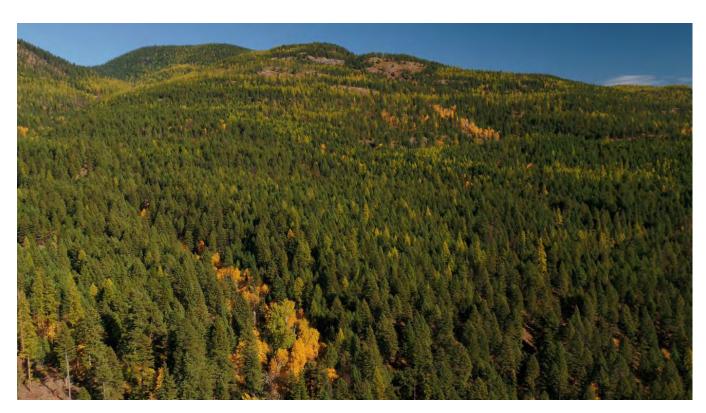
### **UPPER SMITH LAKE LEGACY**

WHITEFISH LEGACY PARTNERS, WHITEFISH, MONTANA

Habitat and Recreational Access Project

MONTANA FISH AND WILDLIFE CONSERVATION TRUST

April 2019





### Montana Fish and Wildlife Conservation Trust

# APRIL 12, 2019 HABITAT AND RECREATIONAL ACCESS PROJECT

### 1. Project Title: Upper Smith Lake Legacy

### 2. Project Description:

This project seeks to protect highly-developable, 320-acre private inholdings, identified as one of the top conservation priorities in the Whitefish community located within the Crown of the Continent eco-region. The project is the first phase of a larger conservation initiative to protect the entire 1880-acre Smith Lake Drainage to create improved connectivity from Montana State Trust land across private land to millions of acres of Flathead National Forest. The Upper Smith Lake Legacy project involves purchasing 160-acres in fee and then encumbering the property with a conservation easement and trail easement, thus protecting its conservation and public recreational values in perpetuity. The fee title will then be transferred to a local, family-owned lumber company through a combination of purchase and donated funds to secure a conservation easement and trail easement on the adjacent 160-acres owned by the lumber company protecting additional acreage with conservation and public recreational values in perpetuity. The conservation easements will ensure the lands will never be converted to other residential or commercial uses, will allow the public the right to recreate, and will ensure the lands remain part of the sustainable timber economy in the future. The trail easements will add to the treasured non-motorized, multi-use recreational resource, the Whitefish Trail, for the general public for generations to come. These properties are surrounded by millions of acres of public land and provide critical habitat for numerous species of concern, including the federallylisted grizzly bear and Canada lynx. The project area also occupies a key piece of a critical wildlife linkage zone and plays a pivotal role in maintaining water quality in Whitefish Lake the only source of water that can meet the growing needs of the City of Whitefish.

### 3. Project Location:

The project area is in the Upper Smith Lake drainage within the Whitefish Lake Watershed approximately 7 miles northwest of Whitefish, MT. The area is known locally as the front-country of the Whitefish Range and the drainage connects to Whitefish Lake, the Stillwater River, and Flathead Lake as part of the Clark Fork Basin. See attached project maps.

### Legal Description:

Parcel 1: Brian McDowell and Michelle McDowell (McDowell Living Trust), Rand McDowell, Linda Reynolds, and Shawn McDowell, all as tenants in common (159.7 acres); Assessor number: 0000532300 NW1/4 of S33, T32N, R22W

<u>Parcel 2:</u> FH Stoltze Land and Lumber Co. (39.9 acres); Assessor number: 0000972346 NW4NE4 of S33, T32N, R22W <u>Parcel 3:</u> FH Stoltze Land and Lumber Co. (40.0 acres); Assessor number: 0000767590 SE4SE4 of S28, T32N, R22W

<u>Parcel 4:</u> FH Stoltze Land and Lumber Co (79.9 acres); Assessor number: 0000972346 SW4SE4SE4SW4 of S28, T32N, R22W

### 4. Submitted By:

Heidi Van Everen, Whitefish Legacy Partners, Executive Director heidi@whitefishlegacy.org
PO Box 1895, Whitefish, MT 59937
406.862.3880

### 5. Coordinated With:

WLP will lead the project's planning, partner negotiations, fundraising, implementation, option agreements, and will act as the project's primary catalyst. WLP has strong working relationships with numerous community partners. Flathead Land Trust (FLT) is currently working with WLP to develop sound conservation strategies, funding plans, maintenance agreements, due diligence, long-term stewardship funds, and broad community support. FLT is committed to holding and managing the perpetual conservation easements on all parcels. The City of Whitefish is committed to holding the permanent public trail easement on all parcels assuming long-term management and maintenance responsibilities for the Whitefish Trail. The City has partnered with WLP since 2008 to pursue community-driven conservation and recreation opportunities on behalf of the public. F. H. Stoltze Land & Lumber Company is a valuable partner willing to consider conservation easements on their property within the project area and are willing to consider fee title ownership of the 160-acre McDowell parcel with an approved sustainable, timber management plan. Stoltze was a key partner in similar conservation projects on land surrounding Whitefish (Haskill Basin, 2016 and Trumbull Creek, 2017). Stoltze is involved in project planning and is willing to make a financial commitment to acquire McDowell in support of conservation values, recreation access on the Whitefish Trail, and sustainable timber management. MT Fish, Wildlife & Parks, Alan Wood, is participating in project planning and is a valuable partner to develop sound management strategies for the project. Finally, we are working with the Rocky Mountain Elk Foundation and the Mule Deer Foundation on conservation strategy, fundraising, and large game habitat restoration. All of the above-mentioned partners, including both private landowners, strongly support this project and letters of support for the project are included.

### 6. <u>Project Type:</u> Recreation Access and Habitat Improvement Project

Whitefish Legacy Partners (WLP) and project partners will leverage broad community support for the project as the project will:

- ✓ Ensure permanent and improved habitat protection,
- ✓ Provide permanent access to the developed recreation network known as the Whitefish Trail,
- ✓ Provide permanent, dispersed recreational access, and
- ✓ Provide a critical connection between State Lands and National Forest lands.

The landscape is currently a patchwork of private land that disjoints larger islands of public land within the Whitefish Range in northwest Montana. Thousands of acres of State Land managed by the Stillwater State Forest to the west are separated from millions of acres of the Flathead National Forest to the east by the 320-acres of private land owned by two parties: 160-acres owned by the McDowell Family and 160-acres owned by F. H. Stoltze Land & Lumber Company. These south-facing, mid-slope elevations are important winter range for rocky mountain elk and mule deer and provide a critical migration corridor for grizzly bears. Neighboring private lands along the face of the Whitefish Range have recently been listed for sale or have sold, making this conservation corridor vulnerable to development pressures. As the population of Whitefish, tourism visitation, and property values increase, it is important that we secure these private lands for the future of wildlife and people.

Dispersed recreation in the project area will allow for hunting, gathering, fishing, and other types of dispersed recreation activities. Whitefish Trail users will access the project area on a non-motorized multi-use, single track trail that will connect from MT State Trust Lands to Flathead National Forest Lands, impacting approximately 6-7 acres. With the DNRC's recent Decision Notice supporting 480-acres of proposed conservation (Smith Lake Public Recreation Use Area) on the neighboring Stillwater State Forest, public access to the project will be from existing trail near Smith Lake and on the proposed Smith Creek trailhead accessed from East Lakeshore Drive. WLP and partners will bring the trail to a mid-elevation pond on McDowell and a higher elevation overlook on Stoltze as the premier recreation destinations of the project.

This private land conservation project is a critical piece of the community's vision for local land conservation and recreation on the Whitefish Trail. In fact, this project will secure a vital piece of the community's conservation vision as outlined in both the Whitefish Area Neighborhood Plan (2004) and the Whitefish Trail Master Plan (2006), both of which were adopted by the City of Whitefish, Flathead County, and the Montana State Land Board.

#### 7. Management of Properties:

F. H. Stoltze Land & Lumber Company will own the land in fee and Stoltze will manage the forest in accordance with the management strategies outlined in a Multi-Resource Management Plan to ensure the long-term, sustainable, professional management of the forest resources, and to provide for commercial production of forest products in manner compatible with the conservation of water quality, fish and wildlife habitat, and recreation for the Upper Smith Lake Conservation Easement.

Flathead Land Trust will hold, maintain, and enforce the purposes and restrictions of the Deed of Conservation Easement to protect important habitat for native wildlife and fish species, ensure the long-term sustainable management of the forest resources, preserve the Whitefish Lake watershed, ensure public access, safeguard the scenic backdrop of the Whitefish Range, and support local jobs and economic impacts.

The City of Whitefish will hold the public recreation trail easement for the purpose of constructing, using, maintaining, repairing, and improving a non-motorized recreational tail for the use and benefit of the general public.

Whitefish Legacy Partners will be responsible for managing public access and long-term maintenance of the Whitefish Trail as identified in Whitefish Trail Operating Plan, Legacy Lands Advisory Council Partnership Responsibilities: Working Rules, Policies, and Operating Guidelines, and the 2011 Memorandum of Understanding (MOU) with the City of Whitefish. Funding for long-term management of the Conservation Easement will be through a proposed Upper Smith Lake Stewardship Fund. Long-term trail maintenance expenses will be funded by the current \$1 million Whitefish Trail Endowment Fund, Adopt-A-Trail Sponsors, partner contributions, and private donations.

### 8. Size of Project Area:

The total project area is 320 acres consisting of 160 acres currently owned by the McDowell Family to be purchased in fee acquisition including conservation and trail easements AND 160 acres currently owned by Stoltze to be encumbered by both conservation and trail easements. The 320-acre project area will be further enhanced by a neighboring project to purchase the Smith Lake Public Recreation Use Easement (PRUE) on an adjacent 480 acres owned by the State of Montana. The State project will remove development rights from the land, secure the public's right of access and development of the Whitefish Trail, and ensure compatible forest management by the State DNRC. With both projects complete, 800 acres will connect the State Trust Lands at Smith Lake to the federal forests managed by the Flathead National Forest.

### 9. Implementation Schedule: Project Start – March 2019, Project Completion – June 2021.

WLP currently has a formal agreement with the McDowell Family to purchase or facilitate the purchase and conservation protection of their property in "full" (fee purchase) and/or in "part" (conservation and trail easement) subject to terms and conditions (attached). Additionally, WLP has a formal letter of support from Stoltze (attached) and a formal agreement to purchase or facilitate conservation protection of their property in "part" (conservation and trail easement) subject to terms and conditions is being drafted and reviewed. A conservation easement appraisal will be initiated April 2019. Terms and conditions are currently being drafted for a signed Acquisition Agreement with McDowell. In addition, Conservation Easement Agreements that describe the conservation purposes, permitted uses, and prohibited uses are underway.

WLP and project partners have identified budgets, timelines, and fundraising goals to finalize the Upper Smith Lake Legacy project by or before June 1, 2021. Construction of the Whitefish Trail and associated recreation amenities are anticipated to commence Summer 2021 with a Smith Lake Grand Opening projected for July 2022.

