



**City of Missoula, Montana
City Council Committee Agenda item**

Committee: Climate, Conservation and Parks

Item: Referral-Hayden Grass Valley Conservation Easement Open Space Project

Date: November 13, 2024

Sponsor(s): Zac Covington

Department or Function: Parks and Recreation

Prepared by: Zac Covington

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input checked="" type="checkbox"/> N/A

Action Required:
Set a public hearing for December 16, 2024 to consider adopting a resolution approving the expenditure of up to \$26,050 of 2006 Open Space Bond funds towards due diligence and other associated costs related to the acquisition of a conservation easement by Five Valleys Land Trust of approximately 287 acres of property owned by Carl Hayden.

Timeline and Recommended Motions:

Committee discussion: November 20, 2024
 Council sets public hearing: December 2, 2024
 Recommended motion: Set a public hearing for December 16, 2024 to consider adopting a resolution approving the expenditure of up to \$26,050 of 2006 Open Space Bond funds towards due diligence and other associated costs related to the acquisition of a conservation easement by Five Valleys Land Trust of approximately 287 acres of property owned by Carl Hayden.

Public Hearing: December 16, 2024
 Recommended motion: Adopt a resolution approving the expenditure of up to \$26,050 of 2006 Open Space Bond funds towards due diligence and other associated costs related to the acquisition of a conservation easement by Five Valleys Land Trust of approximately 287 acres of property owned by Carl Hayden.

Deadline: [Click or tap here to enter text.](#)

Background and Alternatives Explored:
Five Valleys Land Trust has been working with the owners of the Hayden-Grass Valley property for many years. In 2008, the property was almost protected with significant funding being secured but was not completed due to various factors. However, the current landowner, Carl Hayden, is now generously donating the full value of a conservation easement on the 287-acre property.

This project is located on the eastern side of Deschamps Land and is bisected by LaValle Creek, with around 65 acres of wetlands, creeks and springs, with a large portion of the remaining lands in agricultural use. The artesian springs on the property allow for open water year-around, which is a unique feature in Western Montana. The property was designated as part of an "Important Bird Area" in 2006 by the local Audubon Society, and later elevated to the Clark Fork River-Grass Valley Important Bird Area by the National Audubon Society in 2009. The area provides expansive flatwater marshes and ponds for various waterfowl species, and foothills and grasslands which serve as habitat for raptors, foxes, deer, and many other types of wildlife.

The project borders an existing conservation easement on the west side of Deschamps Lane, also held by Five Valleys Land Trust and, combined with this conservation easement, will help to protect over 2 miles for a perennial stretch of LaValle Creek.

There are currently 4 contiguous parcels on the property with 2 existing homes. Irrigation infrastructure and various agricultural buildings are also located on the property. This conservation easement will allow for 1 additional homesite within 1 of 3 building envelopes, providing options for the landowner to build another home in the future. After the additional homesite location is chosen in 1 of the building envelopes, the other 2 building envelopes will be voided.

While this project does not include public access, similar to other conservation easements, it does not preclude future public access if the landowner decides to grant it.

The estimated value of the donated conservation easement is \$700,000. Five Valleys Land Trust is applying for around 3.5% of the total value from Open Space Bond funds to cover attorney and legal fees, transaction costs, and stewardship funding. Five Valleys Land Trust has invested around \$11,500 in staff time towards the project.

Alternatives Explored: Alternatives explored for funding of this project, related to the use of open space bond funds, are to fund the project, not fund the project, or partially fund the project. If the project is not funded or only partially funded, Five Valleys Land Trust would need to find additional funding for legal/attorney fees, transaction costs, and stewardship funding. As the timing of this project is particularly important to the landowner, it is uncertain whether or not the conservation easement would be acquired if this funding is not approved.

Financial Implications:

The estimated value of the donated conservation easement is around \$700,000. Five Valleys Land Trust is applying for around 3.5% of the total value from Open Space Bond funds, at \$26,050, to cover attorney and legal fees, transaction costs, and stewardship funding. Five Valleys Land Trust has invested around \$11,500 in staff time, and would be holding and monitoring this conservation easement, so there is no long-term monitoring cost to the City.

Links to external websites:

<https://www.fvlt.org/>

https://gis.audubon.org/portal/apps/sites/?_gl=1*1towad9*_gcl_au*MTY0ODExNDk2OS4xNzMxMDI2ODM1*_ga*MTAyMDE0NzYwOS4xNzMxMDI2ODM1*_ga_X2XNL2MWTT*MTczMTAyNjgzNC4xLjAuMTczMTAyNjgzNC42MC4wLjA.#/nas-hub-site