

RESOLUTION 2015 - 36

**RESOLUTION APPROVING FUNDING OF THE JOHNSTON CONSERVATION
EASEMENT OPEN LANDS PROJECT**

WHEREAS, pursuant to Resolution 2008-97, in November 2008, voters in Lewis and Clark County, Montana, approved the Land, Water and Wildlife bond measure, a \$10 million general obligation bond measure for protecting drinking water sources and ground water quality; protecting water quality in and along rivers and streams; conserving working farm, ranch and forest lands; protecting wildlife areas; preserving open lands and natural areas; providing for recreation; and managing growth and development; and

WHEREAS, the primary purpose of the Open Lands Program is to conserve resources on private lands in Lewis and Clark County that fulfill the objectives of the bond measure; and

WHEREAS, funds generated by sales of these bonds are distributed through the County's Open Lands Program; and

WHEREAS, the County's Open Lands Program has received and processed an application for Open Lands funding from the Prickly Pear Land Trust, on behalf of landowner, Donald M. Johnston Trust; and

WHEREAS, in this project, referred to as the Johnston Conservation Easement, Prickly Pear Land Trust proposes to place a conservation easement on 507 acres, located approximately 30 miles northwest of Helena and 4 miles west of Sieben on Chevallier Drive; and

WHEREAS, this property contains numerous conservation values and the project will achieve several of the purposes of the 2008 Open-Space Lands bond measure, including 1) Conserve working farms and ranches; 2) Protect habitat for fish and wildlife; 3) Protect water resources and water quality; 4) Preserve open lands and natural areas; and

WHEREAS, the Citizen's Advisory Committee on Open Lands (CAC) held a public meeting on this proposal on August 20, 2014, and voted 10-0 to recommend that the Board of County Commissioners (Commission) approve the project to enter the due diligence phase; and

WHEREAS, the Commission held a public hearing on the proposal on September 2, 2014, at which a 30-day public comment period was opened, and on October 9, 2014, the Commission voted to adopt the recommendation of the CAC and approve the project to move to the due diligence phase;

WHEREAS, County staff conducted due diligence of the project, provided a summary of that research to the CAC and the Commission, and recommended approval of this project for Open Lands funding; and

WHEREAS, upon the completion of the due diligence requirements by the Applicant, the CAC voted 8-0 at a special meeting held on February 17, 2015, to recommend that the Commission approve funding this project for the requested amount, \$324,000.00; and



WHEREAS, the Commission considered that recommendation at a regularly scheduled public meeting on February 24, 2015; and

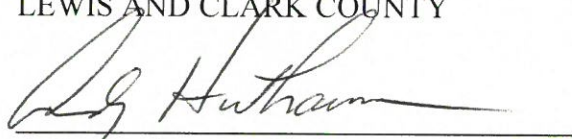
WHEREAS, the Commission determined that this project meets multiple purposes of the bond, substantially complies with the legal requirements, and may not be achieved without the involvement of the County; and

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners

- Accept the recommendation of the Citizens Advisory Committee on Open Lands; and
- Approve funding the Johnston Conservation Easement Project in the amount of \$324,000.00.

DATED this 24 day of February, 2015.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



Andy Hunthausen, Chair



Paulette DeFratt, Clerk of the Board