#### 10. Total Project Cost:

Expenses	
160-acre McDowell FEE purchase	\$1,040,000 (estimated @ \$6,500/acre)
160-acres Stoltze CE purchase	\$264,000 (estimated @ \$1,650/acre)
Preliminary Appraisal	\$12,000
Legal	\$20,000
Due Diligence	\$15,000
Long-term Stewardship Fund	\$25,000
Final Appraisal	\$5,000
Trail Design and Construction	\$150,000
TOTAL	\$ <b>1,531,000</b>

### 11. MFWCT Funds:

WLP and project partners request \$150,000 of MTFWCT funding to secure the project for permanent protection, public access, and forest management.

### 12. Matching/Cooperator Funds:

Income		
McDowell Family (donated CE, bargain sale, cash donation)	TBD	
F. H. Stoltze Land & Lumber (McDowell acquisition - forestry)	TBD	
F. H. Stoltze Land & Lumber (donated CE, bargain sale, cash donation)	TBD	
MT Fish and Wildlife Conservation Trust (pending)	\$150,000	
Rocky Mountain Elk Foundation (pending)	\$100,000	
Mule Deer Foundation (pending)	\$100,000	
MT Recreational Trails Program Grant (apply in Jan 2020)	\$100,000	
Private Donation - Trail Design and Construction (secured)	\$150,000	
WLP & FLT Conservation Reserve (secured)	\$300,000	
WLP & FLT Private Fundraising (TBD)	\$250,000	
TOTAL	\$1,531,00	

### 13. Project Objective(s):

This private land acquisition project accomplishes several key objectives including (1) public access, (2) recreation, (3) wildlife, and (4) economic benefit. The project will provide new recreation access on the Whitefish Trail from State Lands across private lands to Hellroaring Basin in the USFS Flathead National Forest. Dispersed access currently only exists ~5+ miles to the north via a USFS management road. The project will guarantee permanent public access for a wide range of outdoor recreational opportunities including fishing, hiking, mountain biking, horseback riding, berry picking, back-country skiing, and big game hunting. Developed recreation access will be provided from the existing Whitefish Trail at Swift Creek and Smith Lake and from a proposed new trailhead on MT State Trust Lands. This new trailhead

will accommodate 10+ vehicles and will be the starting point for trail users to explore new recreation amenities on private land and neighboring public lands. The Upper Smith Lake Legacy conservation project is part of the larger Whitefish Trail project to create a 55-mile continuous recreational loop trail around Whitefish Lake.

The project will help support the area's outdoor recreation and tourism industries by securing permanent public access for hunting, fishing, hiking, mountain biking, and other outdoor pursuits. Sustainable timber management will also support local jobs in the timber industry.

Additionally, the project will provide a permanent wildlife corridor between the high terrain of Flathead National Forest and the low elevations of Stillwater State Forest. The project area is used by grizzly bears and is located within the Northern Continental Divide Ecosystem – one of the only five USFWS-designated recovery zones for grizzly bears in the lower 48 states. With its coniferous forests, deep snow conditions and abundant prey base of snowshoe hares, the project provides key year-round habitat for Canada lynx. The project also occupies a key piece of a critical linkage zone that spans east-west from Glacier National Park to the Salish Mountains, offering secure passage for ranging wildlife.

The mid-elevation, south-facing slopes are important winter range for rocky mountain elk and mule deer and the area provides important year-round habitat for deer, elk, black bear, mountain lion, grouse, and wild turkey, providing valuable hunting opportunities to the public.

The property plays a pivotal role in maintaining water quality in Whitefish Lake. The City of Whitefish currently get 20% of its municipal water supply from Whitefish Lake and 80% from Haskill Basin (FY15). As the city continues to grow, and snow pack continues to decline due to climate change, the lake will become an increasingly important water source for the city.

Finally, long-term maintenance of the Whitefish Trail and long-term forest management are key objectives of the project.

#### 14. Project Strategies:

WLP is currently working with the McDowell Family to purchase or facilitate the purchase and conservation protection of the property. A qualified, Montana licensed appraiser is being contracted to perform a written appraisal that meets the requirements of federal funding sources, the federal regulations of the IRS, and Uniform Standards and Guidelines. WLP is working with the McDowell Family to negotiate the terms and conditions of an Acquisition Agreement including earnest money, due diligence methodology, closing conditions, and donation options and bargain sale considerations.

Similarly, we are initiating negotiations with F. H. Stoltze Land & Lumber Company to secure a purchase option for a conservation easement. We are also working with Flathead Land Trust and the City of Whitefish to draft terms of the conservation and public trail easements.

Once signed purchase options are secured, WLP will initiate a community wide fundraising campaign to secure the acquisition monies for the project. WLP currently has \$300,000 committed in matching

funds from conservation reserves. We will work with Rocky Mountain Elk Foundation and the Mule Deer Foundation to secure financial support and guidance on large game habitat restoration.

With full funding secured, the McDowell parcel will close with WLP in the chain of title and convey fee ownership to F. H. Stoltze Land and Lumber Company, the conservation easement to Flathead Land Trust, and the trail easement to the City of Whitefish. The conservation easement for the separate 160-acre Stoltze parcels will also close with Flathead Land Trust holding and managing that conservation easement and the city holding the trail easement.

WLP will initiate trail construction and will work with project partners to ensure long-term management of the recreation amenities.

### 15. Area Description:

#### Maps:

- (1) Upper Smith Lake Legacy Vicinity Map, and
- (2) Upper Smith Lake Legacy Ownership and Recreation Map.

### Land Status:

Project lands are currently in private ownership with no formal zoning, no deed restrictions, or conservation easements in place. The McDowell land does not offer public access and the Stoltze land allows for dispersed recreation under the Good Neighbor Policy through rough backcountry terrain via Flathead National Forest. The McDowell parcel has not had any formal forest management since the early 1900's and is primarily used for private recreation. The Stoltze parcel is working forestland under Stoltze's sustainable forest management principles.

### 16. Project Analysis:

What resource issues will be addressed by this project?

If the property were subdivided and developed, it would inevitably result in the loss of irreplaceable wildlife habitat and watershed protection. The property is in close proximity to downtown Whitefish (only 8 minutes away) and has superb development attributes including stunning views and a desirable water feature. Removing the development rights from these parcels will ensure permanent conservation protection, sustainable forest management, and public recreation access. With property values, visitation, and tourism continuing to increase in Whitefish, open lands are being lost to development, further fragmenting habitat and public access forever. We believe the highest and best use for these lands is to remain working forests, ensure habitat connectivity, and provide permanent public recreation access on the Whitefish Trail. Protecting the property would complement the Whitefish Neighborhood Plan which seeks to conserve and enhance public recreation opportunities on 13,000 acres of State School Trust Lands adjacent to the property. Additionally, the McDowell property is in need of forest management to make the entire forest landscape more fire resilient.

How will this proposal enhance public recreational opportunities?

The project area is surrounded by public land that stretches hundreds of miles north into Canada, including Waterton & Glacier Parks, Flathead and Kootenai NF, and the Stillwater State Forest (managed under a USFWS approved Habitat Conservation Plan). The project will ensure public access through the development of the managed Whitefish Trail (WT) system across both properties. The Whitefish Trail is a non-motorized, natural surface, multi-use trail envisioned as a recreational loop trail around Whitefish Lake on the lands surrounding Whitefish. Currently, 42 miles of single-track trails are accessed from 12 trailheads and the Whitefish Trail provides locals and visitors a high-quality recreation experience on local lands. WT trailheads are complete with kiosks that include trail maps, trail user rules and responsibilities, partnerships, wildlife signage, and mutt-mitts for pet-waste and bear-proof containers. WLP maintains an interactive trail map on its website, updates 5,000+ followers on social media, sends a bi-weekly newsletter to ~3,400 subscribers, and distributes free Whitefish Trail maps to the public. These free trail maps are available at the Whitefish and Kalispell Visitor's Center, Whitefish City Hall, bike shops, outdoor gear shops, our office, and all participating Whitefish Trail Corporate Sponsor locations. The McDowell parcel has a 1-acre pond where we plan to install benches and interpretive signs. We will promote this pond as a recreation destination for anglers, hikers, bikers, and swimmers. Similarly, we plan to install a bench and interpretive sign at the top of the Stoltze parcel to celebrate the commanding views of the Flathead Valley and the Whitefish Range. Education is a priority of the project, and we wish to install other historical, ecological, watershed, and conservation interpretive signs throughout the trail system and we will continue to bring students and local groups outdoors to experience the Whitefish Trail and enjoy the protected and connected landscape.

### 17. Existing Project Area Land Management:

The McDowell parcel does not currently have a formal management plan. The property is privately owned and privately managed and consists of two distinct forest types with similar stand and site conditions. The 160-acre Stoltze parcel is managed by Stoltze in accordance with their sustainable forest management principals. The property is subject to a written forest management plan and is a Certified Tree Farm under the American Tree Farm System.

Development of a Multi-Resource Management Plan will be a requirement for the project and considerations will be made in the Plan for both forest management and non-timber use. Recommendations will range from developing a mosaic of stand structures and age class diversity to regeneration and restoration of fire-resistant species. All recommendations will include activities to improve or maintain habitat for wildlife, fisheries, water quality, recreation, and other resources and human values.

### 18. Use of Montana Fish and Wildlife Conservation Trust Funds:

MFWCT Funds will be solely used for funding project acquisition for fee purchase and CE purchase.

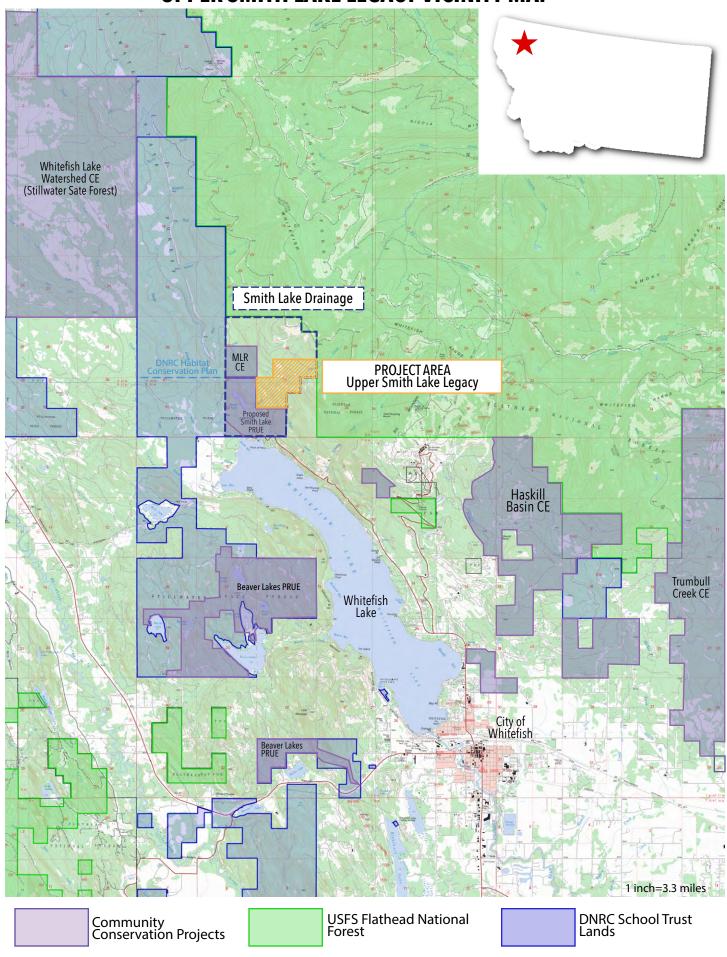
### 19. Project Monitoring:

Land Trust will hold and monitor all conservation easements, Stoltze will manage the timber in accordance with a formal Multi-Resource Management Plan, the City of Whitefish, Whitefish Legacy Partners, the Legacy Lands Advisory Council, and the Whitefish Trail Operations Committee will monitor and manage the trail easement and recreation amenities as outlined in the 2011 MOU. The 50-member volunteer 'Whitefish Trail Patrol' and 'Whitefish Trail Adopt-A-Trail' crews will provide consistent reporting on trail conditions and will perform routine maintenance such as clearing drainages, brushing, and raking tread. If more complex maintenance projects are required, the Whitefish Trail Operations Committee will utilize best practices to quickly plan and execute a solution. Maintenance expenses will be covered by the Whitefish Trail Endowment Fund, Adopt-A-Trail Sponsor contributions, partner contributions, and community fundraising.

