

- (xi) at least one record measurement reference for each line and curve, if available, must be shown;
 - (xii) all lots and blocks in the subdivision designated by number, the bearings, distances, and curve data of each lot and block, the area of each lot, and the total area of all lots. (Excepted lands must be labeled "NOT INCLUDED IN THIS SUBDIVISION" or "NOT INCLUDED IN THIS PLAT";
 - (xiii) all existing rights-of-way for streets, alleys, avenues, streets, and highways that adjoin or are within the boundaries of the subdivision; their names and widths from public record (if ascertainable); the bearings, distances, and curve data of their adjoining boundaries. If the existing right(s)-of-way is contained within the boundaries of the subdivision, then the area of the portion of the right(s)-of-way within the subdivision shall be shown;
 - (xiv) all rights-of-way for streets, alleys, avenues, streets, and highways that will be created by the filing of the plat; their names, widths, bearings, distances, curve data, and area;
 - (xv) except as provided in (2)(d)(xiii) and (xiv), the location, bearings, distances, curve data, and areas of all parks, common areas, and other grounds dedicated for public use;
 - (xvi) the total area of the subdivision;
 - (xvii) a narrative legal description of the subdivision.
- (A) The land surveyor, at his or her discretion, may choose the form of the narrative legal description as follows:
- (I) If the land to be subdivided is either an aliquot part of a U.S. government section or a U.S. government lot, the narrative legal description may be the aliquot part or the government lot description of the land;
 - (II) If the plat depicts the division of one or more parcels shown on a previously filed certificate of survey or plat, the narrative legal description may be the number of the previously filed certificate of survey or name of the previously filed plat and the parcel number of the parcel(s) previously surveyed;
 - (III) The narrative legal description may be the metes-and-bounds description of the perimeter boundary of the subdivision; or
 - (IV) If the narrative legal description does not fall within (2)(e)(xvii)(A)(I) or (II), the narrative legal description required by this subsection is the

metes-and-bounds description of the perimeter boundary of the subdivision.

- (B) When the narrative legal description is metes-and-bounds, the point of beginning, which is also the point of closure of the legal description of the subdivision surveyed, must be labeled "Point of Beginning." Alternatively, the point of beginning may be labeled "POB" if the abbreviation is defined on the plat.
- (xviii) the dated signature and the seal of the land surveyor responsible for the survey. The land surveyor's signature certifies that the plat has been prepared in conformance with the applicable sections of the Montana Subdivision and Platting Act and the regulations adopted under the Act. The land surveyor's signature and certification do not include certification of the Conditions of Approval sheet(s);
- (xix) a memorandum of any oaths administered under 76-3-405, MCA;
- (xx) the dated, signed, and acknowledged consent to the subdivision of the owner of the land to be subdivided. For purposes of this rule, when the parcel of land proposed for subdivision is being conveyed under a contract-for-deed, the terms "property owner," "landowner," and "owner" mean the seller of the land under the contract-for-deed;
- (xxi) certification by the City Council that the final plat is approved;
- (xxii) if applicable, the landowner's certificate of dedication of streets, alleys, avenues, streets, highways, parks, playground easements, or other public improvements;
- (xxiii) if applicable, or as required by subdivision regulations, the landowner(s)' certification statement(s) as follows:
 - (A) A statement that federal, state, and local plans, policies, regulations, and/or conditions of subdivision approval that may limit the use of the property, including the location, size, and use are shown on the Conditions of Approval sheet or as otherwise stated.
 - (B) A statement that buyers of property should ensure that they have obtained and reviewed all sheets of the plat and all documents recorded and filed in conjunction with the plat and that buyers of property are strongly encouraged to contact the local planning department and become informed of any limitations on the use of the property prior to closing.
 - (C) A statement that all or part of the required public improvements have been installed and/or security requirements pursuant to 76-3-507, MCA, secure the future construction of any remaining public improvements to be installed.

- (xxiv) if applicable, a certificate of the City Council accepting any dedicated land, easements, or improvements;
 - (xxv) if applicable, the certificate of the examining land surveyor;
 - (xxvi) space for the clerk and recorder's filing information; and
 - (xxvii) a minimum two-inch by four-inch blank space below the clerk and recorder's filing information for the recording numbers of the documents listed in (5).
- (f) The land surveyor, at his or her discretion, may provide additional information on the plat regarding the survey.
- (3) The following certifications of final plat approval must appear on the plat or on the Conditions of Approval sheet as contained in (4), or recorded or filed as contained in (5) of these rules:
- (a) A certification by the Sanders County Treasurer that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid and, if applicable, certification of the local health officer having jurisdiction.
- (4) If applicable, a sheet(s) of the plat prepared by the landowner(s) or their representative(s) depicting conformance with subdivision application approval shall be entitled "Conditions of Approval of [insert name of subdivision]" with a title block including the quarter-section, section, Cityship, range, principal meridian, county, and, if applicable, city or City in which the subdivision is located, and shall contain:
- (a) any text and/or graphic representations of requirements by the City Council for final plat approval including, but not limited to, setbacks from streams or riparian areas, floodplain boundaries, no-build areas, building envelopes, or the use of particular parcels;
 - (b) a certification statement by the landowner that the text and/or graphics shown on the Conditions of Approval sheet(s) represent(s) requirements by the City Council for final plat approval and that all conditions of subdivision application have been satisfied; and
 - (c) a notation stating that the information shown is current as of the date of the certification required in (4)(b), and that changes to any land-use restrictions or encumbrances may be made by amendments to covenants, zoning regulations, easements, or other documents as allowed by law or by local regulations.
- (5) If applicable, the following documents as specified by local government shall accompany the approved final plat and shall be recorded or filed with the plat as specified by the

County Clerk and Recorder, and the recording or filing number(s) for each document may be written on the plat by the Sanders County Clerk and Recorder:

- (a) a title report or certificate of a title abstractor showing the names of the owners of record of the land to be subdivided, and the names of any lien holders or claimants of record against the land, and the written consent to the subdivision by the owners of the land if other than the subdivider, and any lien holders or claimants of record against the land;
- (b) any covenants or deed restrictions relating to the subdivision;
- (c) for lots less than 20 acres in size, exclusive of public roadways, a certification from the Montana Department of Environmental Quality stating that it has approved the plans and specifications for water supply and sanitary facilities pursuant to 76-4-104(2), MCA;
- (d) if required by the City Council, for lots of 20 acres or greater in size, written documentation that the subdivider has demonstrated that there is an adequate water source and at least one area for a septic system and replacement drainfield for each lot in accordance with 76-3-604(8)(b), MCA;
- (e) a copy of any security requirements, pursuant to 76-3-507, MCA, securing the future construction of any remaining public improvements to be installed;
- (f) unless otherwise provided in local subdivision regulations, copies of final plans, profiles, grades, and specifications for improvements, including a complete grading and drainage plan, with the certification of a professional engineer that all required improvements which have been installed are in conformance with the attached plans. Local subdivision regulations may authorize the subdivider, under conditions satisfactory to the City Council, to prepare these plans and specifications after the final plat has been filed, or file them with a government official other than the clerk and recorder, or both. If the approved plans and specifications are or will be filed with a government official other than the clerk and recorder, then a document or a statement on the Conditions of Approval sheet that states where the plans can be obtained must be filed or recorded;
- (g) if a street, alley, avenue, street, or highway created by the plat will intersect with a state or federal right-of-way, a copy of the access or encroachment permit; and
- (h) any other documents satisfying subdivision application approval required by the City Council to be filed or recorded.

APPENDIX 4 SUBDIVISION REVIEW FEE SCHEDULE

Pursuant to 76-3-201 and 602, MCA, the subdivider shall pay the following non-refundable fees:
REFER TO THE CITY OF THOMPSON FALLS FEE SCHEDULE

1. **Noxious Weed Management Plan** (*Fee goes to the Sanders County Weed Department*)

Proposed subdivisions of:

- Five or fewer lots/spaces/units - \$75 plus mileage (at State rate per mile)
- Six or more lots/spaces/units - \$75 plus mileage (at State rate per mile) plus \$7.50 per lot

2. **Subdivision Exemption Review Fee** (*Fee is paid to the Sanders County Clerk & Recorder, then split equally among the Sanders County Clerk & Recorder's Office, City of Thompson falls*)

- \$150

3. **Subdivision Recording Fees**

- As set by Sanders County Clerk & Recorder's Office. Fees are due at the time documents are submitted for filing/recording.

