

# Montana Fish and Wildlife Conservation Trust

## **HABITAT AND RECREATIONAL ACCESS PROJECT FORMS**

- 1. Project Title:** Opportunity Resources—Frenchtown All-abilities Access
- 2. Project Description:**\* Five Valleys Land Trust is working with Opportunity Resources, Inc. to protect its 160-acre ranch with a conservation easement along the Clark Fork River in the community of Frenchtown (Figures 1 and 2). The Opportunity Resources—Frenchtown All-abilities Access Project will protect open space, scenic views, fish and wildlife habitat, clean water, and recreational opportunities for the public on private land and to the Clark Fork River. Currently there is a farmhouse and multiple agricultural structures on the north side of the Property. The conservation easement would not allow for any subdivision of the property and would not permit any additional residences.

The conservation easement would allow for continued agricultural production, and at a minimum, public access to the southern portion of the Property and the Clark Fork River via an all-abilities trail from the proposed parking area along Hamel Road (Figure 3). Access opportunities will include fishing along the Clark Fork River, wildlife viewing, and the use of the property as an outdoor classroom for teachers and students at Frenchtown Elementary. The exact location of the trail has not been determined yet—Five Valleys Land Trust is hiring a consulting firm to help with the design and engineering of the parking area and trail. In addition, Five Valleys Land Trust and the landowner are exploring other public access opportunities with Montana Fish Wildlife and Parks (MFWP). These opportunities may include float-in camping along the Clark Fork River, a float-in day use area, and public hunting opportunities.

- 3. Project Location (Legal Description if available):** The Opportunity Resources – Frenchtown All-abilities Access Project is located in Township 14 North, Range 21 West, Section 3 (Figures 2 and 3). The Opportunity Ranch is located in Frenchtown, approximately 18 miles west of Missoula along I-90. The legal description for the Property is the following:

Parcels ‘A’ & ‘B’ of Certificate of Survey No. 1457, Parcels of Land Located in the NE1/4 of Section 3, Township 14 North, Range 21 West, P.M.M., Missoula County, Montana.

- 4. Submitted By:** Vickie Edwards, Conservation Project Manager, Five Valleys Land Trust, 120 Hickory Street, Suite B, Missoula, MT 59801; 406-549-0755; [vickie@fvlt.org](mailto:vickie@fvlt.org)

5. **Coordinated With:** Kurtis Mayne, on behalf of the Opportunity Resources, Inc. Board, 406-329-1768, [kurtism@orimt.org](mailto:kurtism@orimt.org), Director of Vocational Services, Opportunity Resources, Inc. MFWP's Region 2 staff including: Pat Saffel, 406-542-5507, [psaffel@mt.gov](mailto:psaffel@mt.gov), Fisheries Supervisor; Rory Zahrling, 406-542-5561, [rzahrling@mt.gov](mailto:rzahrling@mt.gov), FAS Program Manager; Ladd Knotek, 406-542-5506, [Lknotek@mt.gov](mailto:Lknotek@mt.gov), Fisheries Biologist.

6. **Project Type:**\* Habitat Protection/Fisheries Enhancement/Recreational Access.

*Habitat Protection and Fisheries Enhancement:* The conservation easement will protect important fish and wildlife habitat along the Clark Fork River, a bull trout and westslope-cutthroat trout river in the Middle Clark Fork River drainage. The Property is located within the Important Bird Area as identified by the National Audubon Society (Figure 2), and is within the Clark Fork-Bitterroot Riparian Corridor, one of the top 12 Tier I Terrestrial Focal Areas in the state (Montana Statewide Wildlife Action Plan, 2015). The property is home to a suite of wildlife including elk, white-tailed deer, black bear, wild turkey, moose, bobolink, Lewis' woodpecker, hooded merganser, willow flycatcher, and many other avian species. The Five Valleys Audubon Society conducted an annual bird survey on the property in the summer of 2017 and observed a minimum of 51 bird species. In the letter of support from the organization, the biologist describes the habitat as, "...outstanding riparian and old growth cottonwood and ponderosa pine gallery forest habitats.... This location supports the best riparian and bottomland forest habitat anywhere along the Clark Fork River in the greater Missoula Valley" (Figure 4). The property includes 86-acres of mapped riparian and wetland habitat.

