

Staff Report



To: Mayor John Muhlfeld and City Councilors

From: Angela Jacobs, City Attorney *AKJ*

Date: September 24, 2026

Re: F.H. Stoltze Land & Lumber Company's New Open Lands Policy

Introduction/History

F.H. Stoltze Land & Lumber Company ("Stoltze") owns approximately 3,020 acres of land in Haskill Basin, which watershed comprises approximately 90% of the source drinking water for the City. In April of 2015, the Whitefish voters approved a 1% increase in the resort tax to help fund the purchase of a conservation easement over Stoltze's property to protect the City's municipal water supply as well as to preserve open space, natural habitat, and recreational opportunities. The City and the Montana Department of Fish, Wildlife and Parks purchased the Haskill Basin Conservation Easement in January of 2016.

In conjunction with the purchase of the Haskill Basin Conservation Easement, the City Council approved the terms of the Multi-Resource Management Plan ("MRMP"). The MRMP identifies and describes the objectives and actions that Stoltze will take to protect, manage, maintain, and enhance soil, water, range, aesthetic quality, recreation and public access, timber, fish, and wildlife resources within the Haskill Basin Conservation Easement. The MRMP incorporated Stoltze's Open Lands Policy that was then in effect. The Open Lands Policy governs dispersed recreation upon Stoltze's property, including the Haskill Basin Conservation Easement.

Current Report

The last ten years have been a learning curve for all parties to the Haskill Basin Conservation Easement. The COVID pandemic, as well as increased visitation and re-location, has placed increasing pressure on recreational areas, including Haskill Basin. While Stoltze has traditionally allowed dispersed recreation on its properties, it has experienced an increase in negative impacts to its conservation values in recent years, including trail-building and the use of non-motorized transportation off-road.

To address the negative impacts to its conservation values, Stoltze recently updated its Open Lands Policy. Some of the noteworthy changes include:

- Clarification that no bicycle use is allowed off of existing road systems

- Clarification that off road trails are not allowed
- Prohibiting shooting within ¼ mile of authorized trailheads, access points, or established recreational trail corridor
- Prohibiting fires from May 1 to October 1
- Requiring pets to be under owner control and supervision at all time
- Reducing the maximum number of days for camping from seven to three

The Haskill Basin Conservation Easement gives Stoltze broad authority to regulate public use of its property. However, in the interests of educating the public and transparency, Stoltze would like the City to acknowledge its new Open Lands Policy as an update to the MRMP.

Financial Requirements/Impacts

There are no financial requirements or impacts associated with adopting Resolution 26-40.

Recommendation

Staff respectfully requests that City Council adopt Resolution 26-40.