APPENDIX 5 PRE-APPLICATION CHECKLIST

Subdivision / Project Name: _____

Subdivider Name: _____

Required Information	Information Provided	
	Applicant	Staff Verified
1. Narrative		
a. Describes proposed subdivision		
b. Identifies landowner (including names of the principal of an LLC or corporation), subdivider, and subdivider representative names, addresses, and telephone numbers		
c. Includes a complete legal description of the property		
d. Documents the proposed subdivisions as a first minor (if applicable)		
e. Documents any water rights		
f. Identify any special improvement districts or rural improvements districts		
2. Subdivision Assessment Form (appendix C) - signed		
3. Vicinity map showing the location of the proposed subdivision in relation to nearby landmarks		
4. Crucial Area Planning System (through Montana FWP) results		
5. Sketch plan		
a. Information on the <u>current status</u> of the site: <ol style="list-style-type: none"> existing tract and lot boundaries description of general terrain, including topography natural features on the land, including water bodies existing structures and improvements existing utility lines and facilities serving the site, including irrigation ditches and other water user facilities existing easements and rights-of-way existing zoning or development regulation standards existing conservation easements existing covenants or deed restrictions adjacent land uses 		
b. Information on the <u>proposed subdivision</u> <ol style="list-style-type: none"> tract and lot boundaries land uses proposed phasing, if applicable public and private improvements location of utility lines and facilities easements and rights of way 		

7. parkland, open space, and/or conservation easements		
6. Fee – payable to Sanders County Planning		
a. Planning Review \$100		
b. Public Safety Review - \$80 plus \$10/lot		
7. Notification Letter/List – agencies, adjacent landowners ² , lienholders, etc.		
OFFICE USE ONLY Pre-application Received on ____ / ____ / ____ by _____ Materials deemed complete on ____ / ____ / ____ by _____ Subdivider authorized to send out notifications on ____ / ____ / ____ (allow 30 days for comments) 19 additional copies received on ____ / ____ / ____ Scheduled for Planning Board meeting of ____ / ____ / ____ Site Visit / / /		

² Refer to records in the Clerk and Recorder's and Treasure's offices for names and addresses of adjacent landowners

APPENDIX 6 SUBDIVISION ASSESSMENT FORM

Each subdivision application will be reviewed for substantial compliance with the Guiding Principles, Goals and Objectives of the City of Thompson Falls Growth Policy. Each project will also be reviewed for its potential effects on the Public Interest Review Criteria. These items are listed below and discussed further in Appendices 10 and 16.

GOALS, City of Thompson Falls Growth Policy:

- *General:*
 - Provide for Orderly Development of the City of Thompson Falls Planning Area
- *Land Use:*
 - Encourage development in areas with few environmental hazards in order to minimize both the degradation of the natural environment due to urbanization and the loss of capital investment and life due to natural disasters.
 - Preserve, protect and improve potable water quantity and quality in City of Thompson
 - Maintain the quality of the City's wildlife habitat and open space.
- *Public Safety.*
 - Ensure that all fire service entities are providing adequate firefighting and emergency response services, apparatus, equipment, personnel, training and facilities.
 - Recognize the significance of the contributions made by the volunteer members of the fire entities in Thompson.
 - Establish safe pedestrian and bicycle access in designated areas of the City as part of the non-motorized circulation system.
- *Utilities.*
 - Create an effective land use pattern that permits the logical and effective extension of utilities.
- *Transportation.*
 - Maintain and improve the condition and operational level of service of the existing road system.
 - Identify and protect future road corridors to serve future developments and public lands.
 - Construction of roads serving developing areas should occur when and where public facilities can be provided in an efficient manner.
 - Establish accessibility guidelines in order to provide adequate access for emergency services to residents of Thompson.
 - Assist Sanders County with its efforts to maintain and enhance the capacity of the Thompson Falls Airport.
- *Housing.*

- All residents deserve to have the opportunity to obtain safe, sanitary, and affordable housing.
- *Economic Development.*
 - Encourage the retention and expansion of existing businesses.

SEVEN PUBLIC INTEREST REVIEW CRITERIA: Agriculture, agricultural water user facilities, natural environment, wildlife, wildlife habitat, local services, public health and safety.

A proposed subdivision may have positive, neutral, and/or negative effects. Where potential negative effects are identified, the project may be required to include mitigation measures that will reduce or eliminate the negative impacts. In some cases, negative impacts cannot be mitigated and may be grounds for denial of the subdivision application.

I've read and understand that the above criteria will be used in evaluating my subdivision application.

[Print Subdivider Name Here]

[Sign and Date Here]

APPENDIX 7 SAMPLE NOTIFICATION LETTER: PRE-APPLICATION PHASE

NOTE: Letter is not sent until Planning staff has reviewed and approved the packet.

[Date Mailed]

TO: Adjacent Property Owners
 Lien Holders
 Easement Holders
 Potentially Affected Water Users
 Potentially Affected Property Owner Associations
 Review Agencies

FROM: **[Landowner name and contact information. Also, name and contact
information for landowner's representative, if pertinent]**

RE: **[Proposed Subdivision and Legal Description of Site]**

This is to notify you that we are preparing a subdivision application for review by City of Thompson Falls. Enclosed for your information is a pre-application packet describing the proposed project.

Please contact us with any questions, comments, or suggestions you may have, within the next 30 days at the following address:

[contact name, address, phone number, email, fax, ...]

Thank you.

Enclosure

APPENDIX 8 PRELIMINARY PLAT CHECKLIST

Section A: Completed by Subdivider

Name of Proposed Subdivision:

Location:

Property Owner:

Legal Description:

Property Geocode/Parcel ID:

Subdivider Explanatory
Comments:

20 copies submitted to Planning Office (*AFTER* sufficiency is met):

☐ Preliminary Plat or Plan

24" x 36" in size

(For one-or-two lot proposed subdivisions, 18 of the 20 copies may be 11" x 17" in size.)

☐ Preliminary Plat Supplements

Additional public review copies

☐ (Required) Placed in local library: Date _____ Library _____

Section B: Completed by Planner

PLANNER REVIEW	Date:	By:	Comment:
Received:			
Element Review			
Element Complete:			
Sufficiency Review:			
Meets sufficiency:			

Section C: Completed by Subdivider and Planner

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner		
		Element Review		Sufficiency Review
		Missing	OK/NA	Missing OK/NA
Documentation of Status as First Minor Subdivision				
Subdivision Application Form (Appendix 11)				
Subdivision Review Fee.				
<i>Preliminary Plat or Plan 24" x 36" in size</i>				
<i>Preliminary Plat Contents (Surveyor should be made aware of these requirements.)</i>				
a. Title Block.				
1. Name and location of subdivision (Name does not duplicate another subdivision).				
2. Scale				
3. North arrow.				
4. Date of preparation.				
b. Vicinity map.				
c. Approximate exterior boundaries of the platted tract and location of all section corners or legal subdivision corners of sections pertinent to the subdivision boundary.				
d. All lots and blocks, designated by numbers, and the approximate dimensions and area of each lot.				
e. All roadways and right-of-way width/grades/curvature of each, with existing and proposed roadway names (New street names have been approved by City of Thompson Falls).				
f. Proposed intersection locations or other access points for any subdivision requiring access to highways, arterials, and collectors.				
g. Approximate location, boundaries, dimensions, and areas of all parks, common grounds, or other grounds dedicated for public use.				
h. Existing and proposed utilities located on or adjacent to the tract, including:				

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner			
		Element Review		Sufficiency Review	
		Missing	OK/NA	Missing	OK/NA
1. Approximate location, size, and depth of sanitary and storm sewers, water mains, fire hydrants, dry hydrants, cisterns, and any other water					
2. Approximate location of gas, electric, and telephone lines, and street lights.					
3. Approximate location of the nearest water mains and sewer lines where none are located on or adjacent to the tract.					
4. Existing irrigation ditches and canals.					
i. Ground Elevations on the Tract. Contour intervals are provided at suggested vertical intervals of: two (2) feet where the average slope is 0-2%, five (5) feet where the average slope is 3-7%, and ten (10) feet where the average slope is over 7%. <i>Notes: (1) A cross section may be required to define drainage patterns. (2) United States Geological Survey data or other information may be used, if it presents an accurate and usable representation of ground features.</i>					
j. Approximate location of existing buildings, structures, and improvements.					
k. Approximate location and identity of existing and proposed public and private easements and rights-of-way, including description of their width and purpose. This includes conservation easements.					
l. Approximate location of any water bodies.					
m. Floodway survey data, when required.					
n. Construction setback from any river running through or immediately adjacent to the proposed subdivision.					
o. Proposed building envelopes.					

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner		
		Element Review		Sufficiency Review
		Missing	OK/NA	
p. Names of adjoining platted subdivisions and numbers of adjoining COSs previously recorded.				OK/NA
q. Ownership of all lands adjacent to the subdivision and to the access street leading from a present public right-of-way to the boundary of the proposed subdivision.				
Preliminary Plat Supplements:				
a. A vicinity sketch or sketches showing conditions on subject land and adjacent land, including:				
1. Clear indication of the proposed subdivision on an U.S. Geological Survey topographic map, aerial photograph, or location map.				
2. Approximate direction and gradient of ground slope, including any embankments or retaining walls.				
3. Current land uses.				
4. Location of buildings, streets, power lines, towers, and streets.				
5. Location of any known potential man-made or natural hazards.				
b. Any existing or proposed zoning (or other land use regulation) on the proposed subdivision tract and in the vicinity.				
c. Overall development plan or notice of plan approval by City Council.				

