

APPENDIX C

Environmental Assessment and Community Impact Statement

General Instructions

Using best available information the subdivider shall provide narrative responses to the following questions and provide materials as required. Sources of information must be identified for each section of the assessment. Preparation of the environmental assessment shall follow the following outline and shall be identified with the appropriate section, heading, number and letter. On-site inspections may be made regarding any question. Falsification or omission of any part of the questionnaire shall constitute grounds for rejection of the application for plat approval.

I. DESCRIPTION OF ENVIRONMENTAL FEATURES

Describe the following environmental features, provide responses to each of the following questions and provide reference materials as required.

A. Surface Water

1. Locate on a plat overlay or sketch map:

- a. Any natural water systems such as streams, rivers, intermittent streams, lakes or marshes (also indicate the names and sizes of each).
- b. Any artificial water systems such as canals, ditches, aqueducts, reservoirs, and irrigation systems (also indicate the names, sizes and present uses of each).
- c. Time when water is present (seasonally or all year).
- d. Any areas subject to flood hazard, or in delineated 100 year floodplain?
- e. Describe any existing or proposed streambank alteration from any proposed construction or modification of lake beds or stream channels. Provide information on location, extent, type and purpose of alteration, and permits applied for.

B. Groundwater

Using available data, provide the following information:

1. The minimum depth to the water table. Identify dates when depths were determined. What is the location and depth of all aquifers that may be affected by the proposed subdivision? Describe the location of known aquifer recharge areas that may be affected.

2. Describe any steps necessary to avoid depletion or degradation of groundwater recharge areas.

C. Topography, Geology and Soils

1. Provide a map of the topography of the area to be subdivided, and an evaluation of suitability for the proposed land uses. Address conditions such as:

- a. Shallow bedrock
- b. Unstable slopes
- c. Unstable or expansive soils
- d. Excessive slope

On the map identify any areas with highly erodible soils or slopes in excess of 15% grade. Identify the lots or areas affected.

In considering any unusual conditions specifically address any problems that may be encountered in excavating for:

- Basements
- Water supply trenches
- Sewer line trenches
- Septic tanks and drainfields
- Underground electrical and telephone lines

2. Locate on a overlay or sketch map:

a. Any known hazards affecting the development that could result in property damage or personal injury due to:

- 1. Falls, slides or slumps -- soil, rock, mud, snow.
- 2. Rock outcroppings
- 3. Seismic activity.
- 4. High water table

b. Describe measures proposed to prevent or reduce these dangers.

3. Describe the location and amount of any cut or fill more than three feet in depth. Indicate these cuts or fills on a plat overlay or sketch map. Where cuts or fills are necessary, describe plans to prevent erosion and to promote vegetation such as replacement of topsoil and grading.

D. Vegetation

1. On a plat overlay or sketch map:
 - a. Indicate the distribution of the major vegetation types, such as marsh, grassland, shrub, coniferous forest, deciduous forest, mixed forest.
 - b. Identify the location of critical plant communities such as:
 - Stream bank or shoreline vegetation
 - Vegetation on steep, unstable slopes
 - Vegetation on soils highly susceptible to wind or water erosion
 - Type and extent of noxious weeds
2. Describe measures to:
 - a. Preserve trees and other natural vegetation (e.g. locating roads and lot boundaries, planning construction to avoid damaging tree cover).
 - b. Protect critical plant communities (e.g. keeping structural development away from these areas), setting areas aside for open space.
 - c. Prevent and control grass, brush or forest fires (e.g. green strips, water supply, access.)
 - d. Measures to control noxious weeds

E. Wildlife

1. What species of fish and wildlife use the area affected by the proposed subdivision?
2. On a copy of the preliminary plat or overlay, identify known critical wildlife areas, such as big game winter range, calving areas and migration routes; riparian habitat and waterfowl nesting areas; habitat for rare or endangered species and wetlands.
3. Describe proposed measures to protect or enhance wildlife habitat or to minimize degradation (e.g. keeping buildings and roads back from shorelines; setting aside wetlands as undeveloped open space).

