could not say for sure. Moe asked who would be the managers of the property? Jim said the school would be, but he said Doug Adriana, the Superintendent, has talked to area residents with forest management expertise about helping the school with land management advice.

Jim also informed us that 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 (open to public, no subdivision or development):

- 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 agreed upon which of these options they will take. Both options would protect the basic conservation values of the property, including its use by wildlife (as a travel corridor, per Jim's discussions with Jamie Jonkel of FWP, and to buffer other wildlife habitats from Bonner developments and human activities. Jim does not think it will be necessary, nor that feasible, to enforce some sort of seasonal closure for public access.

Jackie then suggested that OSAC members consider placing a contingency upon receiving the bond money similar to the one NRD required. Members discussed whether the language used in the NRD funding application was protective enough. It reads as follows: "that a deed restriction and reversion in favor of the State be placed on Parcel #1, which is to be owned by the Bonner School District, to assure the property has a recreation/conservation end use in the long-term." Jackie said that she and Jim Nugent drafted a reversionary clause for the 40 acre Kelly Island parcel that the City gifted to FWP. She read that language "This 40 acre parcel must be utilized and maintained as public open space land accessible by the public without any structural development occurring other than for improvements related to its public open space status."

Members then also discussed Bob's idea about having a seat at the table for drafting the land management plan, and whether or not that should also be a contingency. Jackie suggested that Morgan would be the best City staff person for the project. Both Jed and Tim commented on how important and rather unique this parcel is for providing public access to the Garnet Mountain Range as most of that range is privately owned.

Members then completed the final Evaluation Matrices for the property and the 7 members present and able to vote unanimously scored the project high enough to recommend to Council the \$25,000 expenditure from the 2006 Open Space Bond. Members then unanimously voted to make the funding contingent upon a deed restriction that would protect the land for its open space values. Jackie said that she would draft the language and email it out to members for their review.

Members then unanimously voted to have Jackie send a letter to the School District stating that the City would like to participate in drafting their land management plan. The letter was chosen as opposed to making it a contingency of funding.

Via email on March 25th, members then unanimously approved the following language:

[OSAC recommends to the City Council to make the \\$25,000 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."

The meeting adjourned at 6:00 pm with the next meeting date scheduled for 4:00 – 5:30pm on Thursday, April 8th at Currents.