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner			
		Element Review		Sufficiency Review	
		Missing	OK/NA	Missing	OK/NA
d. Where land will be dedicated to public use, either: 1. A dedication certificate of a licensed title abstractor showing the written consent of the dedication by the owners of the land and any lien holders or claimants of record against the land; or, 2. Title insurance guaranteeing the dedication, in a reasonable amount (to be determined by the City Council).					
e. Drafts of any covenants and restrictions to be included in deeds or contracts for sale.					
f. Draft of any owners' association covenants.					
g. Draft of any plat approval covenants.					
h. Names and addresses of adjoining landowners, and documentation that they have received at least 30 days' advanced notification of the proposed subdivision. Include any comments received.					
i. Names and addresses of all lien holders, easement holders, potentially affected water users (if any, and if known), and any property owners' association potentially affected by the project as determined by the planner. Documentation that they have received at least 30 days' advanced notification of the proposed subdivision. Include any comments received.					
j. Names and addresses of public agencies located within two (2) miles of the proposed subdivision (including any agencies who manage a street that would provide access to the development), and documentation that they have received at least 30 days' advanced notification of the proposed subdivision. Include any comments received.					

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner			
		Element Review		Sufficiency Review	
		Missing	OK/NA	Missing	OK/NA
k. Verification that other review agencies, as required (See Appendix 1), have received at least 30 days' advanced notification of the proposed subdivision. Include any comments received.					
l. Verification that local library has received a copy of the subdivision application package.					
m. Copies of easements, proposed easements, or other documents verifying legal access to the subdivision.					
n. Calculations, documentation pertaining to parkland dedication or cash-in-lieu.					
o. Water and sanitation information, as outlined in Appendix 13 or 14. Approval from DEQ, if available.					
p. Environmental assessment (Appendix 10)					
1. Select one <input type="checkbox"/> Full. <input type="checkbox"/> Partial. <input type="checkbox"/> Exemption statement from Planning Board.					
2. Required special studies, such as: <input type="checkbox"/> Geological assessment <input type="checkbox"/> Hydrology study <input type="checkbox"/> Wetlands delineation <input type="checkbox"/> Floodplain survey <input type="checkbox"/> Traffic impact analysis <input type="checkbox"/> Fire protection plan <input type="checkbox"/> Cultural resources survey <input type="checkbox"/> Other (list)					
q. Floodplain development permit, if required (Appendix 31).					
r. Receipt for noxious weed management plan and review fee (Appendix 18).					
s. Explanation of water rights/mineral rights.					

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner			
		Element Review		Sufficiency Review	
		Missing	OK/NA	Missing	OK/NA
t. Statement of how the proposed subdivision meets the seven (7) public interest review criteria and the goals and objectives of the City of Thompson Falls Growth Policy (Guidelines are included in Appendices 10 and 16).					
u. Overall phasing plan and phasing schedule					
v. Other public comments received.					
Special information for:					
a. Mobile home parks.					
b. Recreational vehicle parks.					
c. Condominiums or Cityhouses.					
Preliminary Plat Checklist (one copy only).					

APPENDIX 9 ENVIRONMENTAL ASSESSMENT

Pursuant to 76-3-603, MCA, the environmental assessment of a proposed subdivision of six (6) or more lots must include the following items:

- A description of every waterbody or stream of surface water that may be affected by the proposed subdivision, together with available ground water information, and a description of the topography, vegetation, and wildlife use within the area of the proposed subdivision.
- A summary of the probable impacts of the proposed subdivision based on the seven (7) public interest criteria described in 76-3-608, MCA.
- A community impact report containing a statement of anticipated needs of the proposed subdivision for local services, including education and busing; streets and maintenance; water, sewage, and solid waste facilities; and fire and police protection.
- Additional relevant and reasonable information related to these regulations.

Pursuant to 76-3-603, MCA, the environmental assessment of a proposed subdivision subdivision of five (5) or fewer lots must include a summary of the probable impacts of the proposed subdivision based on the seven (7) public interest criteria described in 76-3-608, MCA.

Environmental assessments of all proposed subdivisions must also consider the probable impacts on the three (3) additional criteria outlined in Section II-E.2.c.

Purpose: The purpose of the environmental assessment is to assist the subdivider and City Council in evaluating the potential effects, positive and negative, of the proposed subdivision. If portions of the environmental assessment are prepared prior to final design of a proposed subdivision, the exercise can help the subdivider evaluate the suitability of the site for the proposed subdivision, assist the subdivider in working out a quality subdivision design, and produce a subdivision proposal which minimizes the potential for negative impacts.

Impacts should be considered at three levels: (1) the immediate site of the proposed subdivision, (2) the general vicinity or neighborhood, and (3) the City.

Subdividers proposing to create six (6) or more lots must provide the information outlined in the checklist below. A completed copy of the checklist must also be provided.

Subdividers proposing a minor subdivision of five (5) or fewer lots must provide Checklist Item 1 and a summary discussion of the public interest criteria listed under Checklist Items 2 and 3.

Information sources must be identified. Review agency contacts can help provide much of the information. See Appendix 1. Note that some of these contacts must be made prior to submitting the subdivision application package or overall development plan.

ENVIRONMENTAL ASSESSMENT CHECKLIST		
Required Information	Subdivider Checklist	Planner Checklist
1. Part II and Part III of the Montana Dept. of Environmental Quality/Local Government Joint Application Form (See Appendix 12.)		
2. Discussion of seven (7) public interest criteria (Questions to consider are attached): a. Effect on agriculture b. Effect on agricultural water user facilities c. Effect on the natural environment. d. Effect on wildlife e. Effect on wildlife habitat. f. Effect on local services, including the community service needs assessment described in state statutes as a "community impact report". g. Effect on public health and safety.		

DISCUSSION OF PUBLIC INTEREST CRITERIA

Note: The following questions are intended to be used as a guide for addressing the public interest criteria. The subdivider must demonstrate, through the environmental assessment, that the proposed subdivision has been designed with consideration of these criteria.

#1. Effect of proposed subdivision on agriculture

- Has the land historically been used for agriculture? How is the land currently used, and what are the proposed uses? If the land is not currently used for agriculture, does it have potential as highly productive agricultural ground?
- What percentage of this land is considered “prime or unique farmland” (according to Natural Resource Conservation Service definition), or “prime forestland” (according to U.S. Forest Service definition)?
- What percentage of this land can be described as “productive” agricultural land, taking into consideration factors such as: soil quality, topography, climate, vegetation, availability of water, existing land use patterns, technological and energy inputs required, suitability for crop-raising/livestock grazing/timber growth, and accepted agricultural practices?
- Is the proposed subdivision designed to keep a portion of the land in agricultural use? Is the proposed subdivision designed to avoid development of the most productive acreage? Is the proposed subdivision designed to avoid development of acreage that plays a vital role in an existing agricultural operation (e.g., spring pasture)?
- If the subdivision is approved, how much land will be taken out of agriculture?
- Will irrigation water rights be conveyed with the proposed lots? If so, is there a plan for the distribution of water to the lots?
- Are upslope or downslope properties currently irrigated? If so, how will the proposed subdivision affect them? How will they affect the proposed subdivision?
- What are the adjacent land uses? Is the majority of adjacent land in agricultural use? Is the majority of adjacent land subdivided into lots less than 160 acres in size?

- What measures will be taken to ensure that the proposed subdivision will not conflict with nearby agricultural operations (e.g., perimeter fencing, strategies to control wildlife populations and prevent wildlife displacement or attraction, restrictive covenants pertaining to domestic pets, etc.)?

#2. Effect of proposed subdivision on agricultural water user facilities

- Are there irrigation ditches, canal, and other water user facilities (and associated easements) on this land? If so, have affected water users been notified of the proposed subdivision, and have they expressed any concern about its effect on their facilities? Are the easements adequate to protect water user facilities and allow for routine maintenance?
- Will water rights stay with the land proposed for subdivision? If so, how will distribution of the subdivision water be managed?