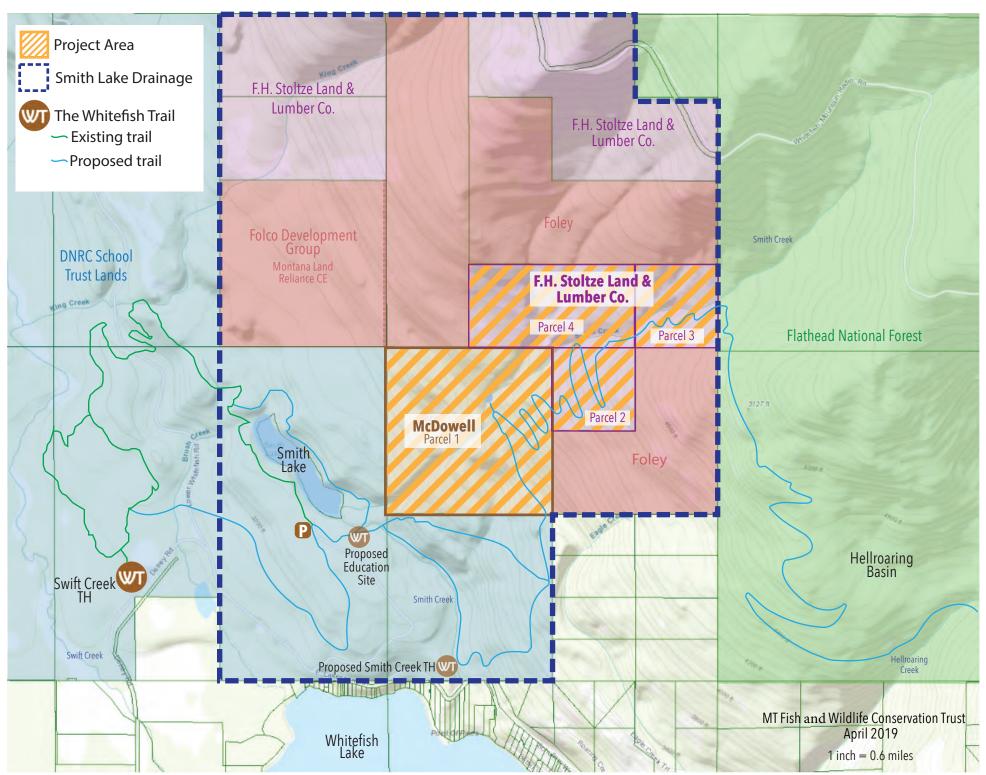
### 20. Additional Comments:

Thank you for the opportunity to apply for a 2019 Montana Fish and Wildlife Conservation Trust Grant. We have attached letters of support from many of our local and regional supporters. Many of our letters are from a recent project similar in location and concept – Smith Lake Hellroaring Project. Smith Lake was originally planned as a 2018 Community Forest & Open Space Conservation Program project, but the project application was not submitted to the United States Forest Service. The project has now evolved into the Upper Smith Lake Legacy project. We hope to have the opportunity to present our Upper Smith Lake Legacy project to the MT Fish and Wildlife Conservation Trust Citizens Advisory Board on May 8, 2019 in Helena.

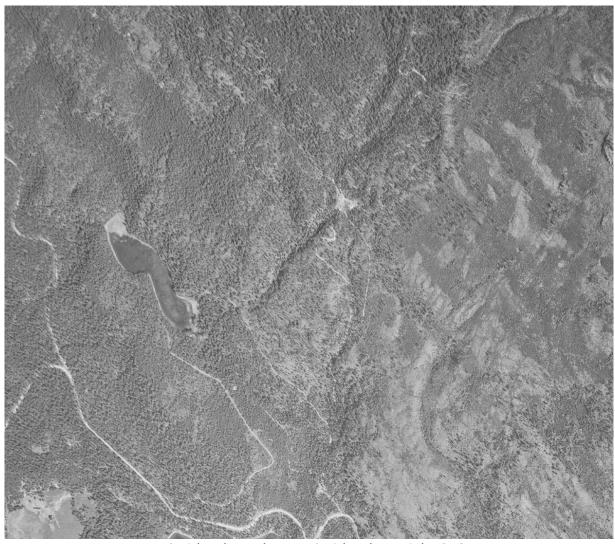
### **UPPER SMITH LAKE LEGACY VICINITY MAP**



### **UPPER SMITH LAKE LEGACY OWNERSHIP & RECREATION MAP**



Four photos are attached in support of our Upper Smith Lake Legacy project. Please use these photos to highlight our project and the Trust. The digital versions have been included in our project packet.



1. Smith Lake and Upper Smith Lake aerial, 1946.



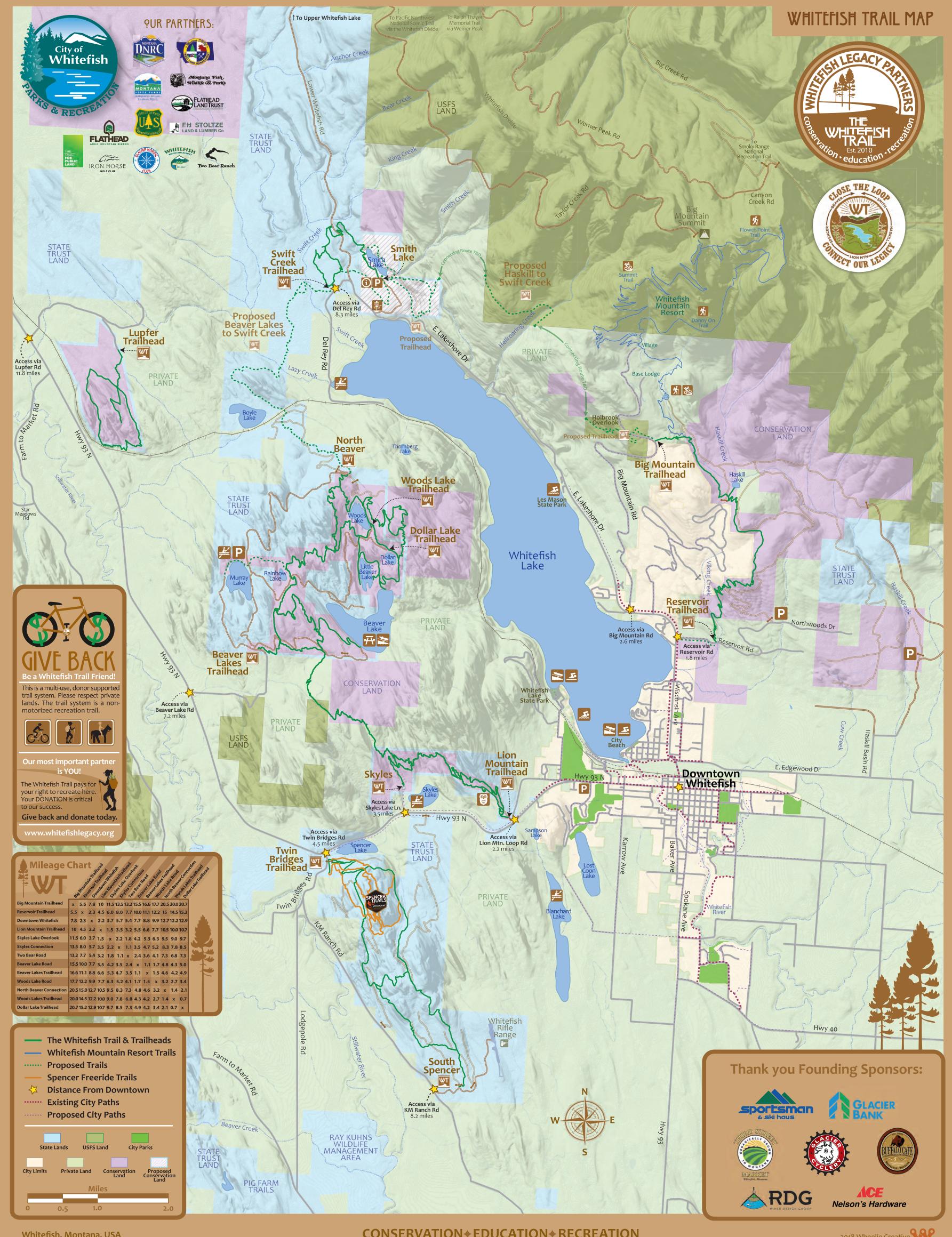
2. View from Stoltze property.



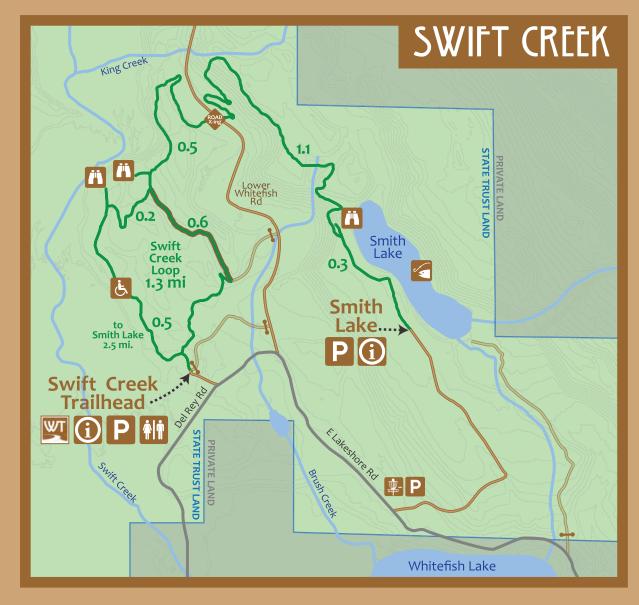
3. View looking north from McDowell property.

