

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.					
Preliminary Plat or Plan 24" x 36" in size					
Preliminary Plat Contents (Surveyor should be made aware of these requirements.)					
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	Missing	OK/NA
p. Names of adjoining platted subdivisions and numbers of adjoining COSs previously recorded.					
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