#3. Effect of proposed subdivision on the natural environment

- *Surface water quality.* Does the proposed subdivision contain or lie adjacent to a water body? If so, is it designed to prevent erosion or other potential surface water quality problems?
- *Groundwater quality.* Do soil characteristics indicate the land may be vulnerable to groundwater pollution from development? If so, how is the proposed subdivision designed to minimize the potential for groundwater pollution?
- *Soil erosion potential.* Are soils on the land considered erodible, according to the City of Thompson Falls Soil Survey and on-site inspection? Is the proposed subdivision designed to avoid or minimize construction on the more erodible soils? If not, what measures are proposed to prevent erosion?
- *Surface water run-off.* Is the proposed subdivision designed to avoid or minimize drainage problems? Has a grading and drainage plan been prepared to prevent potential drainage problems?
- *Vegetative health.* Is the land located in an area where threatened and/or endangered plant species are known to exist? If so, what mitigation measures are proposed to protect the species? Is the proposed subdivision designed to protect natural vegetation and limit street length, so as to prevent the spread of noxious weeds? What is the noxious weed condition of the land? Has the subdivider begun the process of preparing a weed management plan for review and approval by the Madison County Weed Board?
- *Air quality.* Does this proposed subdivision have the potential to degrade neighborhood air quality? If so, what mitigation measures are proposed to protect air quality?
- *Riparian areas, wetlands, flood-prone areas.* Do soils, vegetation, and City of Thompson Falls flood-prone area maps indicate that the land includes any of these types of areas? If so,

is the proposed subdivision designed to avoid construction (buildings and/or streets) in these areas? If not, have the necessary permits been applied for?

- *Natural topography.* Does the contour map identify areas of steep slope (25% or greater)? If so, is the proposed subdivision designed to avoid these steep slopes? Will construction of the subdivision reasonably maintain the natural topographic features of the land?
- *Open landscape, scenic beauty.* Is the proposed subdivision designed to conserve land by clustering homesites and maintaining significant open space? Is it designed to avoid ridgetops and visual encroachment into river corridors? Is it designed to conserve any views and vistas which are identified in an adopted land use plan?

#4 and #5. Effect of proposed subdivision on wildlife and wildlife habitat

- What types of wildlife are found (or likely to be found) in the habitat where this proposed subdivision is located? Consider both game species and non-game species of animals, birds, reptiles, amphibians, and fish. Consider both permanent and seasonal wildlife populations.
- Is the proposed subdivision located in big game winter range, an area of elk calving, and/or a wildlife migration corridor?
- Is the proposed subdivision located in a wildlife breeding area?
- Is the proposed subdivision located in habitat which supports threatened and/or endangered species?
- Is the proposed subdivision located in or adjacent to an area considered by wildlife specialists to be rich in wildlife resources?
- If the proposed subdivision is located in an area considered rich in wildlife resources, is the subdivision designed to minimize negative impacts on the wildlife? Was WildPlanner used to evaluate the subdivision's design for impacts on wildlife and wildlife habitat?
 - Development design measures could include clustering, reduced number of lots, buffer zones, access or use limitations, conservation easements, restrictive covenants, wildlife habitat enhancement projects, and wildlife habitat replacement areas.
 - Negative impacts could include wildlife harassment, displacement, endangerment, and either population loss or uncontrolled population increase.
- If the proposed subdivision is located adjacent to an area rich in wildlife resources, what measures are proposed to protect the adjacent habitat and wildlife population from being negatively impacted by the development? Was WildPlanner used to evaluate the subdivision's design for impacts on wildlife and wildlife habitat?
- Is the proposed subdivision likely to put the immediate area close to, at, or over the limits of being able to sustain existing wildlife populations?

- Is the proposed subdivision likely to displace wildlife in a way that will create problems for adjacent landowners?

#6. Effect of proposed subdivision on local services

- Will the proposed subdivision connect to existing community water and sewer systems? If so, can these existing systems handle the additional demand?
- How much additional traffic will the proposed subdivision generate? Can local streets/bridges handle the additional load on a year-round basis? If not, what capital improvements will be necessary?
- Is the proposed subdivision likely to put local services close to, at, or over their limits of service capability?
- At full build-out, what will the proposed subdivision require of local law enforcement, fire district, quick response unit, ambulance service, and school district (Estimate in terms of annual cost, increased demand, or other measure)? How does this compare with the local services demanded of the current land uses?
- At full build-out, what will the proposed subdivision generate in annual property tax revenues (using current dollars)? How does this compare with the property tax revenues being paid currently?
- If the proposed subdivision appears likely to generate insufficient property taxes to cover the local services it will require, has the applicant agreed to make any payment towards bridging the gap?
- Will this proposed subdivision add to the City's affordable housing stock ("affordable", as defined by the U.S. Dept. of Housing and Urban Development)?
- Will this proposed subdivision have adequate utility service (power, telephone, solid waste disposal)?

#7. Effect of proposed subdivision on public health and safety

- Is the proposed subdivision located in an area of natural hazard (e.g., flooding, earthquake zone, steep slopes/unstable soils/slides, high water table, high fire hazard or designated wildland/urban interface area, habitat for potentially dangerous wildlife such as bears and mountain lions)? If so, is the subdivision designed to eliminate or overcome the hazard?
- Is the proposed subdivision located in an area of manmade hazard (e.g., high voltage line, high pressure gas line, shooting range or public hunting grounds, airport, heavy industrial activity, heavy traffic volume, unmaintained/seasonal public street, polluted air or water supply)? Will the proposed subdivision attract potentially dangerous wildlife such as bears

and mountain lions? If so, is the subdivision designed to mitigate any such hazards?

- What is the proposed subdivision's fire risk rating? What is the fire district's Insurance Service Office rating? What fire protection measures will be taken as a part of the subdivision proposal, to maintain a low risk?
- What is the estimated response time (under good weather conditions) of various emergency services (fire protection, law enforcement, ambulance service, quick response unit) to the site? In the view of the emergency service providers, are these response times adequate to provide reasonable public health and safety protection?
- Does the proposed subdivision itself include any activity or facility which could potentially endanger the public (e.g., commercial fuel storage tank, airport activity, irrigation canal, ponds)? If so, what measures will be taken to reduce, eliminate, or overcome the hazard?

PUBLIC INTEREST CRITERIA -- SUMMARY EVALUATION

Note: A proposed subdivision may have both positive and negative effects on any one of these criteria.

Potential Effects of Proposed Subdivision	Positive	Neutral	Negative	Comments
Public Interest Criteria				
#1. Effect on agriculture.				
#2. Effect on agricultural water user facilities.				
#3. Effect on natural environment.				
#4 & #5. Effect on wildlife and wildlife habitat.				
#6. Effect on local services.				
#7. Effect on public health and safety.				

APPENDIX 10 SUBDIVISION APPLICATION COVER SHEET & FORM

Name of Proposed Subdivision. _____

Date of Pre-Application Meeting(s). _____

Date of Overall Development Plan Approval by the City of Thompson Falls Council
(If applicable). _____

Contents of Subdivision Application Package.

- _____ [If applicable] Overall Development Plan Information.
- _____ Preliminary Plat (or Plan).
- _____ PART I of the Subdivision Joint Application Form (See Appendix 12).
- _____ PART II materials of the Subdivision Joint Application Form (See Appendix 12).
- _____ [If applicable] Environmental Assessment Materials (See PART III of Appendix 12 and Appendix 10).
- _____ Additional Supplementary Materials.
- _____ Additional Supplementary Materials if proposed subdivision is a planned unit development (PUD).
- _____ Preliminary Plat Checklist (See Appendix 9).
- _____ Subdivision review fee (See Appendix 4).
- _____ Any request for variance, along with variance review fee (See Appendix 30).

Note:

Pursuant to the City of Thompson Falls Subdivision Regulations, the City of Thompson Falls Council may revoke a subdivision approval if it determines that information provided by the subdivider, and upon which such decision was based, is inaccurate. Therefore, please complete the application package accurately and provide all information requested.

APPENDIX 11**JOINT APPLICATION****MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY/
LOCAL GOVERNMENT JOINT APPLICATION FORM****PART I. GENERAL DESCRIPTION AND INFORMATION (required for all subdivisions)**

1. Name of proposed development _____

2. Location: City and/or City _____
Legal description: _____ 1/4 _____ 1/4 of Section _____ Cityship _____ Range _____

3. Is concurrent review by local City Council and DEQ requested? Yes _____ No _____

4. Type of water supply system

- _____ Individual well
_____ Individual cistern
_____ Individual surface water supply or spring
_____ Shared well (2 connections)
_____ Multiple-user water supply system (3-14 connections and fewer than 25 people)
_____ Service connection to multiple-user system
_____ Service connection to public system
_____ Extension of public main
_____ New public system (15 or more connections or serving 25 or more people)

5. Type of wastewater treatment system

- _____ Individual wastewater treatment system
_____ Number of bedrooms (3 bedrooms will be used if unknown)
_____ Shared wastewater treatment system (2 connections)
_____ Multiple-user system (3-14 connections and fewer than 25 people)
_____ Service connection to multiple-user system
_____ Service connection to public system
_____ Extension of public main
_____ New public system (15 or more connections or serving 25 or more people)

6. Name of solid waste (garbage) disposal site

7. Nondegradation

Yes _____ No _____ Is information included which substantiates that there will be no degradation of state waters or that degradation will be nonsignificant?
Yes _____ No _____ If not, have you enclosed an Application to Degrade?