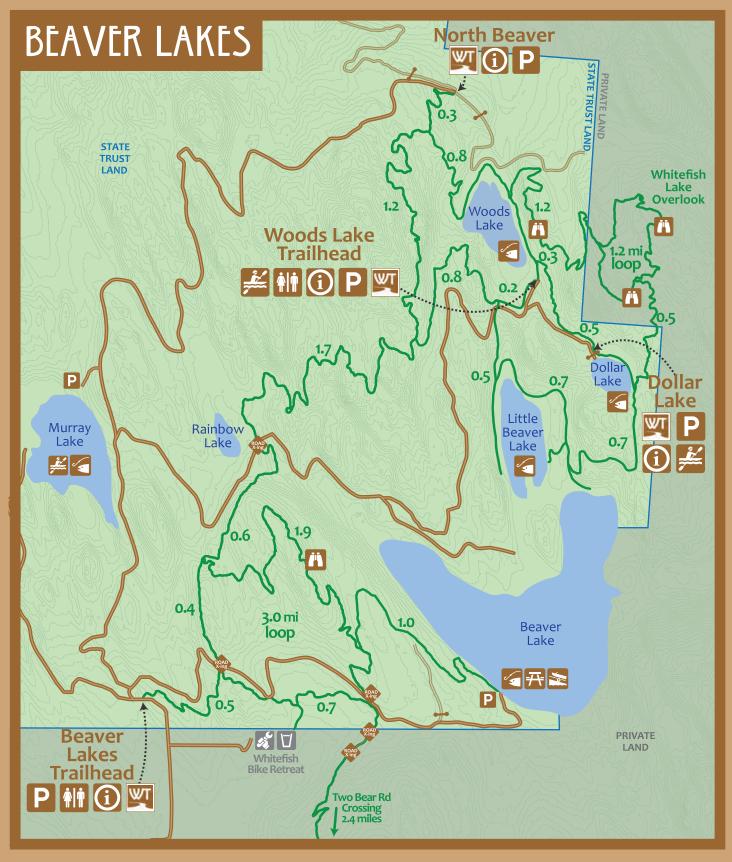


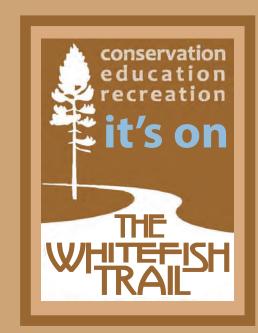
4. Pond located on McDowell property.







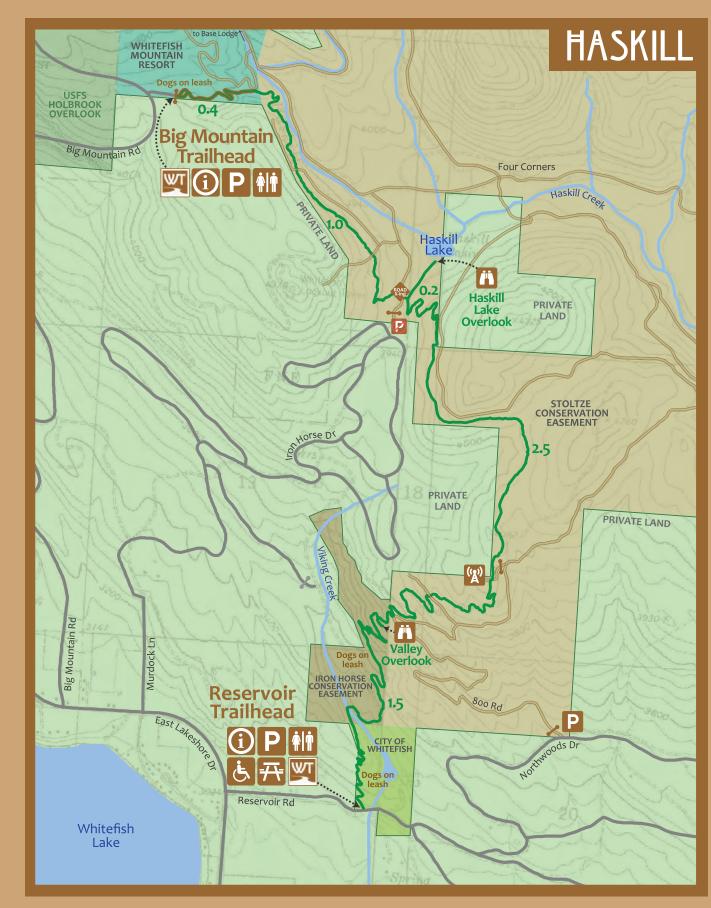






Unmanaged Trail







### **Letters of Support**

- 1. McDowell Family, partner and landowner
- 2. F. H. Stoltze Land and Lumber Company, partner and landowner
- 3. Flathead Land Trust, partner

The following letters of support are from a project similar in location and concept — Smith Lake Hellroaring Project, Community Forest & Open Space Conservation Program. Our application was not submitted to the United States Forest Service in 2018 and has now evolved into the Upper Smith Lake Legacy.

- 4. City of Whitefish, Mayor John Muhlfeld
- 5. City of Whitefish, Parks and Recreation Director Maria Butts
- 6. Flathead County Commissioners
- 7. US Senator Steve Daines
- 8. US Senator John Tester
- 9. Glacier National Park, Superintendent Jeff Mow
- 10. Flathead National Forest, Supervisor Chip Weber
- 11. Montana Fish Wildlife and Parks, Regional Supervisor Jim Williams
- 12. Stillwater State Forest, Unit Manager Dave Ring
- 13. Montana State Parks, Administrator Beth Shumate
- 14. Montana Office of Outdoor Recreation, Director Rachel VandeVoort
- 15. Rocky Mountain Elk Foundation
- 16. Mule Deer Foundation
- 17. Society of American Foresters, Flathead Chapter
- 18. North Valley Hospital
- 19. Whitefish Convention and Visitors Bureau
- 20. Flathead Area Mountain Bikers
- 21. Flathead Lake Biological Research Station
- 22. Flathead Audubon Society
- 23. Great Northern Cycle and Ski
- 24. Rotary Club of Whitefish
- 25. Whitefish School District
- 26. Whitefish Mountain Resort



### **Board of Directors**

Mike Jopek, Chair

Reid Sabin, Vice-Chair

Fred Jones, Treasurer

Julie Baldridge, Secretary

Diane Conradi, ex officio

Leslie Hunt

Ed Lieser

Hank Ricklefs

Becky Smith-Powell

April 9, 2019

Dear Landowner,

The purpose of this letter is to confirm Whitefish Legacy Partners (WLP), a Montana nonprofit corporation and Internal Revenue Code section 501((c)(3) charitable organization, seeks to enter into a formal agreement with Brian and Michelle McDowell Living Trust, Rand McDowell, Shawn McDowell and Linda Reynolds ("Landowners") to purchase or facilitate the purchase and conservation protection of the property described below in "full" (fee purchase) and/or in "part" (conservation easement) (together "Acquisition") subject to the following terms and conditions:

### Acquisition Location and Purpose:

The Acquisition would include 160 acres, more or less, in Flathead County as described in Exhibit A (the "Property"). The primary purposes of the Easement would be to protect the Property in perpetuity for conservation and recreation, to limit subdivision, residential, and commercial or industrial development on the property, to provide a permanent public recreational trail easement, and ensure sustainable timber management.

<u>Parties</u>: It is anticipated that the Acquisition would include multiple parties including but not limited to WLP, Flathead Land Trust, F.H. Stoltze Land and Lumber, and the City of Whitefish. Parties acknowledge that they will take actions necessary in order to secure necessary funding and to permanently conserve the property for public purposes including recreation.

### Purchase Price:

The Property would be acquired for a mutually agreeable price, a portion of which may be in the form of a donation from the Landowner. The purchase price would be no more than fair market value as determined by a Montana licensed appraiser performing a written appraisal that meets the requirements of federal funding sources, the federal regulations of the Internal Revenue Service, and Uniform Standards of Professional Appraisal Practice Guidelines. Landowner would engage a qualified appraiser and Whitefish Legacy Partners would contribute to the cost of the appraisal.

### Expenses:

There will be expenses associated with the Acquisition and permanent conservation protection including the qualified appraisal for the land, the preparation of a baseline inventory report (required by the Internal Revenue Code), a title insurance policy, geologist's report, legal and financial advice, stewardship fees, and closing costs. The payment of expenses will be negotiated between the parties.

### Purchase and Sale Agreement:

In order to turn this letter of intent into a contract, we must be able to agree on terms and conditions and sign the Agreement for the Acquisition. If that occurs, the WLP will deposit earnest money in an escrow account with a mutually acceptable escrow agent/title company. The terms of the Agreement would, at the very least, include conditions to finalizing and paying for the Acquisition (referred to as a "Closing") that include, but are not limited to WLP having a time period to conduct due diligence regarding title to and physical condition of the property and securing funding as outlined below.

### Conditions:

The Property would be encumbered with a Conservation Easement. The Easement is another agreement that describes the conservation purposes, and the uses of the Property that are permitted and prohibited depending on those conservation purposes. The Easement will be recorded in the real property records of Flathead County and become binding on the Property and the successors in ownership. The form of the Easement would be attached as an exhibit to the Agreement. It will be subject to modification necessary for approval by any third-party funding sources, as set out below.

### Funding:

In order to acquire the funds to purchase the Easement, the Land Trust intends to pursue funding from multiple funding sources. The likely funding sources limit the purchase price to no more than the fair market value of property as determined by a qualified appraisal.

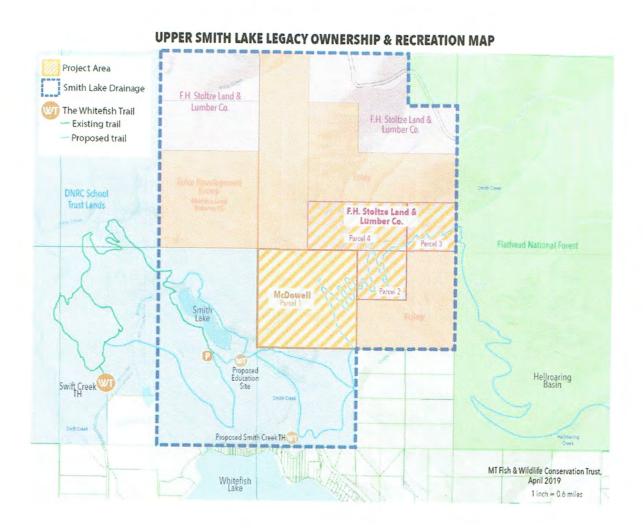
If the basic terms and conditions of this letter are acceptable to you, please sign your name below. Once WLP receives a copy of this letter with your signature, we agree to negotiate with you in good faith for the Agreement and the terms of the Acquisition. This letter is an indication of our intent. As a result, it is not binding on either of us. This means that it cannot be relied on as a basis for a contract, in law or equity. Accordingly, no party is contractually bound until we all sign an Agreement.

Thank you for your consideration. Please do not hesitate to contact me at (406) 862-3880 if you have any questions or concerns.

