

**From:** [Poody McLaughlin](#)  
**To:** [Emily Gluckin \(she/her\)](#)  
**Cc:** [Jim Brown](#); [Gerhard Knudsen](#)  
**Subject:** UDC testimony on riparian requirements by Five Valleys Audubon  
**Date:** Tuesday, January 13, 2026 5:04:18 PM

---

You don't often get email from poodymc@gmail.com. [Learn why this is important](#)

Ms. Gluckin,

Below is the testimony that I gave (most of) at last night's City Council hearing on behalf of Five Valleys Audubon. Despite creating a new password and trying to log onto the Engage Missoula/Code Reform portal several times and using different browsers, I was unsuccessful. I appreciate using your old-fashioned email address!

If I understood correctly during your staff's description of chapter 4 of the UDC, your office plans to consult with different entities and organizations regarding the riparian resource requirements. This is welcome news. As mentioned in my testimony, the chapter has reviewed county subdivision proposals for the county for almost two decades. If your office would appreciate input from our chapter, we would appreciate providing it.

On November 11, 2025 the chapter did submit, via email, an extensive analysis of riparian requirements in the UDC, with a follow-up comment a few days later. However in Attachment E, List of Public Review Comments, our 11/11 comments were apparently not received. If appropriate we will try to resubmit them.

Thank you for your work, and the staff's work, on this project.  
Kathleen Poody McLaughlin  
Five Valleys Audubon

Testimony at City Council hearing 1/12/2026:

Five Valleys Audubon's interest in the UDC centers on how riparian area protection is addressed. Riparian areas are situated on the banks of rivers or streams and are also adjacent to wetlands. In our dry climate they are critical wildlife habitats. In droughts they act as sponges to retain valuable water. Occupying less than 4% of Montana's land area, riparian areas are used by more than 80% of the bird species found in the state.

Protections and requirements for riparian areas are in the UDC's chapters 4 and 5, Zoning and Subdivision. We are concerned that the riparian buffers, or setbacks, as outlined in these chapters, are insufficient to adequately protect riparian resources. Riparian area setbacks are a biological issue and should be grounded in science. To determine the presence or absence of a riparian resource, consultation with a qualified professional must be mandatory. Current language in chapter 4 is permissive and states that such consultation "is recommended" or "may" be required.

To this end, the County consulted with Fish, Wildlife, and Parks in developing the riparian setbacks which are now incorporated into its recently updated zoning code. We think that the UDC's riparian area setback requirements would benefit from a consultation with FWP. This would provide the scientific methodology for consistent and enforceable standards for riparian protection.

For nearly two decades, our organization has reviewed and commented on applications for

subdivision development throughout the County. Recently we've seen the County regulations work effectively in the planning for a development that would affect Grant Creek. Under the proposed UDC requirements, setback widths may be insufficient to assure adequate riparian protection.

Also, timing is important to identify riparian habitat. The presence of a riparian resource and the need for a protective setback, must be made before the preparation of a preliminary plat. Measures to mitigate riparian area impacts should be incorporated into a project's design at the outset of the planning process. This benefits the developer, the public, and the resource itself.

Finally, the city needs to consider the value of greenbelts along river systems to mitigate high temperatures and more frequent droughts. As our climate heats up, the importance of protected riparian areas cannot be overstated.