8. Descriptive Data

_____ Number of lots or rental spaces

- _____ Total acreage in lots being reviewed
- _____ Total acreage in streets or streets
- _____ Total acreage in parks, open space, and/or common facilities
- _____ Total gross acreage of subdivision
- _____ Minimum size of lots or spaces
- _____ Maximum size of lots or spaces

9. Indicate the proposed use(s) and number of lots or spaces in each.

- _____ Residential, single family
- _____ Residential, multiple family Number of units _____
- _____ Type of multiple family structure (e.g. duplex) _____ Number of units _____
- _____ Planned unit development Number of units _____
- _____ Condominium Number of units _____
- _____ Mobile home park Number of units _____
- _____ Recreational vehicle park Number of units _____
- _____ Commercial or industrial
- _____ Other (please describe) _____

10. Provide the following information regarding the development.

Current land use _____

Depth to ground water at the time of year when water table is nearest to the natural ground surface within the drainfield area _____

Depth to bedrock or other impervious material in the drainfield area _____

Existing zoning or other regulations _____

11. Include the following attachments, if applicable.

Yes _____ NA _____ An overall development plan indicating the intent for the development of the remainder of the tract, if a tract of land is to be subdivided in phases.

Yes _____ NA _____ Drafts of any covenants and restrictions to be included in deeds or contracts for sale.

Yes _____ NA _____ Drafts of homeowners' association bylaws and articles of incorporation, if _____ applicable.

(Submitting a draft copy of a homeowners' association bylaws and articles of incorporation is adequate for DEQ to initiate and complete its review of sanitary facilities, but a copy of the fully executed documents must be submitted before DEQ can issue final approval.)

I understand that a person may not dispose of any lot within a subdivision, erect any facility for the supply of water or disposal of sewage or solid waste, erect any building or shelter in a subdivision that requires facilities for the supply of water or disposal of sewage or solid waste, or occupy any permanent buildings in a subdivision until the reviewing authority under the

Sanitation in Subdivisions Act has issued a certificate of subdivision approval indicating that the subdivision is not subject to sanitary restriction, unless the subdivision is exempt from the Sanitation in Subdivisions Act under 76-4-125, MCA. I understand that a person may not construct or use a facility that deviates from the certificate of subdivision approval until the reviewing authority has approved the deviation.

I designate _____ as my representative for purposes of this application.

Designated representative, if any (e.g., engineer, surveyor)

Name: _____

Phone: _____

Address:

Company, Street or P.O. Box, City, State, Zip Code

Owner Name:

Signature of owner

Print name of owner

Address: _____
Street or P.O. Box, City, State, Zip Code

Date: _____ Phone: _____

The statement must be signed by the owner of the land proposed for subdivision or the responsible officer of the corporation offering the same for sale. If the landowner or subdivider is a limited partnership (L.P.) or limited liability corporation (L.L.C.), the names of ALL principals must be listed.

Notice: The statutory time frame for each review is 60 days. Resubmittal of denied or incomplete applications restarts the time frame. The estimated time for the DEQ to act on a complete subdivision application is 10 days for subdivisions reviewed by a local department of health under contract to the DEQ. Local health departments review subdivisions within 50 days of receipt of a complete application. During non-peak times, a review may take 25 to 45 days. For peak times, the review may take 45 to 60 days.

**PART II REQUIRED INFORMATION FOR APPROVAL OF SUBDIVISIONS
UNDER SANITATION IN SUBDIVISIONS LAWS (e.g., parcels less than 20
acres, trailer courts, RV parks, condominiums)**

All applications must include the information required in ARM 17.36.101-805 and the appropriate circulars. In order to facilitate review, the application should be organized in the same manner as this application form and follow closely the submittal requirements in the rules and circulars.

A. Physical Conditions

Provide the following attachments.

1. A vicinity map showing the location of the proposed subdivision in relation to the nearest City, highway(s).
2. Soils survey map and most recent interpretations of soil suitability for the proposed land uses.
3. Topographic map of the development with contour intervals meeting the preliminary plat requirements of the local subdivision regulations.
4. A copy of a preliminary plat* (a minor subdivision plat if applicable) prepared in accordance with local subdivision regulations, or a final plat, show the location of:
 - a. Any rock outcroppings.
 - b. Any areas subject to flood hazard or, if available, 100-year floodplain studies. (The local floodplain administrator or the Floodplain Management Section of the Water Resources Division of the Department of Natural Resources and Conservation may be contracted for assistance in determining flood hazard locations.)
 - c. Any natural water systems such as streams, rivers, intermittent streams, lakes or wetlands (also indicate the names and sizes of each).
 - d. Any man-made water systems such as wells, ponds, canals, ditches, aqueducts, reservoirs and irrigation systems (also indicate the names, sizes and present use of each).
 - e. Any existing or proposed utilities located within or adjacent to the subdivision, including electrical power, natural gas, telephone service, and water and sewer pipelines or facilities.

*Submit a preliminary plat or certificate of survey with complete and accurate legal description adequate for DEQ to initiate and complete its review of the subdivision.

B. Water Supply

1. Where an individual water supply system is proposed or existing for each parcel
 - a. For a proposed system, provide all information required in ARM 17.36.328 – 336. Indicate the distance to the nearest public water system.
 - b. If an existing system will be used, provide all information required in ARM 17.36.335.

c. Attach four copies of the lot layout showing the proposed or existing location of each water supply source (spring, well or cistern) and indicating the distance to existing or proposed wastewater treatment systems.

2. Where a multiple user water system is proposed or existing

a. If an existing system will be used:

- 1) Identify the system and the person, firm or agency responsible for its operation and maintenance.
- 2) Indicate the system's capacity to handle additional use and its distance from the development.
- 3) Provide evidence that permission to connect has been granted.
- 4) Provide three copies of the following attachments:
 - a) Map or plat showing location, sizes, and depth of any existing water supply lines and facilities that may directly serve parcels within the proposed development.
 - b) Provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.335 and DEQ-3.

b. If a new system will be used:

- 1) Indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
- 2) Provide all information required in ARM 17.36.330 - 336 and DEQ-3.

3. Where a public water system is proposed or existing

a. If an existing system will be used:

- 1) Identify the system and the person, firm or agency responsible for its operation and maintenance.
- 2) Provide evidence that the system is approved by DEQ and is in compliance with the regulations.
- 3) Provide evidence that the managing entity has authorized the connections, the system has adequate capacity to meet the needs of the subdivision, the system is in compliance with department regulations, and the appropriate water rights exist or have been applied for the connections.
- 4) Provide three copies of the following as attachments.
 - a) A map or plat showing the location, sizes and depth of any existing water lines and facilities that will directly serve parcels within the proposed development.
 - b) Plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.328 - 330 and DEQ-1 or DEQ-3.

b. If a new system will be used:

- 1) Indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
- 2) Provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.328 - 330 and DEQ-1 or DEQ-3.

C. Wastewater Treatment

1. Where individual wastewater treatment systems are proposed for each parcel:
 - a. Indicate the distance to the nearest public wastewater treatment system.
 - b. Provide all information required in ARM 17.36.320 - 345 and in DEQ-4.
2. For a proposed multiple user wastewater treatment system:
 - a. Where an existing system is to be used:
 - 1) Identify the system and the person, firm or agency responsible for its operation and maintenance.
 - 2) Indicate the system's capacity to handle additional use and its distance from the development.
 - 3) Provide evidence that permission to connect has been granted.
 - 4) Provide two copies of the following attachments.
 - a) A map or plat showing the location, sizes and depth of any existing sewer lines and facilities that will directly serve parcels within the proposed development.
 - b) Provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.320 - 345 and DEQ-4.
 - b. Where a new system is proposed:
 - 1) Indicate who will install the system, who will bear the costs, when it will be completed and who will own it.
 - 2) Provide all information required in ARM 17.36.320 - 326 and DEQ-4.
3. For a proposed public wastewater treatment system:
 - a. Where an existing system is to be used:
 - 1) identify the system and the person, firm or agency responsible for its operation and maintenance.
 - 2) provide evidence that the system is approved by DEQ and is in compliance with the regulations.
 - 3) provide evidence that the managing entity has authorized the connections, the system has adequate capacity to meet the needs of the subdivision, and the system is in compliance with department regulations.
 - 4) provide three copies of the following as attachments:
 - a) a map or plat showing the location, sizes and depth of any existing sewer lines and facilities that will directly serve parcels within the proposed development.
 - b) plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.328 and DEQ-2 or DEQ-4.
 - b. Where a new system is proposed:
 - 1) indicate who will install the system, who will bear the costs, when it will be completed and who will own it.