II. SUMMARY OF PROBABLE IMPACTS

Except where exempt by state law (per 76-3-509, 76-3-609 or 76-3-608(6), MCA) all subdivisions must be reviewed for the impact on agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety (76-3-608 (3)(a), MCA).

The applicant is required to respond to each of the items in Section C below.

A. Definitions

The following provides definitions for each of the criteria:

Agriculture: The use of the land for grazing and cropping to produce food, feed, and fiber commodities. Examples may include: cultivation and tillage of the soil; dairying; growing and harvesting of agricultural or horticultural commodities; and the raising of livestock, bees, fur-bearing animals, or poultry. Not including animal feeding operations, as defined. (See Glossary)

Agricultural water user facilities: Facilities that provide water for the production of agricultural products on agricultural land including, but not limited to ditches, canals, pipes, head gates, sprinkler systems, tanks, reservoir, ponds, or developed springs.

Local services: Any and all services or facilities local government is authorized to provide, such as water supply, sewage disposal, law enforcement, fire protection, transportation system, educational system.

Natural environment: Existing physical conditions relating to land, water, air, plant and animal life of an area and the interrelationship of those elements, such as soils, geology, topography, vegetation, surface water, ground water, aquifers, drainage patterns, recharge areas, climate, floodplains, noise, scenic resources, and objects of historic, prehistoric, cultural, or aesthetic significance.

Wildlife: Animals (e.g. mammals, birds, reptiles, fish), that are neither human nor domesticated, existing in their natural environment.

Wildlife habitat: Geographic areas containing physical or biological features essential to wildlife for breeding, rearing, nesting, and/or winter feeding and forage; and/or essential to the conservation of listed endangered and threatened species under the Endangered Species Act.

Public health and safety: A condition of optimal well being, free from danger, risk, or injury for a community at large, or for all people, not merely for the welfare of a specific individual or a small class of persons.

B. Evaluation

The evaluation of the effect of the proposed subdivision on these six criteria determines if there are significant unmitigated adverse impacts. Unmitigated adverse impacts are potential grounds for denial of a proposed subdivision. Below are examples of items considered in evaluating the impact of a proposed subdivision on the six criteria. These examples do not reflect all potential items, but they do include a preponderance of the items under consideration. Depending on the proposed subdivision, some of these items included may not apply. In addition, some proposals may require evaluation of other topics not included in these examples to weigh the subdivision's effect on these criteria. It is the subdivider's responsibility to document proposed mitigation of any adverse impacts on these six criteria.

C. Summary of Probable Impacts.

Provide a written response to each of the bulleted items for each of the six criteria. The response should clarify the probable impact of the proposed subdivision in relation to the specific item.

Effect on agriculture.

- Number of acres that would be removed from the production of crops or livestock.
- Acres of prime farmland (as defined by the USDA) that would be removed
- Effect on use of remainder and adjoining properties as farm or ranch land
- Potential conflicts between the proposed subdivision and adjacent agricultural operations including:
 - Interference with movement of livestock or farm machinery
 - Maintenance of fences
 - Weed proliferation
 - Vandalism or theft
 - Harassment of livestock by pets or humans
- Other items to be considered include:
 - Effect on market value of surrounding land
 - Net effect on taxes resulting from additional services

Effect on agricultural water user facilities.

- Location and proximity to agricultural water user facilities
- Potential conflicts between facility users and subdivision residents including:
 - Seeps, flooding, washouts,
 - Obstructions and interference
 - Unintended uses (recreation or landscaping)
- Water rights
- Vehicular access to facility

Effect on local services.

- Increased demand on services and need to expand services
- Ability to provide services to subdivision
 - Response times
 - Conditions of roads, bridges, and railroad crossings
 - Physical Barriers.
- Provision of adequate local services and public facilities simultaneous or prior to onset of impact.
- Any special or rural improvement districts that would obligate local government involvement fiscally or administratively

Effect on natural environment.