*Recreational Access:* The conservation easement will include a public access component. At a minimum, public access will be permitted to the southern portion of the Property and the Clark Fork River via an all-abilities trail from the proposed parking area along Hamel Road (Figure 3). Public access opportunities will include fishing along the Clark Fork River, wildlife viewing, and the use of the property as an outdoor classroom for teachers and students at Frenchtown Elementary. The exact location of the trail has not been determined yet—Five Valleys Land Trust is hiring a consulting firm to help with the design and engineering of the parking area and trail. People with disabilities that are unable to access the river via the trail will be able to drive to the river. In addition, Five Valleys Land Trust and the landowner are exploring other public access opportunities with MFWP. These opportunities may include float-in camping along the Clark Fork River, a float-in day use area, and public hunting opportunities.

- 7. Management of Properties:** The property is owned by Opportunity Resources, Inc., a local non-profit. Their mission is to support persons with disabilities in enhancing their quality of life. They will continue to manage the property in alignment with the terms of the conservation easement. Five Valleys Land Trust stewardship staff will monitor the conservation easement on an annual basis. In addition, Five Valleys Land Trust will manage the public access component of the conservation easement, with opportunities described in this proposal to share or transfer the access management to MFWP, and/or another government entity or appropriate non-profit organization. Five Valleys Land Trust is an accredited land trust that holds and monitors 168 conservation easements totaling more than 70,000 acres in western Montana. We also have helped conserve an additional 16,000 acres, and own multiple properties within our service area. These properties include but are not limited to the Confluence property at the Clark Fork River and Rock Creek, the Lincoln Community River Park that we manage for public access opportunities, and the upper portion of Marshall Canyon Ski Area that is open to the public for hiking, mountain biking, hunting, and wildlife viewing.
- 8. Size of Project Area:** 160 acres
- 9. Implementation Schedule:** Five Valleys Land Trust is actively fundraising for the project over the next year and anticipates acquiring the conservation easement by May 2020. The public access opportunities will open incrementally thereafter. If approved by the Missoula County floodplain coordinator and the Missoula County sanitarian, the float-in camping managed by MFWP would begin during the summer of 2020. The public access trail will open within a year of closing the conservation easement. Additional opportunities for float-in, day use will be evaluated by MFWP and added as infrastructure needs are met. Five Valleys Land Trust will work with the landowner and MFWP to evaluate opportunities for public hunter access that would include opportunities for hunters with disabilities.
- 10. Total Project Cost:** Estimated conservation easement acquisition and public access planning costs are described in the table below, and total \$302,295.

Estimated Budget for CE Acquisition & Public Access Planning	Amount \$
Estimated Conservation Easement Value	\$250,000
Estimated Transaction Costs	\$23,700
Five Valleys Land Trust Operations and Other Expenses	\$18,595
Design and Engineering--Public Access Planning	\$10,000
<b>Total Estimated CE Acquisition and Public Access Planning</b>	<b>\$302,295</b>

**11. MFWCT Funds:** Five Valleys Land Trust respectfully requests \$84,700 from the Montana Fish and Wildlife Conservation Trust to acquire a conservation easement with a public access component from Opportunity Resources, Inc.

**12. Matching/Cooperator Funds:** Five Valleys Land Trust is actively fundraising for project costs. Matching co-operator funds are described in the table below. If approved, funding from the MFWCT, Missoula County Open Space Bond Program, Five Valleys Audubon Society (secured), Hellgate Hunters and Anglers, and Summit Independent Services would be used to acquire the conservation easement and transaction costs associated with the acquisition. We will begin the Missoula County Open Space Bond process in May 2019. The project conserves many conservation values that the bond supports, especially the public access component for the community of Frenchtown.