Mike Jopek D Board Chair, Whitefish Legacy Parti	04.11-2e9 Date ners
Heidi Van Everen D Executive Director, Whitefish Legac	Pate cy Partners
legally enforceable agreement for th	ter into a good faith negotiation for a see purchase and sale of my real property or in part. I understand that by signinging contract for the sale of any real $\frac{4-1/-19}{\text{Date}}$
Rancle-McDwell Landowner	<u>4-11-19</u> Date
Shawn My Candowner	<u>4-11-19</u> Date

# EXHIBIT A LEGAL DESCRIPTION AND MAP

The Northwest Quarter (NW1/4) of Section thirty three (33), Township thirty two (32) North, Range twenty two (22) West, MPM, containing in all 160 acres more or less, according to the government survey thereof.





### F.H. STOLTZE LAND & LUMBER COMPANY

Lumber Manufacturers
Box 1429 Columbia Falls, MT 59912
Phone (406) 892-7005 Fax (406) 892-1612
www.stoltzelumber.com

April 8, 2019



Montana Fish & Wildlife Conservation Trust P.O. Box 1993 Helena, Montana 59624

RE: Upper Smith Lake Legacy Habitat and Recreational Access Project



Member Since 1966

To Whom it may Concern,

F.H. Stoltze Land & Lumber Company (Stoltze) strongly supports Flathead Land Trust's (FLT) partnership with Whitefish Legacy Partners (WLP) and the City of Whitefish to help create the *Upper Smith Lake Legacy Project*. We hope their application receives full funding to facilitate the conservation project proposed in the Smith Lake Area.

F.H. Stoltze Land & Lumber Company is a family owned and operated forest products company based in Columbia Falls, MT. Having incorporated in 1912, we have formally been doing business in Montana for 107 years. Our timberlands, sawmill, and renewable energy power plant have been an integral part of the local community for over a century.

Stoltze is also a proud partner and supporter of WLP and the Whitefish Trail system that runs through State, Forest Service, Stoltze, and other privately-owned lands. In fact, we recently partnered with WLP, the City of Whitefish, MT Fish, Wildlife, & Parks, USFS Forest Legacy Program, and the Trust for Public Land to conserve 3,022 acres of our working forests in Haskill Basin.



Charter Membe

We were proud to work with WLP and the City to secure a public trail corridor for the Whitefish Trail within the Haskill Basin Conservation Easement that provides a key recreation link between the City of Whitefish and Whitefish Mountain Resort. It has become a popular recreational amenity for residents and visitors of Whitefish that adds an economic boost to the local economy.

The proposed Upper Smith Lake Legacy project will provide the anchor for conservation of this important recreational, visual and ecological landscape. In addition, the project will provide a continuous recreation corridor between Smith Lake trails on State Trust Land and proposed trails through Hellroaring Basin on Flathead National Forest. The conservation of an important wildlife travel corridor coupled with protection of the municipal water supply and preservation of tradition land use vistas make the project more comprehensive in context.

This project in the Smith lake area aligns perfectly with Stoltze long term forest management goals, continued community involvement, and implementing our land stewardship ethics. Stoltze is committed to working with WLP and FLT to pursue the necessary transactions to facilitate the implementation of this project, subject of course, to agreement on specific terms, conditions and values to be determined.

Whitefish Legacy Partners has proven themselves as a strong community leader, an effective public partner, and successful organization catalyzing the community's vision to secure conservation, education, and recreation on the lands around Whitefish, MT for future generations. The Whitefish Trail bolsters conservation and stewardship ethics within the community, and we strongly support this critical piece of their "Close the loop" project.

Thank you for considering this proposal.

Sincerely,

Paul R McKenzie

Lands & Resource Manager

F.H. Stoltze Land & Lumber Company





April 8, 2019

Montana Fish and Wildlife Conservation Trust PO Box 1993 Helena, MT 59624

Re: Letter of Support for Whitefish Legacy Partners grant proposal

Dear Montana Fish and Wildlife Conservation Trust:

I would like to offer strong support from the Flathead Land Trust for the Whitefish Legacy Partners grant proposal to provide funding for the 160 acre McDowell property acquisition and conservation project.

Since 1985, the Flathead Land Trust has been playing a critical role in protecting northwest Montana's natural beauty, clean water, and important wildlife habitat – all things that sustain our high quality of life here. We accomplish this work by partnering with landowners, agencies, other nonprofit organizations, and the community to implement effective land conservation strategies as well as community projects that provide new recreational opportunities.

The McDowell project protects a key piece of land which will secure wildlife habitat and open space in perpetuity, along with protection of the Smith Creek watershed. In addition, the project will help to connect Montana DNRC land to US Forest Service, permanently providing for future public access along the Whitefish Trail as well as sustainable timber management. Flathead Land Trust is partnering with Whitefish Legacy Partners to protect the conservation and public recreational values of this property and we see it as a huge win for everyone involved, especially community members.

Flathead Land Trust has been a long-time partner and supporter of Whitefish Legacy Partners. We already hold several conservation easements on land surrounding Whitefish that include public access along the Whitefish Trail. We are excited to be able to partner with Whitefish Legacy Partners on this project assisting with planning, fundraising, and ensuring perpetual conservation of this properties exceptional wildlife, open space and recreational values by holding the conservation easement.

Thank you for your consideration and please contact me at 406.752.8293 if you have any questions.

Sincerely,

Paul Travis

**Executive Director** 



July 27, 2018

Sonya Germann, State Forester Montana Department of Natural Resources and Conservation 2705 Spurgin Road Missoula, Montana 59804

Subject: Smith Lake Community Forest Proposal – Flathead Land Trust

Letter of Support from the City of Whitefish

Dear Sonya:

Please accept this letter of support for the proposed *Smith Lake Community Forest* application submitted by Flathead Trust in partnership with Whitefish Legacy Partners and the City of Whitefish. As described in the application, the project will permanently remove the development rights from approximately 120 acres of forested land while providing opportunities for public recreation, wildlife security, clean water, and education.

The City of Whitefish wholeheartedly supports this project. As a community and in partnership with state and federal agencies and non-profit organizations, we have managed to protect thousands of acres of forested, working lands in and around Whitefish. Establishing a community forest in the Smith Lake and Hellroaring Basin watersheds will provide a continuous block of public land in an area that provides crucial habitat for Rocky Mountain elk, mule deer, grizzly bear, and Canadian lynx. In addition, as we seek to complete the Whitefish Trail, this project will provide an important trail connection between Smith Lake and Whitefish Mountain Resort.

If approved and funded, the City will work with our local partners to develop a comprehensive management plan that protects wildlife habitat, guides local land stewardship and forest management activities, and supports our local economy. Thank you for your consideration of this important project.

Sincerely,

John M. Muhlfeld

Mayor

cc: Flathead Land Trust

Whitefish Legacy Partners Whitefish City Council



June 7, 2018

Dear Sonya Germann, State Forester for MT DNRC,

On behalf of the City of Whitefish Department of Parks, Recreation and Community Services, I would like to take this opportunity to express our support of the Community Forest application as submitted by Whitefish Legacy Partners for funding for the Smith Lake Community Forest Project, designating land as a conservation bridge that serves to connect large sections of public land with one another.

Over the past eight years Whitefish Legacy Partners (WLP) has worked collaboratively with the City of Whitefish, the State of Montana Department of Fish, Wildlife, and Parks (FWP), Montana Department of Natural Resources and Conservation (DNRC), US Forest Service (USFS), and numerous private financial donors in the development of the Whitefish Trail System. In addition, WLP has established a broad base of community volunteer support that has provided personal time, talent, and treasure to this outstanding community asset. Today the Whitefish Trail System consists of over 42 miles of developed trails along with 12 supportive trailheads.

Currently, WLP and the City of Whitefish are collaborating on the Close the Loop Project. The Smith Lake Community Forest is a critical element in our Close the Loop efforts. The project will designate an important conservation area and provide a required trail connection for the 55 plus mile loop around Whitefish Lake. Specifically, it will provide an ideal trail corridor to connect the Whitefish Trail from Smith Lake across a future bridge at Hellroaring Creek to Whitefish Mountain Resort.

The Smith Lake Community Forest will also create a permanently protected landscape between State Trust Lands and Flathead National Forest where mid-elevation habitat is crucial for Rocky Mountain elk, mule deer, grizzly bear, and Canadian lynx. A comprehensive management plan will prioritize habitat protection and guide local stewardship and active forest management.

It is our hope that the Montana Department of Natural Resources and Conservation will be supportive of this regionally significant recreation amenity and give strong consideration for grant funding as requested by the Whitefish Legacy Partners.

Sincerely,

Maria Butts

Varia Dutt

Director

Parks, Recreation and Community Services

# Flathead County Board of Commissioners

(406) 758-5503

Pamela J. Holmquist Gary D. Krueger Philip B. Mitchell



June 26, 2018

Ms. Heidi Van Everen Executive Director Whitefish Legacy Partners

Dear Ms. Van Everen,

The Flathead County Board of Commissioners is pleased to support the request of the Flathead Land Trust, in partnership with Whitefish Legacy Partners and the City of Whitefish, for a Department of Agriculture Community Forest and Open Spaces Conservation Program grant.

We applaud opportunities such as this that increase prime locations for hiking, fishing and hunting, and boost our economy and businesses large and small. This request is particularly important because it reflects a growing commitment to inclusive dialogue and decision-making by the County, the City of Whitefish, the timber industry, sportsmen, and conservationists.

Sincerely,
BOARD OF COMMISSIONERS
FLATHEAD COUNTY, MONTANA

Pamela H. Holmquist, Chairman

Philip B. Mitchell, Member

Gary D. Krueger, Member

STEVE DAINES
MONTANA

320 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2651

## United States Senate

June 21, 2018

AGRICULTURE, NUTRITION AND FORESTRY
APPROPRIATIONS
ENERGY AND NATURAL RESOURCES
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
INDIAN AFFAIRS

Scott Stewart
Forest Legacy Program Manager & Community Forest Program Manager
U.S. Department of Agriculture—National Forest
1400 Independence Ave, SW
Washington, DC 20250-1111

I am writing to you in support of Whitefish Legacy Partners' grant application for Community Forest and Open Space Conservation Program funding to support the development of a Community Forest between Smith Lake and Hellroaring Basin in Whitefish Montana.

Currently, Whitefish Legacy Partners, in partnership with the Flathead Land Trust and City of Whitefish, claims there is a large void in public ownership between Smith Lake and Hellroaring Basin and believe it could be resolved with the development of the Smith Lake Community Forest. In 2017 alone, nearly 73,000 visits were recorded at just four of the Whitefish Trailheads. It is anticipated that in 2018, visits will exceed 100,000, showing an increased need for managed recreation areas.

If the grant request is successful, funding will be used to purchase over 120 acres of private land to create the permanent Smith Lake Community Forest, providing public access for recreation, hunting, wildlife habitat, clean water, and educational opportunities. Additionally, funds will help establish a permanently protected landscape between State Land Trusts and Flathead National Forest and provide a trail connection for the loop around Whitefish Lake.