- Runoff reaching surface waters (e.g., streams, rivers or riparian areas).
- Impacts on ground water supply, quantity, and quality.
- Impacts on air quality.
- Impacts on scenic resources.
- Impacts on historic, pre-historic, and cultural resources
- Noxious weeds.
- Wetlands not covered under nationwide permits.
- Cumulative impacts of multiple subdivisions on natural environment.

Effect on wildlife and wildlife habitat.

- Loss of significant, important and critical habitat, as defined.
- Impacts on significant, important and critical habitat including potential effects of
 - roads and traffic
 - closure of existing operations and/or potential to provide new access to public lands
 - effects of humans and pets on wildlife

Effect on public health and safety.

- Creation of potential man-made hazards (e.g. unsafe road intersection, development in wildland residential interface fire areas).
- Natural hazards (e.g. wildfire, flooding, steep slopes).
- Existing potential man-made hazards (e.g. high pressure gas lines, lack of fire protection, cumulative impacts).
- Traffic safety.
- Emergency vehicle access.
- Emergency medical response time.
- Cumulative impacts on groundwater from individual sewage disposal systems and/or individual wells.
- Any other item that endangers public health and safety.

III. COMMUNITY IMPACT REPORT

Provide a community impact report containing a statement of estimated number of people coming into the area as a result of the subdivision, anticipated needs of the proposed subdivision for public facilities and services, the increased capital and operating cost to each affected unit of local government. Provide responses to each of the following questions and provide reference materials as required.

A. Education and Busing

1. Describe the available educational facilities that would serve this subdivision.
2. Estimate the number of school children that will be added by the proposed subdivision. Provide a statement from the administrator of the affected school system indicating whether the increased enrollment can be accommodated by the present personnel and facilities and by the existing school bus system. If not, estimate the increased expenditures that would be necessary to do so.

B. Roads and Maintenance

1. Estimate how much daily traffic the subdivision, when fully occupied, will generate on existing streets and arterials.
 - a. Describe the capability of existing and proposed roads to safely accommodate this increased traffic.
 - b. Describe increased maintenance problems and increased cost due to this increase in volume.
2. Describe proposed new public or private access roads including:
 - a. Measures for disposing of storm run-off from streets and roads.
 - b. Type of road surface and provisions to be made for dust control.
 - c. Facilities for streams or drainage crossings (e.g. culverts, bridges).
 - d. Seeding of disturbed areas.
3. Describe the closing or modification of any existing roads.
4. Explain why road access was not provided within the subdivision, if access to any individual lot is directly from arterial streets or roads.
5. Is year-round access by conventional automobile 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.

6. Estimate the cost and completion date of the system, and indicate who will pay the cost of installation, maintenance and snow removal.

C. Water, Sewage, and Solid Waste Systems

1. Briefly describe the water supply and sewage treatment systems to be used in serving the proposed subdivision (e.g. methods, capacities, locations).

2. Provide information on estimated cost of the system, who will bear the costs, and how the system will be financed.

3. Where hook-up to an existing system is proposed, describe estimated impacts on the existing system, and show evidence that permission has been granted to hook up to the existing system.

4. All water supply and sewage treatment plans and specifications will be reviewed and approved by the Montana Department of Environmental Quality (MDEQ) and should be submitted using the appropriate MDEQ subdivision form or the MDEQ/Local Government Joint Application Form.

5. Describe the proposed method of collecting and disposing of solid waste from the development.

6. If use of an existing collection system or disposal facility is proposed indicate the name and location of the facility.

D. Fire and Police Protection

1. Describe the fire and police protection services available to the residents of the proposed subdivision including number of personnel and number of vehicles or type of facilities for:

a. Fire protection -- is the proposed subdivision in an existing fire district? If not, will one be formed or extended? What fire protection procedures are planned?

b. Law Enforcement protection – Describe existing law enforcement protection services—what agencies, response times, etc.

2. Can the fire and police protection service needs of the proposed subdivision be met by present personnel and facilities? If not, what additional expense would be necessary to make these services adequate, and who would pay the costs?

E. Payment for extension of Capital Facilities

Indicate how the subdivider will pay for the cost of extending capital facilities resulting from expected impacts directly attributable to the subdivision.

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