Secured and Requested Funding Sources	Amount \$
Missoula County Open Space Bond Program (Requesting)	\$185,000
Montana Fish and Wildlife Conservation Trust (Requesting)	\$84,700
Five Valleys Audubon Society (Secured)	\$3,000
Hellgate Hunters and Anglers (Requesting)	\$500
Summit Independent Services (Requesting)	\$500
Five Valleys Land Trust (Requesting--Public Access Planning)	\$10,000
Five Valleys Land Trust (Operations and Other Expenses)	\$18,595
<b>Total Anticipated Funds</b>	<b>\$302,295</b>

**13. Project Objective (s):** The Opportunity Resources – Frenchtown All-abilities Access Project will meet the following objectives:

- a. Provide all-abilities public access from a trailhead on the property to the Clark Fork River.
- b. Protect fish and wildlife and their associated habitats.
- c. Protect water quality through protection of riparian habitat.
- d. Provide angling, hiking, wildlife viewing and educational opportunities for the public and students at local schools.
- e. Protect open space that would allow for continued agricultural production where appropriate.
- f. Protect scenic views of the property from the Clark Fork River and Hamel Road, a county road.
- g. Integrate the public on private land with Opportunity Resources' clients with disabilities.

**14. Project Strategies:**

- a. Continue to work with MFWP and the Missoula County sanitarian and floodplain coordinator on float-in camping opportunities for the public. MFWP is supportive of taking on the opportunity if approved by Missoula County staff. Also, we will evaluate a location for the day-use area for river users and hikers.

- b. Work with MFWP Block Management Coordinator to evaluate hunter opportunities on the property, and ensure recreational opportunities are managed to minimize conflict among user-groups.
- c. Contract with an engineering and design firm to plan and design the recreational trails and parking area. Begin applying for necessary permits through the Army Corps of Engineers and the Missoula County Conservation District.
- d. Our stewardship staff will work with teachers at Frenchtown Elementary to begin planning to utilize the property and access opportunities as an outdoor classroom for students.
- e. Continue fundraising to secure remainder of project budget.
- f. Purchase the conservation easement.
- g. Continue stewardship oversight of the conservation easement and land management activities.
- h. Continue management and coordination with MFWP on the public access component of the easement.

#### **15. Area Description:**

- a. Please refer to Figure 2. The Vicinity Map details the Project area with a locator map of the state and Region 2 of Montana Fish, Wildlife and Parks.
- b. Land Status: The Project area is private land owned by Opportunity Resources, Inc. that includes a portion of the Clark Fork River (Figures 1, 2 & 3). Wetland stringers bisect the property, with a total of 86-acres of mapped riparian and wetland habitats. Adjacent lands are private lands, but there is public access along the Clark Fork River to the highwater mark. The location of the Property and proposed trail access are highly valued because it will allow Frenchtown community members to access the Clark Fork River from the town center. This is a community goal that was identified through Missoula County planning processes.

#### **16. Project Analysis: \***

- a. The conservation easement will protect fish and wildlife habitat, clean water, and scenic views by eliminating the opportunity for subdivision and additional residential development. Additional details of the conservation values are described in Question 6 (Habitat Protection and Fisheries Enhancement) of this application. In addition, the conservation easement will ensure perpetual public access to the Opportunity Ranch and the Clark Fork River via an all-abilities trail.
- b. The location of the Property and proposed trail access are highly valued by community members because it will allow Frenchtown community members access to the Clark Fork River from the town center. This is a community goal that was identified through multiple Missoula

County planning processes. A more in-depth description of enhancing public recreational opportunities is included in Question 6 (Recreational Access) of this application.

Five Valleys Land Trust and Opportunity Resources already have started to communicate the future, public access opportunity with adjacent landowners and community members. We presented at the Three Rivers Collaborative meeting and the West Valley Community Council meeting in March, 2019. We will continue to provide both entities updates as we move forward. Also, we will coordinate with MFWP on outreach for the possible float-in camping opportunity. We will use signage and social media to inform the public, and will ensure any future signage is in accordance with MFWP guidelines. We will want to ensure that all signs are in place before opening the property to the public. This is true for the all-abilities trail access from the parking area as well. We will explore the opportunity for an app or other tool that describes and updates the trail conditions.

