



## **Open Letter to our Community about the North Shore Conservation Vision**

With the recent announcement of a settlement agreement between the County and the North Shore Ranch developers, the Flathead Land Trust has received many inquiries about this latest development and what other alternatives might be feasible. The purpose of this letter is not to pass judgment on the Commissioners decision to settle but to inform the public of Flathead Land Trust's involvement in the North Shore and offer an alternative solution.

First know that we, along with our agency and conservation partners have been actively trying to find a solution that meets the needs of all parties involved. Offers to purchase all or most of Kleinhans Farms, Inc. have been made based on appraised values using both private funds and publicly supported federal and state grants. Our partners have commitments for both private and public funds for the purchase.

The difficulty lies in finding agreement on a purchase price that achieves what is responsible to our donors as well as the taxpayers and ratepayers that provide the public funds while still providing the developers with fair and reasonable compensation. It is not unusual that parties involved in negotiations have differing views on what is the true financial value of a property. We believe there is a better solution for everyone involved including the developers, the County and the taxpayers.

Why is this so important?

The North Shore landscape has been the subject of conservation efforts since shortly after Kerr Dam was constructed in 1938. Montana Power Company, the operator of the dam at the time, was required to purchase flood easements on properties that could potentially be impacted by changes in lake levels. These flood easements were placed on many properties including the farmlands between Highway 82 and the lake.

Landowners, particularly farmers, along the Flathead River and the North Shore are very aware of the impacts to their properties and the loss of habitat due to erosion. In fact, in the late 1980s and early 1990s, biologists from Montana Department of Fish, Wildlife and Parks, and the University of Montana's Yellow Bay Biological Station documented the loss of over 2,000 acres along the North Shore to erosion. At low lake levels, you can still see the remnants of a large island at the mouth of the river. The many acres lost due to operation of both Hungry Horse and Kerr led to an earlier settlement agreement with the operators of the dams to mitigate the impacts to both fish and wildlife habitats.

The North Shore was identified as a landscape critical for conservation when Kerr Dam was relicensed in 1985. Attempts were made to purchase farmland properties along the North Shore but at that time a more profitable agricultural era, coupled with low land values, made the farmers reluctant to sell. In addition, the flat topography, high water table and generally unstable soil conditions led most people to assume that these properties were unsuitable for residential development. Agricultural uses and wildlife habitat were deemed the highest and best uses for these parcels. For these reasons, funds that were part of the Kerr Dam relicensing mitigation program originally targeted for conservation of the North Shore were used instead to purchase Lost Trail Ranch, over 30 miles east of Flathead Lake and in an entirely different watershed.

The successful development of Eagle Bend and Harbor View near Bigfork and the tremendous increase in real estate values in the 1990s created an urgency to revisit the need for conservation efforts along the North Shore and the Flathead River. Since that time, Flathead Land Trust and our many partners, both agency and conservation groups, have successfully completed thousands of acres of private land conservation along the lower Flathead River and the North Shore.

These conservation projects involved purchasing some of the development rights and insuring continued agricultural uses and protection of sensitive habitats associated with McWenneger Slough, Wiley Slough, Foy's Bend, and the North Shore. To date over 10,000 acres and nearly \$10 million dollars in both public and private funds have secured new fishing access sites, wildlife management areas open to recreation, and protection of some of the state's most significant farmlands.

In all cases, it was the landowners who set the framework for the conservation strategy by their choice in either selling the property outright or retaining ownership and agricultural uses with limits on development through a purchased conservation easement. We have been able to meet the needs of future generations in the Flathead and provide fair compensation to the private landowners. These are the treasured places that we all enjoy whether we fish, hunt, hike or just enjoy the spectacular scenery.

We now have a new opportunity to 'do right' by the North Shore. While the immediate shoreline is protected and owned by the US Fish and Wildlife Service as a Waterfowl Production Area, the adjacent wetlands and farmlands are instrumental to the integrity of farms, continued recreational uses, and maintaining our world class wildlife and fish habitat. These values are what make the Flathead special and provide the basis for our diversified economy.

We hope to reach an alternative solution based on a fair and equitable purchase of the developers' lands that would meet the needs of all parties and maintain the values that we treasure in the Flathead. Combining private and public funds, including some of the County funds committed in the current settlement agreement, to purchase the properties outright would solve many issues and be less of a burden to local taxpayers while fairly compensating the developers.

The alternative solution we propose to purchase some or all of the property avoids shouldering the taxpayers with ongoing developments costs. Regarding the proposed easement in the settlement agreement, in our experience, open spaces near high density developments become little more than private parks for residents of the development. Agreeing on an alternative solution will serve the dual purpose of providing much better wildlife and habitat protection while also expending fewer local tax dollars.

A formal offer to purchase the property is on the table with the developers, and we are hopeful they will respond in a meaningful way. We encourage the County and the developers to work together to pursue a better solution. We all may need to compromise somewhat for a solution that works for all Flathead residents both now and in the future.

Sincerely,  
The Board of Directors and Staff of Flathead Land Trust