I trust you will give this application fair and thoughtful consideration.

Sincerely,

Steve Daines

United States Senator

APPROPRIATIONS
BANKING
COMMERCE
INDIAN AFFAIRS
VETERANS' AFFAIRS

# United States Senate

SENATE HART BUILDING SUITE 311 WASHINGTON, DC 20510 202-224-2644

INTERNET: tester.senate.gov/contact

June 28, 2018

Vicki Christiansen, Interim Chief United States Forest Service 1400 Independence Ave, SW Washington, DC 20250-1111

Dear Ms. Christiansen:

I write in support of the Whitefish Legacy Partner's application for a grant to create the Smith Lake Community Forest. Currently, there is a void in public ownership between Smith Lake and Hellroaring Basin, and designating the area as a Community Forest would create a connecting conservation bridge between two large islands of public land.

Their proposal to purchase more than 120 acres will remove the threat of development, provide public access for recreation, and secure wildlife habitat, clean water, and education opportunities. The Smith Lake Community Forest will also create a permanently protected landscape between State Trust Lands and Flathead National Forest where mid-elevation habitat is crucial for Rocky Mountain elk, mule deer, grizzly bear, and Canadian lynx. A comprehensive management plan will prioritize habitat protection and guide local stewardship and active forest management.

Thank you for your attention to this application. If I can provide any additional information, do not hesitate to contact me. Please inform my office of the eventual decision on this application.

Sincerely,

Jon Tester

United States Senator



### United States Department of the Interior

NATIONAL PARK SERVICE P.O. Box 128 Glacier National Park West Glacier, Montana 59936



A3815 (9.D)

JUN 2 7 2018

Sonya Germann, State Forester MT DNRC – Forestry Division 2705 Spurgin Road Missoula, MT 59804

Dear Ms. Germann:

Glacier National Park supports the efforts of external partners such as the Whitefish Legacy Partners to address the needs of conservation and increased public recreation demand in and around the Crown of the Continent. As increasing visitation challenges our abilities to provide visitor experiences and protect park resources, we appreciate opportunities for our partners to provide additional recreational experiences. We support the application of the Whitefish Legacy Partners for a Department of Agriculture Grant (Forest Service) to create a Community Forest on the mid-slopes of the Whitefish Range.

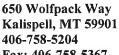
This land would connect State Land at Smith Lake to National Forest Land near Hellroaring Creek. The forest will have a formal Forest Management Plan and be open to recreation via the Whitefish Trail (hiking, fishing, hunting), and have strong community education and stewardship programs.

The Smith Lake Community Forest will also create a permanently protected landscape between State Trust Lands and Flathead National Forest where mid-elevation habitat is crucial for Rocky Mountain elk, mule deer, grizzly bear, and Canadian lynx. A comprehensive management plan will prioritize habitat protection and guide local stewardship and active forest management.

Sincerely,

Jeff Mow Superintendent

Mu



Fax: 406-758-5367

File Code:

Date:

2300

June 29, 2018

State Forester- MT DNRC 2705 Spurgin Road Missoula, MT 59804

Dear Ms. Germann,

**United States** 

Agriculture

Department of

The Flathead National Forest (FNF) strongly supports Flathead Land Trust's (FLT) partnership with Whitefish Legacy Partners (WLP) and the City of Whitefish to create the Smith Hellroaring Community Forest, and we hope their application receives full funding to purchase 200 acres of private land immediately adjacent to Flathead National Forest.

FNF is a proud partner and supporter of WLP and the Whitefish Trail system that runs through State, Forest Service, and privately-owned lands. The trail system provides access to the forest and provides critical linkages to surrounding communities and adjacent public lands.

The proposed Smith Hellroaring Community Forest will provide much needed timber management on private lands adjacent to our Tally Ranger District. In addition, the project will provide a critical link between recreation opportunities at Smith Lake on State Trust Land and at Hellroaring Basin on Flathead National Forest. This project will connect to and complement our Taylor Hellroaring Project, which recently received a draft decision notice of no significant impact approving over 20 miles of new trails, including the Whitefish Trail.

Establishing connectivity for wildlife habitat, fire wise land management practices, providing additional surety for the vital Whitefish Municipal Watershed, sustaining multiple use lands adjacent to Tally Lake District and ensuring connectivity to State, Weverhauser and beyond are all consistent with our Forest Plan. We are intent on landscape level, integrated resource management. The Smith Hellroaring Community Forest is consistent with our missions and as we face continued growth in the valley an increasingly significant resource.

The proposed mid-elevation habitat is important winter range for Rocky Mountain elk and mule deer and provides a seasonal migration corridor for threatened grizzly bear and Canadian lynx. FNF is committed to working with WLP and FLT to develop a comprehensive Forest Management Plan for the property.

Whitefish Legacy Partners has proven themselves as a strong community leader, an effective public partner, and successful organization catalyzing the community's vision to





secure conservation, education, and recreation on the lands around Whitefish, Montana for future generations. The Whitefish Trail project bolsters conservation and stewardship ethics within the community, and we strongly support this critical piece of their Close the Loop project.

Sincerely,

CHIP WEBER

Forest Supervisor

### FWP.MT.GOV



### THE OUTSIDE IS IN US ALL.

June 29, 2018

Ref: Insert Chron #

Sonya Germann State Forester - MT DNRC 2705 Spurgin Road Missoula, MT 59804

Dear Ms. Germann:

Montana Fish Wildlife and Parks (FWP) supports Flathead Land Trust's (FLT) partnership with Whitefish Legacy Partners (WLP) and the City of Whitefish to create the Smith Hellroaring Community Forest, and we hope their application receives full funding to purchase private land immediately adjacent to Flathead National Forest. FWP has worked with these partners and DNRC to successfully conserve fish and wildlife habitat, promote public recreation, and develop a world-class recreational trail system. This Community Forest funding would help to significantly leverage the more than 20,000 acres of neighboring forest land that we all have worked to conserve with the help of the Forest Legacy Program in recent years. FWP has also contributed funding through the Recreational Trails Grant programs on the 42-mile trail system completed to date. This CFP project will complement all these previous investments.

The proposed Smith Hellroaring Community Forest will provide much needed habitat protections and sustainable timber management on private lands that will link State Trust Lands at Smith Lake to Flathead National Forest lands at Hellroaring Basin. The property contributes to conservation of 16 priority species including federally-listed grizzly bears and Canada lynx, three priority community types, and a priority landscape focal area that are all conservation priorities in the State Wildlife Action Plan. MT FWP is committed to working with all the project partners to develop a comprehensive Forest Management Plan for the property that will guide forest prescriptions to benefit these important wildlife resources.

These groups have proven their ability to deliver on the community's vision to secure conservation, education, and recreation on the lands around Whitefish, Montana for future generations. FWP supports funding for the Smith Hellroaring Community Forest project to continue this successful work.

Sincerely,

Jim Williams

Regional Supervisor

# DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Northwestern Land Office - Stillwater Unit



### STATE OF MONTANA

PHONE: (406) 881-2371 FAX: (406) 881-2372 P.O. BOX 164 OLNEY, MT 59927

June 28, 2018

Sonya Germann, State Forester Montana DNRC 2705 Spurgin Road Missoula, MT 59804

Dear Sonya:

The Stillwater Unit of the Montana Department of Natural Resources supports the Flathead Land Trust's (FLT) partnership with Whitefish Legacy Partners (WLP) and the City of Whitefish to create the *Smith Hellroaring Community Forest*. We hope their application receives full funding to purchase private land adjacent to State Trusts Lands east of Smith Lake.

The Stillwater Unit is a proud partner of WLP and the Whitefish Trail system which runs through Montana State Trust Lands, U.S. Forest Service, and privately-owned lands. The trail system provides recreational opportunities on trust lands while also generating revenue for trust beneficiaries such as Common Schools (K-12), the university system and Public Buildings.

The state trust lands around Smith Lake are a working forest with active forest management. The proposed *Smith Hellroaring Community Forest* is a great fit by promoting additional private forests between State Trust Lands and the US Forest Service.

Whitefish Legacy Partners has proven themselves as a strong community leader, an effective public partner, and successful organization catalyzing the community's vision to secure conservation, education, and recreation on the lands around Whitefish, Montana for future generations. The *Smith Hellroaring Community Forest* Whitefish Trail project bolsters conservation and stewardship ethics within the community, and we support them in this endeavor.

Thank you for your consideration,

Dave Ring

**Unit Manager** 

Stillwater State Forest



### STATEPARKS.MT.GOV

# NTANA FWP THE OUTSIDE IS IN US ALL.

PO Box 200701 Helena, MT 59620-0701 406-444-3750 FAX: 406-444-4952

Ref: 078-18

June 18, 2018

Sonya Germann, State Forester MT DNRC-Forestry Division 2705 Spurgin Road Missoula, MT 59801

RE: Smith Lake Community Forest Grant

Ms. Germann:

On behalf of Montana State Parks and Recreation, we would like to express our strong support for Flathead Land Trust, in partnership with Whitefish Legacy Partners and the City of Whitefish, in seeking a federal assistance grant to create the *Smith Lake Community Forest*. Over the past decade, The State Parks Division of Montana Fish, Wildlife & Parks has worked with these partners on a variety of trail and recreation projects; most notably the Whitefish Trail and Spencer Mountain Trail. Combined, these efforts have been successful recipients of \$865,000 in funding through the Recreational Trails Program (RTP) and Land and Water Conservation Fund (LWCF) Program. These grants have been awarded by Montana State Parks due to progressive leadership and a strong vision set forth by the community of Whitefish to conserve these beautiful landscapes that provide public access for generations to come.

This proposal is a critical piece to the overall "Close the Loop" effort in securing important acreage, which will remove the threat of development, provide public access for recreation, and secure wildlife habitat, clean water, and education opportunities. The project will designate an important conservation area and provide a required trail connection for the 55+ mile loop around Whitefish Lake. Specifically, it will provide an ideal trail corridor to connect the Whitefish Trail from Smith Lake across a future bridge at Hellroaring Creek to Whitefish Mountain Resort.

The Smith Lake Community Forest will also create a permanently protected landscape between State Trust Lands and Flathead National Forest where mid-elevation habitat is crucial for Rocky Mountain elk, mule deer, grizzly bear, and Canadian lynx. The fact that the forest will have a formal Forest Management Plan, be open to recreation on the Whitefish Trail (hiking, fishing, hunting), and have strong community education and stewardship programs makes this a project that will benefit all types and abilities to be able to learn, recreate and enjoy this wonderful landscape for many years to come.

Sincerely,

Beth Shumate Administrator

Montana State Parks

Beter R- Elate

RECEIVED

JUL 0 2 2018

Missoula

Cc: Whitefish Legacy Partners



June 25th, 2018

Sonya Germann State Forester, Montana DNRC- Forestry Division 2705 Spurgin Rd. Missoula, MT 59804

Re: Smith Hellroaring Community Forest

Governor Bullock's Office of Outdoor Recreation strongly supports Flathead Land Trust's (FLT) partnership with Whitefish Legacy Partners (WLP) and the City of Whitefish to create the Smith Hellroaring Community Forest, and we hope their application receives full funding to purchase private land in between MT State Trust Land and Flathead National Forest.

