



March 22, 2008

Flathead County Planning Board
Earl Bennett Building, 2nd Floor
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Kalispell, MT 59901
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To the Flathead County Planning Board

I am writing on behalf of the Flathead Audubon Society in regard to the proposed North Shore Ranch Development, which will be discussed at your public hearing on March 26, 2008.

Please make these comments part of the public hearing record.

Flathead Audubon urges you *not* to approve the North Shore Ranch Estates subdivision. We have several reasons:

1. The proposed subdivision threatens the Flathead Waterfowl Production Area.

This Area is an important and very special sanctuary for migrating and nesting birds. It can continue to serve this function only as long as it can be closed to public use and intrusive activities during the migration and nesting season. Currently that closure is from March 1 to July 15.

The proposed development has the potential for 290 houses, and it sits directly adjacent to the Flathead Waterfowl Production Area. This poses the following threats to the Area:

- Pets owned by the residents of this development could not be kept out of the Waterfowl Production Area, even during the closure period. And 290 houses means a lot of dogs and cats! Even though leash laws might be in force, they are notoriously hard to enforce – and are typically ignored by pet owners, especially when there is a “nice open place” for the pets to use.
- A significant portion of the contaminated run-off water from the streets and driveways covering this development will end up in the Waterfowl Production Area. We understand that the hydrological studies commissioned by the developer proposing this subdivision have shown that the soil in the area of the subdivision is extremely impermeable, which means that in times of heavy rain or snowmelt, the water from these streets and driveways will not soak into the soil of the subdivision itself, but will run down toward and into the Waterfowl Production Area.
- Once this subdivision is approved, it will open the way to further development between Highway 82 and the Flathead Waterfowl Production Area – which will significantly multiply the dangers posed to the Waterfowl Production Area described above. Right now the property owners in this area south of the Highway are interested in pursuing ways to maintain their lands as agricultural. But once a large subdivision is approved in this area, their reasons for maintaining their lands free of development will fade, and the attraction of the profits from selling for development will grow.

2. The proposed subdivision threatens the bird and wildlife habitat currently existing all along the north shore of Flathead Lake behind the Waterfowl Production Area.

The lands between Highway 82 and the Waterfowl Production Area have traditionally been, and currently still are, used for agricultural purposes. The few houses and outbuildings that occupy these lands are associated with these farmlands. The open space provided by these agricultural lands provides rich habitat and feeding grounds for local wildlife and birds, and for the birds that migrate through our Valley every spring and fall. These agricultural lands include functioning wetlands and riparian areas that are crucial to supporting the wildlife and birds that frequent this area. The proposed subdivision threatens this habitat and feeding grounds in obvious ways:

- The proposed subdivision will do away with most of the open space in the area that it covers. Some open space in the midst of the development does seem to be part of this proposal, but it is fragmented and surrounded by houses, so would no longer serve as viable wildlife habitat.
- Though the proposal also leaves undeveloped the portion of the subdivision area that is within the 100 year floodplain, which includes the wetlands inside the subdivision, the ability of this portion of the subdivision to support wildlife and birds is compromised for the same reasons as the Waterfowl Production Area is compromised (above).
- And again, once the subdivision is approved, it will make probable the further development of the rest of the agricultural lands south of Highway 82. The remaining agricultural lands will be converted to concrete and houses with small yards, and the wildlife and bird habitat currently provided by these lands will be lost.

3. The proposed subdivision threatens the public values of the north shore of Flathead Lake.

Right now the north shore of the Lake is a special place of scenic and recreational value. It provides a unique recreational opportunity for the residents of the Flathead Valley and visitors to the Valley -- an expansive and rich natural setting located at the head of a large and unusually clean lake, with wetlands and riparian areas that still have their natural integrity, featuring an amazing array of fish, wildlife, birds, native vegetation, beautiful vistas, and just plain peace and quiet.

If the north shore can be protected from residential development, the Flathead Waterfowl Production Area will retain its current natural values and continue to provide nature-based recreational opportunities. It will then also be possible to enhance the recreational opportunities provided by the areas outside of the Waterfowl Production Area by purchasing some of the now private lands for the development of a public park and other public-use facilities.

4. There is a better alternative for the North Shore of Flathead Lake.

Flathead Audubon is proud to support and be a partner in the North Shore Conservation Project, which is aimed at:

- protecting the north shore of Flathead Lake from development by obtaining funds that can be used to purchase the land on which the proposed North Shore Ranch development would sit;
- using these funds also to provide financial incentives to the other property owners south of Highway 82 to conserve their lands as open space;
- enhancing public access and traditional hunting, fishing and other recreational uses of the north shore area;
- providing new public recreational opportunities such as trails and a park;
- and protecting and restoring critical waterfowl and wildlife habitat.

The Conservation Project has been actively pursuing these goals for several years, and it is becoming clear that this is a viable project. Given a reasonable amount of time, there is every reason to think these goals can be accomplished.

The important first goal of the Project is to raise the funding needed to purchase the land proposed as the site of the North Shore Ranch development. This fund raising effort is in progress, and promises to be successful and completed soon. The main difficulty facing the Project right now is the possibility that the proposed North Shore Ranch development will be allowed to move forward before this fund raising effort can be completed.

For all of these reasons, Flathead Audubon is asking that the Flathead Planning Board not approve the proposed subdivision.

We have pointed out above the threats posed by the proposed subdivision to the Waterfowl Production Area, the bird and wildlife habitat encompassed by not only the subdivision lands but also all of the agricultural land south of Highway 82, and the public values of these areas. Perhaps some of these threats could be mitigated by redesigning the subdivision. But all of these threats can be eliminated, and the value of this area to wildlife and humans alike can be enhanced, by allowing time for the North Shore Conservation Project to raise the money needed to buy the land proposed for subdivision.

Flathead Audubon is not urging that the developer of the proposed subdivision be prohibited from enjoying a profit on the land he has purchased. There is every reason to suppose that the developer was not aware of the unusual natural and public values of the land when he bought it. The new Flathead County Growth Policy should have explicitly identified this (and other areas in the County) as a sensitive area, to be protected from development and preserved in its natural state. In light of these facts, it is only fair that the developer receive fair payment for his land, and the North Shore Conservation Project aims to do that.

Flathead Audubon is not against any development in the Flathead Valley. But the north shore of Flathead Lake is a very unique and special place. We are fortunate that it still exists as open space, with the immediate shore of the Lake protected by the Waterfowl Production Area. There are not many places like it left in this country, and Flathead County should be doing everything it can to preserve it.

We therefore ask that the Planning Board to not approve the proposed North Shore Ranch Estates subdivision at this time, in order to allow the Conservation Project time to keep the north shore a special place.

Thank you for this opportunity to comment on this proposal.

Mike Fanning, President
Flathead Audubon Society