**17. Existing Project Area Land Management:** The property is privately owned with a portion of it leased to a local ranching family. The family lives in the farmhouse on the property and grazes livestock on portions of the ranch. Missoula County has expressly recognized in the Missoula County Regional Land Use Plan (2002) and the Missoula County Growth Policy, adopted on June 1, 2006, and amended on February 28, 2014, the importance of preserving open space and agricultural lands in Missoula County, Montana, as a result of rapid urban and suburban development of formerly rural lands. The Missoula County 2002 Regional Land Use Plan designates the property as open and resource (1 dwelling unit/40 acres). The conservation easement will protect the values identified in the Plan and Growth Policy.

**18. Use of MFWCT Funds:** MFWCT funds would be used for the purchase of the conservation easement and transaction costs. None of the MFWCT funds would go towards public access planning or Five Valleys Land Trust's staff time.

**19. Project Monitoring:** Five Valleys Land Trust has worked to protect western Montana's natural legacy since 1972. As a community based non-profit organization, Five Valleys' mission is "To protect and preserve western Montana's natural legacy – our river corridors, wildlife habitat, agricultural lands, and community open spaces." Five Valleys Land Trust has a proven history of acquiring, holding, managing, and enforcing conservation easements and can assure the MFWCT that the restrictions in the Opportunity Resources – Frenchtown All-abilities Access conservation easement will be upheld. Five Valleys has a highly developed Conservation Easement Stewardship Policy, which applies consistently to all the properties the organization has a legal interest. We also are an accredited land trust by The National Land Trust Accreditation

Commission that our stewardship program complies with rigorous ethical and technical guidelines for the administration of conservation easements. Five Valleys Land Trust will monitor the conservation easement at least once every year. Stewardship monitoring ensures that the conservation values are protected as intended by the easement. It also gives the landowners additional opportunities to ask questions and address any potential issues before they become violations.

Five Valleys Land Trust stewardship staff will spend additional time on the property coordinating with MFWP, the landowner, community members, and other partners on the public access component of the conservation easement.

## **20. Additional Comments:**

**\*Please review the instructions for specific information required when the project application is for a Conservation Easement. Also, please note the additional information requested as to how the access to this project will be publicly identified.**



Figure 1: View from the property along the Clark Fork River



Figure 2: Vicinity map of the Opportunity Resources-Frenchtown All-abilities Access project area