The Montana Office of Outdoor Recreation is a central coordinating point for all state agencies with regard to the growth and enhancement of our outdoor recreation industry and economy. Among our leading goals are to promote and help rural communities identify recreational assets, and to utilize and maximize these assets for economic diversification and community health and wellbeing. WLP is continuously a leader and example of doing exactly this for the community of Whitefish, Flathead County, our state and the entire region.

The Office of Outdoor Recreation is a proud supporter of WLP and the Whitefish Trail system that runs through State, Forest Service, and privately-owned lands. The trail system connects the surrounding communities to adjacent public lands, provides an economic boost to the local economy, and provides much needed funding for MT Schools and Universities.

The proposed Smith Hellroaring Community Forest will provide timber management and a critical link for new recreation access between existing trails at Smith Lake on State Trust Land and proposed trails at Hellroaring Basin on Flathead National Forest. In addition, the proposed mid-elevation habitat has shown to be crucial winter range for Rocky Mountain elk and mule deer, of great importance to the hunting community, and provides a seasonal migration corridor for threatened grizzly bear and Canadian lynx.

Whitefish Legacy Partners has proven themselves time and time again as a strong community leader, an effective public partner, and successful organization catalyzing the community's vision to secure conservation, education, and recreation on the lands around Whitefish, Montana for future generations. The Whitefish Trail project bolsters conservation and stewardship ethics within the community, enhances the local economy- we strongly support this critical piece of their Close the Loop project.

Thank you for considering,

Sincerely,

Rachel VandeVoort, Director

Montana Governor's Office of Outdoor Recreation

MONTANA GOVERNOR'S OFFICE OF OUTDOOR RECREATION PO BOX 200801

## ROCKY MOUNTAIN ELK FOUNDATION



June 22, 2018

Sonya Germann State Forester MT DNRC – Forestry Division 2705 Spurgin Road Missoula, MT 59804

The Rocky Mountain Elk Foundation (RMEF) supports the Smith Lake Community Forest Project and the Whitefish Legacy Partners' Community Forest Program application. The Project seeks to acquire approximately 120 acres between the Stillwater State Forest and the Hellroaring Basin area of Flathead National Forest, north of Whitefish, Montana. The Project will connect crucial habitat on and between these protected lands, secure winter range for elk, and conserve a migration corridor for mule deer, grizzly bear and other wildlife. The Project will also enhance public access to the Stillwater State Forest and Flathead National Forest lands for hunting, angling, wildlife watching, hiking and other recreation activities.

RMEF, a nonprofit wildlife conservation organization, is a leading national advocate for wildlife management, habitat conservation and hunting heritage. RMEF's mission is to ensure the future of elk, other wildlife, their habitat and our hunting heritage. In Montana, RMEF and our partners have completed 988 conservation and hunting heritage outreach projects with a combined value of more than \$181.6 million. These projects have protected or enhanced more than 826,584 acres of habitat and have opened or secured public access to more than 290,629 acres.

The Project aligns with RMEF's mission by conserving elk habitat, linking protected habitat, and improving public access to protected lands for hunting, fishing, hiking and other recreation opportunities. RMEF supports the Project and the Whitefish Legacy Partners' application to the U.S. Forest Service's Community Forest Program. We encourage the Whitefish Legacy Partners to coordinate trail design and seasonal use closely with Montana Fish, Wildlife and Parks to ensure recreation opportunities and the needs of wildlife are balanced.

Sincerely,

Jennifer Doherty Director of Lands

Tempo Doherty



The Mission of the Mule Deer Foundation is to ensure the conservation of mule deer, black-tailed deer and their habitat.

June 22nd, 2018

Sonya Germann State Forester, Montana DNRC 2705 Spurgin Road Missoula, MT 59804

Dear Sonya,

The Mission of the Mule Deer Foundation (MDF) is to ensure the conservation of mule deer, black-tailed deer and their habitat. In Montana, we are specifically focusing our efforts in areas of mule deer population decline due to the absence of early seral habitat on our national forests and degradation of critical winter range. Mule deer herds in Northwest Montana are facing both issues and subsequently, populations are on the decline.

We strongly support the Whitefish Legacy Partner's and the Flathead Land Trust's proposal to purchase private lands and create the Whitefish Community Forest for public enjoyment. Not only will this project create connectivity between the Flathead National Forest and Montana State Trust Lands, it will protect open space and wildlife habitat adjacent to one of the fastest growing real estate markets in Montana. Due to the project area's outstanding recreation values and proximity to the city of Whitefish, it is prime to be developed in the very near future. This would be troublesome to the variety of wildlife that inhabit the project site and rely on the mid-elevation, south facing slopes to survive the harsh Montana winters.

The Mule Deer Foundation is committed to supporting the Whitefish Community Forest both financially and as a project partner to ensure the projects long-term success. We will also consider future contributions to habitat work as our annual habitat grant program will allow. Overall this is an excellent project that we are proud to attach our name to.

If you have any questions about the MDF, our Mission, or our support of this project, please do not hesitate to contact our Montana Regional Director, Chad Klinkenborg at (406) 570-4271. Thank you for your consideration.

Sincerely,

Miles Moretti President and CEO,

Mule Deer Foundation

1939 South 4130 West, Salt Lake City, UT 84104 Ph: 801-973-3940 Fax: 801-973-1177 www.muledeer.org



To Whom it May Concern,

The mission of the Society of American Foresters (SAF) is to advance sustainable management of forest resources through science, education, and technology; to enhance the competency of its members; to establish professional excellence; and to use our knowledge, skills, and conservation ethic to ensure the continued health, integrity, and use of forests to benefit society in perpetuity.

The Flathead Chapter of the Society of American Foresters supports Whitefish Legacy Partners in their proposal to purchase over 120 acres of private land northwest of Whitefish, MT and designate it the "Smith Lake Community Forest". This land purchase is intended to create a working community forest to provide forest education, public access, a recreation corridor and wildlife habitat. Furthermore the "Smith Lake Community Forest" will remove pressure from private land development and link together adjacent public lands owned by the Montana Department of Resources and Conservation and United States Forest Service.

The intent of this land purchase and intended future use aligns with SAF's mission and the Flathead Chapter looks forward to helping Whitefish Legacy Partners, the Flathead Land Trust, and the City of Whitefish craft the Smith Lake Community Forest Management Plan should this project be funded. Thank you for your consideration.

Respectfully,

Clay Stephenson

Chair, Flathead Chapter SAF



June 6, 2018

Sonya Germann State Forester MT DNRC – Forestry Division, 2705 Spurgin Road Missoula, MT 59804

Dear Ms. Germann,

North Valley Hospital is one of the largest employers in the greater Whitefish area with over 450 employees working at our hospital and associated clinics and healthcare facilities. We are constantly looking for ways to make our community a better more vibrant place to live to attract and retain employees in the healthcare industry.

The Whitefish Legacy Partners and the relationships they have forged in our community, region and state to build a trail system is having a significant impact on the community of Whitefish. The health and wellness benefits of having this organization and the trail amenities are easily recognizable and significant.

We would like to voice our support for the Smith Lake Community Forest and the application of the Whitefish Legacy Partners, in partnership with the City of Whitefish and the Flathead Land Trust for a Department of Agriculture grant to help make this dream a reality. These private/public partnerships and coalitions to achieve mutually beneficial goals are tremendously inspiring to us and we hope that their application meets with the approval of the decision makers at the US Forest Service.

Once again, we represent over 450 employees as part of North Valley Hospital and look forward to good news about this grant application!

Very truly yours,

Km And

Kevin Abel

CEO



June 22, 2018

Sonya Germann State Forester, MT DNRC, Forestry Division 2705 Spurgin Rd. Missoula, MT 59804

Dear Sonya,

The Whitefish Convention and Visitors Bureau (WCVB) supports the grant application submitted by Whitefish Legacy Partners (WLP) to create a Smith Lake Community Forest. This is a critical element for providing the required connection for the 55+ mile loop around Whitefish Lake.

The ability to provide high quality recreational experiences is extremely important to Whitefish. The WCVB's mission is to promote and market Whitefish to high value, low impact non-resident visitors, known as geotravelers. These visitors seek authentic experiences, open spaces, and scenic venues.

According to the Institute for Tourism Recreation Research at the University of Montana, in 2016, nonresident visitors to Flathead County spent \$505 million dollars, the second highest ranking county in the state. In Whitefish, 677,892 nonresident visitors stayed at least one night in town in 2017 and 75% of them participated in one of the following activities: day hiking (60%), mountain biking (11%), or horseback riding (4%).

The development of the Whitefish Trail and access to public lands are a vital component of our economy. Recently, the WCVB partnered with WLP and Headwaters Economics based in Bozeman to conduct a study on the economic impact of the Whitefish Trail. The final report indicated that the Whitefish Trail contributes to \$6.4 million in annual spending by visitors who come to enjoy the trails and by locals who purchase or rent outdoor gear at local stores.

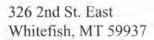
The Whitefish Trail provides a high quality experience that is user-friendly for all ages, abilities, and user types while being located in close proximity to the amenities of the town of Whitefish. The expanded and connected trail system ensures continued diverse and unique recreational opportunities for visitors to spend extra time in our community, especially during the shoulder seasons.

Sincerely,

Dylan Boyle, Executive Director

Man Bayle

Whitefish Convention and Visitors Bureau





Sonya Germann State Forester - MT DNRC 2705 Spurgin Road Missoula, MT 59804

Dear Ms. Germann,

Flathead Area Mountain Bikers (FAMB) strongly supports Flathead Land Trust's (FLT) partnership with Whitefish Legacy Partners (WLP) and the City of Whitefish to create the Smith Hellroaring Community Forest, and we hope their application receives full funding to purchase private land connecting State Trust Land to Flathead National Forest

FAMB's mission in to preserve and advance mountain biking activities in the Flathead Valley.

FAMB is a proud partner and supporter of WLP and the Whitefish Trail system that runs through State, Forest Service, and privately-owned lands. In fact, we have partnered with WLP, the City of Whitefish, and Montana DNRC to secure complex recreation licenses and manage over 15 miles trails at Spencer Mountain just west of Whitefish.

The proposed Smith Hellroaring Community Forest will provide a critical link between recreation opportunities at Smith Lake on State Trust Land and at Hellroaring Basin on Flathead National Forest. This project aligns with FAMB's mission as it will allow for an expansion of a recreational trail network which is already well used by our mountain bike community. This connection will be readily used by mountain bikers and other recreational trail users alike and will be an important asset to our community.

Whitefish Legacy Partners has proven themselves as a strong community leader, an effective public partner, and successful organization catalyzing the community's vision to secure conservation, education, and recreation on the lands around Whitefish, Montana for future generations. The Whitefish Trail project bolsters conservation and stewardship ethics within the community, and we strongly support this critical piece of their Close the Loop project.