- 2) provide plans and specifications for all proposed extensions and additional lines and facilities as required by ARM 17.36.320 - 326 and DEQ-2 or DEQ-4 (also see ARM 17.38.101).

D. Solid Waste

1. Describe the proposed method of collecting and disposing of solid waste.
2. Indicate the name and location of the department-licensed or appropriate out-of-state solid waste disposal site where solid waste will be disposed in accordance with ARM 17.36.309.

E. Drainage

1. Streets, streets, and unvegetated areas.
 - a. Describe measures for disposing of storm run-off from streets, streets, parking lots, and other unvegetated areas within the subdivision or onto adjacent property.
 - b. Indicate type of street surface proposed.
 - c. Describe facilities for stream or drainage crossing (e.g., culverts, bridges).
 - d. Describe how surface run-off will be drained or channeled from parcels.
 - e. Indicate if storm run-off will enter state waters and describe any proposed treatment measures. (A DEQ storm-water discharge permit may be required)
 - f. Describe any existing or proposed streambank or shoreline alteration, any proposed construction or modification of lakebeds or stream channels. Provide information on location, extent, type and purpose of alternation.
 - g. Provide storm drainage plans and specifications as required by ARM 17.36.310 and DEQ-8.

F. Other Permits That May Be Necessary

1. WATER USE PERMIT (WATER RIGHTS)

The Montana Water Law requires new water developments (after July 1, 1973) to be filed with the Department of Natural Resources and Conservation to receive a water right. For ground water developments, wells and developed springs, the amount of water to be used will determine which form to file with the department.

Form 602 – Notice of Completion of Ground Water Development: This form is to be filed when the ground water development is a well, developed spring or a ground water pit. The amount of water to be used cannot exceed 35 gallons per minute or 10 acre-feet per year. The form is to be filed within 60 days after the well or spring development is completed and the water has been put to the intended beneficial use. Do not file until the well is hooked up and being used.

Form 600 – Application for Beneficial Water Use Permit: When the ground water development is a well, developed spring or ground water pit and the intended use will be over 35 gallons per minute and 10 acre-feet per year, a water use permit must be issued before water can be appropriated. A correct and complete application with the criteria supplement and filing fee must be filed with the Department.

Forms are available at the Water Resources Regional Office at the following addresses:

Helena: Water Resources Regional Office, 1424 9th Avenue, PO Box 201601, Helena, MT 59620-1601, (406) 444-6999, or the regional office in your area,

Billings: Water Resources Regional Office, Airport Industrial Park, 1371 Rimtop Dr., Billings, MT, 59105-1978, (406) 247-4415

Bozeman: Water Resources Regional Office, 151 Evergreen Dr., Suite C, Bozeman, MT 59715, (406) 586-3136

Glasgow: Water Resources Regional Office, 222 6th St South, Glasgow, MT 59230, (406) 228-2561

Havre: Water Resources Regional Office, 210 6th Ave., Havre, MT 59501, (406) 265-5516

Kalispell: Water Resources Regional Office, 109 Cooperative Way, Suite 110, Kalispell, MT 59901, (406) 752-2288

LewisCity: Water Resources Regional Office, 613 NE Main St., Suite E, LewisCity, MT 59457, (406) 538-7459

Missoula: Water Resources Regional Office, City & Country Shopping Center, 1610 S. Third St. West, Suite 103, Missoula, MT 59806, (406) 721-4284

2. For a complete listing of environmental permits required by the state, please reference the Montana Index of Environmental Permits from the Legislature Office of Environmental Quality (LEPO) at (406) 444-3742 or visit the **LEPO Web site:**

http://www.leg.state.mt.us/css/publications/lepo/permit_index/permit_tofc.asp. In addition, there may be other permits required by the federal government or local government agencies.

— Montana Department of Environmental Quality (DEQ), Water Quality web site (deq.state.mt.us/wqinfo)

— MPDES Wastewater Discharge - All discharges to surface water, including those related to construction dewatering. Contact DEQ, Water Protection Bureau (406) 444-3080.

— Storm Water Discharge - Construction activity greater than 1-acre disturbance. Contact DEQ, Water Protection Bureau (406) 444-3080.

— MGWPCS Discharge - All construction and/or operation of wastewater impoundments or conveyances which may cause pollution of ground water. Also, includes land application of wastewater on a case-by-case basis. Contact DEQ, Water Protection Bureau (406) 444-3080.

- _____ 318 Authorization - Any activity in any state water that will cause unavoidable short-term violations of water quality standards. Contact DEQ, Water Protection Bureau (406) 444-3080.
- _____ 310 Permit/SPA (124) - Any activity that physically alters or modifies the bed or banks of a stream. Contact the local Conservation District.
- _____ 404 Permit - Any activity resulting in the discharge or placement of dredged or fill material into waters of the U.S., including wetlands. Contact U.S. Army Corp of Engineers at (406) 441-1375.
- _____ Montana Land-Use License or Navigable Waters Easement -The construction, placement, or modification of a structure or improvement on land below the low water mark of navigable streams. Contact DNRC (406) 444-2074.
- _____ Water Right Permit - Required before constructing new or additional diversion, withdrawal, impoundment, or distribution works for appropriation of ground water or surface water. Contact DNRC (406) 444-6614.
- _____ Lakeshore Protection Act - Any project in or near a body of water within a City's jurisdictional area. Contact City Government Offices.
- _____ Public Water Supply - New construction, alteration, extension or operation of a public water supply or non-State Revolving Fund (SRF) public sewage systems requires approval from the Department of Environmental Quality. Contact DEQ, Public Water and Subdivisions Review Bureau (406) 444-4400.
- _____ Shoreline Protection - Any work in, over, or near any stream, river, lake, or wetland on the Flathead Reservation. Contact the Shoreline Protection Office at (406) 883-2888 or (406) 675-2700 ext. 7201.
- _____ UST Permits - Activities involving any type of work related to underground storage tanks (petroleum and hazardous substances). Contact DEQ, Technical Services Bureau (406) 444-1420.
- _____ RW-20 Permit - A permit is required when work is to be done within a Montana Department of Transportation (MDT) right of way. Contact the local MDT District Office.
- _____ Floodplain Development Permit - Anyone planning new construction within a designated 100-year floodplain. Contact DNRC, Water Operation Bureau, Floodplain Management, (406) 444-0860 or local Floodplain Administrator.

PART III INFORMATION REQUIRED FOR ENVIRONMENTAL ASSESSMENT UNDER THE SUBDIVISION AND PLATTING ACT

Information specified in this Part must be provided in addition to that required in Parts I and II of this application form, when the preparation of an environmental assessment is required by the Montana Subdivision and Platting Act.

A. Geology

1. Locate on a copy of the preliminary plat, or on a plat overlay, any known hazards affecting the development that could result in property damage or personal injury due to:
 - a. Falls, slides or slumps — soil, rock, mud, snow; or
 - b. Seismic activity.
2. Describe any proposed measures to prevent or reduce the danger of property damage or personal injury from any of these hazards.
3. Identify any geological conditions that might affect development, such as areas of bedrock, unsuitable soils, or high ground water. Describe any measures proposed to minimize the problems presented by the identified conditions.

B. Vegetation

1. Locate on a copy of the preliminary plat, or on a plat overlay, the location of the major vegetation types such as marsh, grassland, shrub, and forest.
2. Describe measures to be taken to protect trees and vegetative cover (e.g., design and location of lots, streets, and open spaces).
3. Identify areas containing noxious weed growth. Describe proposed means of weed control, especially to prevent weed growth on areas disturbed by construction.

C. Wildlife

1. Identify any major species of fish and wildlife use in the area to be affected by the proposed subdivision.
2. Locate on a copy of the preliminary plat, or on a plat overlay, any known important wildlife areas, such as big game winter range, waterfowl nesting areas, habitat for rare or endangered species, and wetlands.
3. Describe any proposed measures to protect wildlife habitat or to minimize degradation (e.g., keeping buildings and streets away from shorelines or setting aside marshland as undeveloped open space).

D. Historical Features

1. Describe and locate on a copy of the preliminary plat, or on a plat overlay, any known or possible historic, archaeological, or cultural sites that may be affected by the proposed subdivision.
2. Describe any plans to protect such sites or properties.