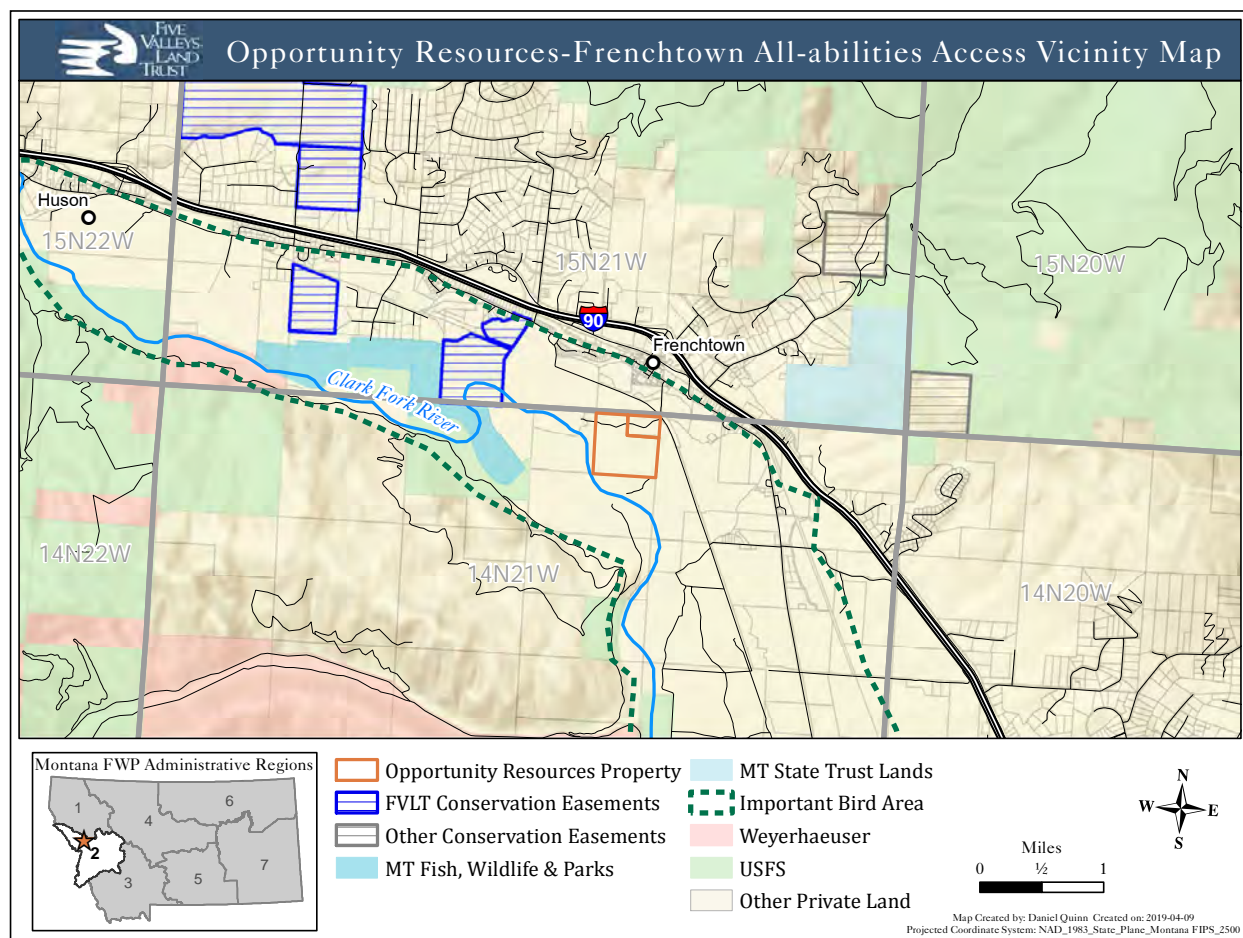




Figure 3: Aerial Map of the Opportunity Resources – Frenchtown All-abilities Access Project



Figure 4: Letter of Support, Five Valleys Audubon Society

**FIVE VALLEYS AUDUBON SOCIETY**

**P.O. BOX 8425**

**MISSOULA, MT 59807**



April 8, 2019

We are writing to support the acquisition of funding to acquire a conservation easement on the Opportunity Resources property as part of the Opportunity Resources-All Abilities Access project, Missoula County, Montana.

Our local Five Valleys Audubon Chapter conducted bird surveys on this property during July 2017, where we were excited to find outstanding riparian and old growth cottonwood and ponderosa pine gallery forest habitats and associated bird species. This location supports the best riparian and bottomland forest habitats anywhere along the Clark Fork River in the greater Missoula Valley. Noteworthy observations included several species of conservation concern, in particular both Lewis's and Pileated Woodpeckers, and a pair of Bobolinks that appeared to be nesting. Bobolinks are of concern nation-wide, because its wet-meadow habitat is rapidly disappearing or often disturbed during the nesting season. In fact, this species has essentially vanished from the Missoula Valley in recent years. We also found several successfully breeding duck species with broods of ducklings in tow, and an excellent shrub understory beneath the stand of cottonwood and pine that provides important habitats to migrant songbirds.

We believe that with managed access, this area would provide outstanding wildlife viewing opportunities for handicapped persons and others—without diminishing the wildlife values. The significant wildlife values and viewing opportunities certainly merit protection and management to maintain and enhance the wildlife habitats and associated populations. We urge you to support this excellent conservation project.

Sincerely,

A handwritten signature in cursive script that reads "Rosemary H. Leach". The signature is written in dark ink and is positioned above the printed name.

Rosemary H. Leach

Certified Wildlife Biologist

President, Five Valleys Audubon