Thank you for considering,

Erin Bodman President

Flathead Area Mountain Bikers

flatheadamb.org





32125 Bio Station Lane Polson, Montana, U.S.A. 59860 P (406) 982-3301 F (406) 982-3201 http://flbs.umt.edu

June 22, 2018

## Department of Ag Grant Facilitators,

The Flathead Lake Biological Station is pleased to support the Whitefish Legacy Partners, in conjunction with the Flathead Land Trust and the City of Whitefish, in their endeavor to purchase 120+ acres of land to create the Smith Lake Community Forest - an effort to bridge state land at the popular Smith Lake to national forest land near Hellroaring Creek, a vital chunk of mid-slope lands of the Whitefish Range. To date, the Whitefish Legacy Partners conservation efforts have protected 6,100 acres of vulnerable lands and provided Montana schools and universities with over \$10 million dollars in much-needed revenue – without a single dollar of taxpayer money.

The Flathead Lake Biological Station (University of Montana) has been involved with Whitefish Legacy Partners' education programs for 3 years running and have educated over 225 elementary school children and adults alike whom have directly benefited from the outreach programs the Whitefish Trail system provide. We believe that education is paramount to future conservation and highly invest in education outreach initiatives involving K-12, collegiate, and the general public. The Whitefish Legacy Partners include an important outlet for those services. Considering the fact the Whitefish Trail provides numerous public education outreach campaigns throughout the year, this alone should validate the Whitefish Legacy Partners grant award.

The Whitefish Legacy Partners have successfully developed a majority of their planned 55+ mile loop around Whitefish Lake, but are missing the Smith Lake Community Forest as a critical element in their efforts to "close the loop". Apart from the educational opportunities the Whitefish Trail system provides, The Smith Lake Community Forest will create a permanently protected landscape between State Trust Lands and the Flathead National Forest where crucial mid-elevation habitat for lynx, grizzly bear, mule deer, and elk abound. Their proposal to purchase 120+ acres will remove the threat of development, provide public access for recreation (hiking, fishing, hunting), and secure wildlife habitat, clean water, and education purposes indefinitely. The Smith Lake Community Forest will also have a formal Forest Management Plan prioritizing habitat protection for sensitive species and guiding local stewardship and active forest management.

In addition to education opportunities and wildland conservation, people using the Whitefish Trail system contribute some \$6.4 million annually in consumer spending in the area. \$2.7 million are spent from local residents on outdoor gear as well as \$3.6 million by visitors. Spending from visitors alone translates to 68 additional jobs and \$1.9 million in labor income for the community.

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The Flathead Lake Biological Station strongly believe having a bridge connecting the educationally and economically productive Whitefish Trail systems would greatly add to the benefits generated by the previous trail system. I look forward to participating in educational programs through the Whitefish Trail and Whitefish Legacy Partners for years to come, and feel The Smith Lake Community Forest is a win-win for the State of Montana

Respectfully,

Phil Matson

Flathead Lake Biological Station Research Specialist/Outreach Liaison

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PO Box 9173 Kalispell, MT 59904-9173 www.flatheadaudubon.org



June 22, 2018

Sonya Germann, State Forester MT DNRC – Forestry Division 2705 Spurgin Rd. Missoula, MT 59804

Dear Ms Germann,

Flathead Audubon Society represents about 400 members from northwest Montana. Our mission is to conserve birds, wildlife habitat and ecosystem diversity; promote awareness and appreciation of the natural world through education and advocacy; work with diverse groups and agencies to achieve sound decisions on natural resource issues; provide community services such as school programs, work projects, and field trips. We were active supporters of the Alvord Lake Community Forest near Troy (contributed to its funding) and we strongly support the creation of the new Smith Lake Community Forest near Whitefish. A new Community Forest in the Whitefish Range would be a great addition to the myriad of outstanding and important conservation projects that have recently been completed in that region. It will complement the Foys To Blacktail Community Forest near Kalispell, and will provide a unique opportunity for families, students, and members of the north Flathead Valley community to engage in active forest management, forest and wildlife education, and recreation.

The Smith Lake area is important for birds, bears, moose, mule deer, elk, and Canada lynx. Our Chapter has been leading birding field trips to the Smith Lake area for years. The landscape and forest types are varied and include mesic streams, steep slopes, and forested benches. Protecting the proposed Community Forest parcels from development will help retain important connectivity between state and federal public lands and will ensure that wildlife can continue to move easily in this area without contending with development. Creation of the Community Forest will also enable Whitefish Community Partners to complete a loop trail from Whitefish Mountain to the upper end of Whitefish Lake. The trail will be developed with outdoor/forest education, natural resource protection, and other natural values in mind.

Flathead Audubon provides the only free K-12 and adult conservation education program in the Flathead Valley. Our program focuses on birds and their importance to our ecosystems. We also participate in Forestry Expo, Earth Day, and other Whitefish events. We will work with the Smith Lake Community Forest stakeholders to provide bird conservation/education programs and opportunities at the Smith Lake Community Forest.

Thank you for the opportunity to support this proposed project.

Sincerely,

Kay Mitchell, President Flathead Audubon Society June 25, 2018

Sonya Germann MT DNRC State Forester 2705 Spurgin Road Missoula, MT 59804



The Whitefish Trail and the work of Whitefish Legacy Partners is an incredible community project with the single greatest effect on our business and personal lives in Whitefish. We own and operate a bike and ski shop in downtown Whitefish and like many other small businesses in the area, we depend on the ebbs and flows of the tourist season in our resort town. While our peak seasons will always be during the rush of Fourth of July weekend until school starts up in late August and from Christmas through the deep powder days of February, it is essential for our shoulder season revenue to be enough to keep us floating between peak seasons. With the addition of the Whitefish Trail in the lower valley we can now ride single track trails late into the Fall before the snow flies and we can get back on two wheels early in the Spring as the snow is still melting up high in the mountains. These trails have effectively shortened our shoulder season by creating more recreation opportunities as the seasons change and in doing so have increased our business. An increase in revenue in the shoulder seasons not only helps our bottom line but it also allows us to retain year-round employees with full time positions. We strongly support the continued growth of this trail system and Whitefish Legacy Partners' efforts to secure the necessary land to close the loop around Whitefish Lake. Their partnerships with Flathead Land Trust and the City of Whitefish to create the Smith Lake Community Forest will bring immense conservation and recreation value to wildlife, residents, and visitors of NW Montana. The continued growth and course of our community is dependent on these kinds of recreation areas and opportunities.

Kindly,

Stella Holt and Willie Hobbs - Owners Great Northern Cycle & Ski



PO BOX 1845 WHITEFISH, MT 59937-1845 www.whitefishrotaryclub.org

June 25, 2018

Ms. Sonya Germann, State Forester, MT DNRC

**Forestry Division** 

2705 Spurgin Rd.

Missoula, Mt 59804

Dear Ms. Germann,

The Rotary Club of Whitefish, Montana is pleased to endorse the proposal by Whitefish Legacy Partners, in partnership with the Flathead Land Trust and the City of Whitefish to create the *Smith Lake Community Forest*. We have had the opportunity to work with Legacy Partners in the past on the construction of a learning pavilion on Lion Mountain and we know their commitment to public access for recreation, secure wildlife habitat, clean water and educational opportunities.

We urge your endorsement of this critical project in order to complete a much needed corridor for connecting public lands in this area.

Sincerely,

Tim Dalstrom, Club President



## WHITEFISH SCHOOL DISTRICT

600 EAST SECOND STREET • WHITEFISH, MT 59937 • DISTRICT OFFICE 406.862.8640

Sonya Germann State Forester – MT DNRC 2705 Spurgin Road Missoula, MT 59804

Whitefish School District has worked with Whitefish Legacy Partners (WLP) for many years to provide meaningful educational programming on the Whitefish Trail. Annual 3<sup>rd</sup>, 6<sup>th</sup>, and 9<sup>th</sup> grade field trips at their learning pavilion have been extremely beneficial to the youth in our community. In addition to their effective programs, WLP provides outdoor learning spaces that allow students to connect with nature, learn about natural systems, and engage with critical topics related to their role and responsibility in safeguarding and preserving natural spaces for future generations.

The partnership that is shared between Whitefish School District and WLP is critical to the promotion of our comprehensive sustainability programming at our recently completed Sustainability Center. We look forward to the creation of a local working forest where local students can learn about active forest management. WLP will give the district capacity to provide every student in grades K-12 with both access to natural spaces and excellent educational programming.

I strongly commend the work of Whitefish Legacy Partners and fully support their partnership with Flathead Land Trust and the City of Whitefish to create the Smith Hellroaring Community Forest. Thank you for considering such an amazing community project in Northwest Montana.

Sincerely,

Ryder Delaloye Director of Curriculum, Assessment, and Professional Development



June 28, 2018

Dear Ms. Germann,

My name is Dan Graves and I am the CEO at Whitefish Mountain Resort. I am writing to you today to voice our support of the Whitefish Legacy Partner's request for federal assistance to purchase land for a 'Community Forest' in Whitefish, Montana. In our view this purchase supports a community-wide effort to ensure permanent conservation, education and recreation opportunities for future generations.

As a winter and summer resort, our business is primarily focused on recreational opportunities. Located here in Northwest Montana we are unique in our industry in that we offer our guests access to winter and summer recreational activities surrounded by what is mostly unspoiled and pristine forest. The majority of our ski area is within the Flathead National Forest and together as partners we've provided the public with recreational opportunities for more than 70 years. We are committed to this partnership and hold our role as stewards to the land in the highest regard.

As our community and number of out-or-town visitors continue to grow, it is important to see that the access to lands continues to grow. We fully support the Whitefish Legacy Partners in their efforts to work with private and public landowners on the Close the Loop project. The purchase of this land for the Smith Lake Community Forest is a key link to accomplishing this outstanding goal that will benefit our community and out of town visitors.

If this purchase comes to fruition, Whitefish Mountain Resort will be close neighbors to the Smith Lake Community Forest. It will provide a connection from Smith Lake to the Flathead National Forest through proposed trails that will allow access to the established trails at our ski area. While this certainly provides Whitefish Mountain Resort a potential economic benefit, it also allows our resort to become another key link in the Whitefish Legacy Partners Close the Loop project. In other words, this small piece is in reality much more.

Without this link the realization of the Whitefish Legacy Partner's Close the Loop project could vanish, along with it the preservation of wildlife habitat, clean water and protected landscapes. Without a comprehensive management plan, something that this purchase will provide through the Flathead Land Trust, not only would we lack the connection for recreational opportunities, we risk keeping the forest intact. A disruption in continuity that does not make sense, and can be easily avoided through this purchase.

Our ski area was founded in 1947 thanks largely to the hard work and dedication of its operators as well as the loyalty and support of the residents of Whitefish and surrounding communities. We continue to thrive as a sustainable business and a community benefit due to the recreational opportunities we provide and the passionate outdoor enthusiasts who live and travel here. The mission of the Whitefish Legacy Partners helps support our mission to offer a unique experience that gives our guests the freedom and serenity to be who they are, have fun and connect with friends and family the way life is

meant to be. We fully support what they stand for and their efforts to place local lands into permanent protection, ensure public access to public lands, and continue sustainable forest management.

Sincerely,

**Daniel Graves** 

President and CEO, Whitefish Mountain Resort