



# Community Food & Agriculture Coalition

127 N. Higgins Ave., Suite 305

Missoula, MT 59802

(406) 543-0542

[www.missoulacfac.org](http://www.missoulacfac.org)

---

April 30, 2009

**To:** Tim Worley, Office of Planning & Grants  
Nick Kaufman, WGM Group

**From:** Neva Hassanein & Josh Slotnick, Community Food & Agriculture Coalition

**RE: CHICKASAW PLACE & IMPACTS TO AGRICULTURE**

Thank you for the opportunity to comment on the most recent re-design of Chickasaw Place. This letter is meant to accompany our previous comments in both writing and oral testimony, all of which have spoken directly to the subdivision's potential adverse impacts to agriculture.

It might be worth briefly recounting the evolution of subdivision designs for this property that have come before the public and governing bodies. The first subdivision proposal threatened to irreversibly convert all 9.4 acres of important farmland to residential uses. Given the exceptional agricultural resources (soil, well, irrigation ditch), the land clearly offered ample productive capacity and opportunity to commercially farm the property. CFAC, therefore, recommended denial, based on the unmitigated impacts to agriculture. We also suggested that the 5 acres to the East appeared to be in the best shape, and that Mr. Lake might consider protecting the eastern half while developing the western 4-5 acres.

The second subdivision design offered 1.3 acres in the Northeast corner as "mitigation" for the loss of 8.1 acres of farmland. A large, deep depression covered much of these 1.3 acres. Although there is some excellent soil at the bottom of the swale, the topography makes the NE corner stand out as being the least farmable of the whole property. The developer offered to fill the swale with topsoil that would be dug up during construction across the property. CFAC, again, recommended denial.

Then, based on the findings of fact, OPG recommended a condition of approval to permanently protect 3 acres in the Southeast corner with a 290-foot minimum width from the eastern property line. Specifically, recommendation #16 of the OPG Staff Report (Feb. 3, 2009) reads:

"The subdivider shall designate a portion of Lot 53 of Dinsmore's Orchard Homes #5 as Common Area for Agricultural Use on the plat. This area shall be bounded on the south and east by the boundaries of Lot 53 of Dinsmore's Orchard Homes #5; the western boundary shall be a minimum of 290' from the eastern boundary of Lot 53 of Dinsmore's Orchard Homes #5; and shall encompass a minimum of three contiguous acres of Lot 53 of Dinsmore's Orchard Homes #5...."

CFAC agreed that these three acres stood out from the rest of the important farmland as the most viable for farming, and that the configuration OPG delineated was a shape suitable to commercial agriculture. We, therefore, embraced OPG's recommended condition of approval, even though losing 6.4 acres of farmland for 3 protected acres does not fully offset the overall impacts to agriculture and Missoula's long-

term food security. CFAC further recommended that the agricultural parcel maintain its connection to the ditch with an access easement.

When City Council voted to annex and re-zone Chickasaw Place with the 3 acres in the Southeast corner permanently protected for agriculture, we assumed that City Council was still referring to the 3 acres that OPG had delineated with a minimum 290-foot width. Instead, the current subdivision design before the City Council does not propose an agricultural lot that includes all of the best farmland. **Proposed Lot 30 clearly eats into these 3 acres and shapes the Agricultural Parcel in a way that is not as amenable to agricultural use.** Given the quality of the soil, access to irrigation and proximity to high value markets, this land is exceptionally well suited for row crop agriculture. Irrigated row crops are conducive to rectangular blocks with 90-degree angles. This shape fits cleanly with mechanical tillage, cultivation and hand line irrigation. The strip of land in the NE connecting the Agricultural Parcel to the ditch is too narrow to be used practically, and this strip is not necessary for connectivity with the ditch—an easement can accomplish that. It is unclear why the developer is proposing such a configuration for a lot that is intended to be used for food production. Lot 30 and the Agricultural Parcel appear designed for for an estate property, not an agricultural parcel.

**Recommendation:** Since the current subdivision does not protect the three best acres for farming or in a configuration that is amendable to its intended use, the proposed development does not adequately or appropriately mitigate the significant adverse impacts to agriculture. CFAC recommends that either the 3 acres as delineated by OPG with a 290-foot minimum width be permanently protected as a condition of approval or that the subdivision be denied.

Thank you for taking Missoula's food future and agricultural legacy seriously. We look forward to working with the whole council on securing policies that comprehensively conserve the best farmlands while building predictability into the development process.