E. Streets

1. Describe any required construction of new public or private access streets or substantial improvements to existing public or private access streets.
2. Describe the proposed closure or modification of any existing streets.
3. If any of the individual lots is accessed directly from an arterial street or street, explain why access was not provided by means of a frontage street or a street within the subdivision.
4. Indicate who will pay the costs of installing and maintaining dedicated or private roadways.
 - a. Estimate how much daily traffic the subdivision, when fully developed, will generate on existing streets and arterials.
 - b. Discuss the capability of existing and proposed streets to safely accommodate this increased traffic.
 - c. Describe any increased maintenance problems and cost that will be caused by this increase in volume.
5. Describe any potential year-round accessibility concerns for conventional automobiles over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision

Identify the owners of any private property over which access to the subdivision will be provided and indicate whether easements for access have been obtained from those landowners.

F. Utilities

1. Identify the utility companies involved in providing electrical power, natural gas, and telephone service. Indicate whether utility lines will be placed underground.
2. Identify on the preliminary plat or overlay the locations of any needed utility easements [as required by 76-3-608(3)(c), MCA].
3. Indicate whether the preliminary plat has been submitted to affected utilities for review.

4. Estimate the completion date of each utility installation.

G. Emergency Services

1. Describe the emergency services available to the residents of the proposed subdivision, including number of personnel and number of vehicles or type of facilities and street distance to facilities for:
 - a. Fire protection – Indicate whether the proposed subdivision is in an urban or rural fire district. If not, describe plans to form or extend an existing fire district, or describe other fire protection procedures. Where applicable, provide information regarding subdivisions planned in areas of high fire hazards.
 - b. Police protection.
 - c. Ambulance service.
 - d. Medical services.
2. Indicate whether the needs of the proposed subdivision for each of the above services will be met by present personnel and facilities.
 - a. If not, describe the additional expenses necessary to make these services adequate.
 - b. Explain who will pay for the necessary improvements.

H. Schools

1. Describe the available educational facilities that would serve this subdivision and the street distance to each.
2. Estimate the number of school children that will be added by the proposed subdivision. Provide a statement from the administrator of the appropriate school system indicating whether the increased enrollment can be accommodated by the present personnel and facilities and by the existing school bus system.

I. Land Use

1. Describe land uses on lands adjacent to the subdivision.
2. Describe any comprehensive plan or other land use regulations covering the area proposed for subdivision or adjacent land. If the subdivision is located near an incorporated city or City, describe any plans for annexation.
3. Where public lands are adjacent to or near the proposed development, describe the present and anticipated uses of those lands (e.g., grazing, logging, and recreation). Describe how the subdivision will affect access to any public lands.
4. Describe any health or safety hazards on or near the subdivision, such as mining activity, high-pressure gas lines, dilapidated structures, high-voltage power lines or

irrigation ditches. Any such conditions should be accurately described and their origin and location identified.

5. Describe any on-site or off-site uses creating a nuisance such as unpleasant odor, unusual noises, dust or smoke. Any such conditions should be accurately described and the origin and location of each identified.

J. Parks and Recreation Facilities

Describe park and recreation facilities to be provided within the proposed subdivision and other recreational facilities which will serve the subdivision

POSSIBLE SOURCES OF INFORMATION TO CONTACT WHEN COMPLETING THE FORM

Local Agencies

County Health Department	School District
City Public Works	City Fire Department
Sheriff's Department	Conservation District
Hospital or Ambulance Service	County Extension Service
Chamber of Commerce	Planning Board Staff
Telephone, Electrical Power, Gas, and Cable Companies	City Floodplain Administrator

State Agencies	Information	Location
Dept. of Fish, Wildlife, and Parks (FWP)	Fisheries, vegetation and wildlife	Helena and regional offices
Dept. of Environmental Quality (DEQ)	Water quality	Helena
Dept. of Transportation or regional	Access to state highways traffic data maps, aerial photographs	Helena offices
Dept. of Natural Resources and Conservation (DNRC)	Surface and ground water, floodplains, well logs, water rights, fire hazards	Helena and regional offices
Bureau of Mines and Geology and Billings	Geology, ground water, water quality well logs, topographic maps	Butte

Federal Agencies	Information	Location
Farm Service Agency	Aerial photographs	Missoula or Plains offices
Bureau of Land Management	Vegetation, maps, topography	Missoula offices
Forest Service	Topography, surface water, soil maps, vegetation, wildlife and fire hazards, maps	Missoula regional, national forest district offices
Geological Survey	Geology, surface and ground water,	Helena

Natural Resources
Conservation Service

water quality, floodways,
topographic maps

Soils, surface water,
flood hazards, erosion

Plains
offices

APPENDIX 12
DEQ SUBDIVISION CHECKLIST

Subdivision: _____ City: Thompson Falls
 E.Q. Number provided by DEQ): _____

Please complete the checklist with your initials or N/A.

Initial or N/A			Question	Refer to ARM 17.36 Subsections	Reviewer's Comments
Applicant or Rep	City	DEQ			
			1. Have deviation or waiver requests been submitted with appropriate fee?	17.36.601	
			2. Is check included with correct fee?	17.36.103(1)(a)	
			3. Is application included with owner's signature/address/phone/date?	17.36.102(1)&(2)	
			4. Is legible copy of Preliminary Plat or COS included?	17.36.103(1)(n)	
			5. Is legal description included on the Preliminary Plat or COS?	17.36.103(1)(n)	
			6. Are all lots described on survey being reviewed and any exclusions clearly state on Preliminary Plat or COS?	17.36.103(1)(n), 17.36.605	
			7. Are state letters of approval included (DNRC, Groundwater discharge permit, public water, etc.)?	17.36.103	
			8. Is local health officer approval included?	17.36.102(3)&(6, 17.36.108(2)	
			9. Are Planning Board or City Council comments included?	17.36.103(1)(o)	
			10. Is a clear copy of USGS or other topo map included to show ground slope of property?	17.36.103(1)(h), (SWTS) 17.36.310 (SW), 17.36.322 (SWTS siting)	
			11. Are 4 copies of lot layout included with the subdivision name on each?	17.36.103(1)(d), 17.36.104	
			12. Is all required information (e.g., scale, legend, north arrow, etc.) included on the lot layout?	17.36.103(1)(d), 17.36.104	
			13. Are locations of water and sewer mains shown?	17.36.103(1)(d), 17.36.104	

Initial or N/A			Question	Refer to ARM 17.36 Subsections	Reviewer's Comments
Applicant or Rep	City	DEQ			
			14. Are on-site sewer systems designed in conformance with DEQ 4?	17.36.320	
			15. Is the slope given for drainfield areas?	17.36.103(1)(h), 17.36.322	
			16. Are drainfields orientated along land contours to meet depth requirements?	17.36.322, DEQ 4, Chap. 8	
			17. Are drainfield replacement areas shown?	17.36.104(2), Table 1	
			18. Are minimum setback requirements met?	17.36.323	
			19. Is adequate test pit (8 ft. excavation) data provided?	17.36.103(1)(h), 17.36.325	
			20. Is SCS/NRCS soils data provided?	17.36.325(3)	
			21. Is information to verify depth to seasonal high ground water or bedrock provided?	17.36.103(1)(h), 17.36.106(2), 17.36.325(2)	
			22. If conducted, does perc test value(s) correspond to soil type?	17.36.103(1)(h)	
			23. Are wells, 100 ft. well isolation zone, mixing zones, and ground water flow direction (verified by wells or other documentation) shown?	17.36.103(1)(e), 17.30.501-518	
			24. Is adequate water supply substantiated?	17.36.103(1)(f), 17.36.330	
			25. Are water quality analyses (nitrate, specific conductivity, and bac-T (for existing wells) provided, along with well log and well location?	17.36.103(1)(f), 17.36.330, 17.36.335	
			26. Is existing well over 25 ft. in depth?	17.36.335, 16.36.331(1)(e)	
			27. Will surface water, spring or cistern system be disinfected and filtered?	17.36.336	
			28. Is nondegradation addressed and supporting data to determine background water quality, hydraulic conductivity	17.36.103(1)(j), 17.30.501-518, 17.30.715	

Initial or N/A			Question	Refer to ARM 17.36 Subsections	Reviewer's Comments
Applicant or Rep	City	DEQ			
			and hydraulic gradient provided?		
			29. Is nitrate level at end of mixing zone < 5 ppm (< 7.5 ppm, if level 2 provided), and phosphorous breakthrough > 50 years and trigger analysis for n and p addressed?	17.36.103(1)(j), 17.30.715	
			30. Are shared users agreements included for shared well, drainfields and/or easements?	17.36.103(1)(p), 17.36.326(3)	
			31. Is a copy of the local septic permit (if issued) for an existing septic system provided?	17.36.327	
			32. Is a septic pumper's report stating an existing septic tank has been pumped within the last 3 years provided?	17.36.327	
			33. Is evidence demonstrating proper hydraulic functioning of an existing septic system provided?	17.36.327	
			34. Are wells, drainfields and/or mixing zones within 100 ft. perimeter outside of subdivision boundaries shown?	17.36.103(1)(e), 17.30.501-518, 17.30.706	
			35. Is proposed subdivision within 500 feet of public water supply and/or sewer system?	17.36.328(1)	
			36. Is authorized statement to connect to existing public water and/or sewer system and statement of adequate capacity provided?	17.36.103(1)(g), 17.36.328(2)(b)	
			37. Is existing public water system approved by DEQ and PWS # provided?	17.36.328(2)(b) & (c)	
			38. Do appropriate water rights exist for the public water connection?	17.36.328(2)(b)	

Initial or N/A			Question	Refer to ARM 17.36 Subsections	Reviewer's Comments
Applicant or Rep	City	DEQ			
			39.If needed, are easements for water and/or sewer systems/lines shown?	17.36.103(1)(n) & (op	
			40.Are plans and specs (3 copies) stamped and signed by PE?	17.36.103(1)(b) & (c)	
			41.Is letter from owner stating "as-builts" will be submitted included?	17.36.314	
			42.Are 100-year floodplain requirements met, and floodplains and drainages shown?	17.36.104, 17.36.106(2)(c), 17.36.324	
			43.Is solid waste disposal addressed?	17.36.103(1)(l), 17.36.309 (waste stored on-site	
			44.Has storm water drainage been addressed?	17.36.103(j), 17.36.104(2), 17.36.310, DEQ 8	

Notes:

Applicant/Representative: Name _____ Signature _____ Date
_____/_____/____

City Reviewer: Name _____ Signature _____ Date
_____/_____/____

DEQ reviewer: Name _____ Signature _____ Date
_____/_____/____

Revised 9/14

APPENDIX 13 REVIEWING FOR GROWTH POLICY COMPLIANCE

EVALUATION CHECKLIST (for Overall Development Plans and Proposed Subdivisions)

Note: Mitigation scale is 0-5, from 0=not consistent to 5=highly consistent. N/A is not pertinent to the proposed subdivision.	Project Consistency													Comments on Consistency, Proposed/Potential Mitigation Measures	
	As Proposed						With Additional Mitigation								
	0	1	2	3	4	5	N/A	0	1	2	3	4	5		N/A
GOALS & OBJECTIVES															

Note: Mitigation scale is 0-5, from 0=not consistent to 5=highly consistent. N/A is not pertinent to the proposed subdivision.	Project Consistency													Comments on Consistency, Proposed/Potential Mitigation Measures	
	As Proposed							With Additional Mitigation							
	0	1	2	3	4	5	N/A	0	1	2	3	4	5		N/A
<i>Public Safety.</i> <ul style="list-style-type: none">• Ensure that all fire service entities are providing adequate firefighting and emergency response services, apparatus, equipment, personnel, training and facilities.• Recognize the significance of the contributions made by the volunteer members of the fire entities in Thompson Falls.• Establish safe pedestrian and bicycle access in designated areas of the City as part of the non-motorized circulation system.															
<i>Utilities.</i> <ul style="list-style-type: none">• Create an effective land use pattern that permits the logical and effective extension of utilities.															

Note: Mitigation scale is 0-5, from 0=not consistent to 5=highly consistent. N/A is not pertinent to the proposed subdivision.	Project Consistency														Comments on Consistency, Proposed/Potential Mitigation Measures
	As Proposed							With Additional Mitigation							
	0	1	2	3	4	5	N/A	0	1	2	3	4	5	N/A	
<i>Transportation.</i> <ul style="list-style-type: none">• Maintain and improve the condition and operational level of service of the existing road system.• Identify and protect future road corridors to serve future developments and public lands.• Construction of roads serving developing areas should occur when and where public facilities can be provided in an efficient manner.• Establish accessibility guidelines in order to provide adequate access for emergency services to residents of Thompson Falls.• Assist Sanders County with is efforts to maintain and enhance the capacity of the Thompson Falls Airport.															
<i>Housing.</i> <ul style="list-style-type: none">• All residents deserve to have the opportunity to obtain safe, sanitary, and affordable housing.															

Note: Mitigation scale is 0-5, from 0=not consistent to 5=highly consistent. N/A is not pertinent to the proposed subdivision.	Project Consistency													Comments on Consistency, Proposed/Potential Mitigation Measures
	As Proposed						With Additional Mitigation							
	0	1	2	3	4	5	N/A	0	1	2	3	4	5	
<i>Economic Development.</i> <ul style="list-style-type: none">Encourage the retention and expansion of existing businesses.														

Conclusions:

1. As proposed, the project DOES / DOES NOT substantially comply with the City of Thompson Falls Growth Policy; **OR**
2. Additional mitigation measures ARE / ARE NOT needed to bring the project into substantial compliance with the Growth Policy.

Evaluated by _____ Date _____

City Planning Board

APPENDIX 14 SAMPLE NOTIFICATION LETTER

NOTE: After Subdivision Application is submitted and determined to be sufficient

[Date Mailed]

TO: Adjacent Property Owners
 Lien Holders
 Easement Holders
 Potentially Affected Water Users
 Potentially Affected Property Owner Associations
 Review Agencies

FROM: **[Landowner name and contact information. Also, name and contact information for landowner's representative, if pertinent]**

RE: **[Proposed Subdivision and Legal Description of Site]**

This is to notify you that the proposed **[name of subdivision]** has been submitted to City of Thompson Falls and will be reviewed by the Thompson City Planning Board as follows:

- **[day and date of meeting]**
- **[approximate meeting time]**
- **[meeting location]**

The subdivision application may be reviewed at the City of Thompson Falls. A vicinity map and project summary are enclosed.

Your comments to the Planning Board about the project are welcomed, either prior to or at the meeting. If you wish to write or call in your comments, please address them to: City of Thompson, P.O. Box 99, Thompson Falls, MT 59873; phone (406) 827-3557, fax (406) 827-3080. Email address: tfl3557@blackfoot.net

Enclosures

cc: Thompson City Planning Board

APPENDIX 15 FINAL PLAT CHECKLIST

Section A: Completed by Subdivider

Name of Preliminary Plat:

Location:

Property Owner:

Legal Description:

Property Geocode/Parcel ID:

Date of Completion by Subdivider:

Subdivider Explanatory Comments:

Section B: Completed by Planner			
	Date:	By:	Comment:
Application Received:			
Clerk & Recorder Review			
Examining Land Surveyor Review (if existing)			
Signed mylar copies received:			
Submitted to City Council:			

Section C: Completed by Subdivider and Planner

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner	
		Incomplete	OK/NA
Final Plat Application Form (Appendix 17)			
Final Plat Review Fee.			
<i>Final Plat or Plan</i> Submitted in accordance with the Montana Uniform Standards for Final Subdivision Plats			
a. Two blue-line copies.			
b. Digital copy.			
c. Two (2) signed/notarized mylar plats (AFTER preliminary review complete).			
<i>Face of the Final Plat (or Plan) shall include:</i>			
d. Vicinity map.			
e. Approved land uses (e.g., agricultural, residential, commercial, industrial, mixed use)			
f. When required by the conditions of subdivision approval:			
1. Water bodies.			
2. Floodplain.			
3. Construction setback from any river or stream.			
4. Building envelopes.			
5. No-build areas.			
6. Ground elevations.			
7. Other (as required by conditions of subdivision approval).			
<i>Final Plat/Plan Supplements – ORIGINAL documents required at time final plat is considered by Commissioners, copies acceptable for review:</i>			
a. Certificate of a title abstractor (title company).			
b. Covenants (plat approval covenants and/or owner association covenants) or deed restrictions relating to the subdivision.			
c. Certificate from the Montana Department of Environmental Quality approving Municipal Facilities Exemption			
d. Subdivider's certificate indicating which public improvement have been installed.			
e. Subdivision improvements agreement and financial guaranty (bond, letter of credit, escrow agreement).			
As applicable:			
f. Bylaws for any condominium association being created at the time of final plat approval.			
<i>Final Plat/Plan Supplements (copies acceptable):</i>			

Items and Information, Filled Out by: (Note if Not Applicable)	Subdivider	Planner	
		Incomplete	OK/NA
g. Letter of preliminary plat approval.			
h. Written consent of any conservation easement holder.			
i. Copy of any easement or document confirming legal access to the subdivision.			
j. Articles of incorporation and bylaws for any home owners association for the subdivision (ORIGINAL bylaws required for condominium association created at time of subdivision).			
k. Street addressing plan approved by the City including route map showing street address ranges, driveway location distance from intersection, and specify street to serve corner lots.			
l. Copy of any pertinent water-related permits (e.g., floodplain development permit from City, stormwater discharge permit from DEQ, 404 permit from U.S. Army Corps of Engineers, and/or 310 permit from local conservation district.			
m. Copy of approval of noxious weed management plan (Appendix 18).			
n. Letter of final public safety review.			
o. Final overall phasing plan and phasing schedule.			

City Comments: