

Name(s)	Comment	Applicable Yes/No	Applicable MCA or Subdivision Regulations etc.	Recommended Amendment
Big Belt Watershed Coalition	<p>Phased Development: Phased development plan does not contain information pertaining to the commercial lots. . . If the development is going to include a convenience store/gas station, a new and complete application must be submitted.</p>	YES	76-3-603(1)(a), MCA, 76-3-617(1), MCA	NO-The following recommended conditions of approval address this issue: C-6 in addendum to staff report. The use of commercial lots should be subject to all applicable state building codes as well as all federal, state, and local laws, regulations and ordinances.
Big Belt Watershed Coalition	<p>Water Usage: Subdivision is entirely dependent on the use of exempt wells . . . The use of exempt wells triggers the use of individual septic tanks. And those, in turn, potentially lead to pollution of surface and groundwater. . . Indeed, potential pollution of the very wells the subdivision is dependent on.</p>	Yes	BCSR App. A, Definition 95 and BCSR V-A; 76-3-622(1)(a)(i)(E); 76-3-622(1)(e)-(g)	Yes, in addition to the recommended conditions of approval E-6, which address this issue, the following finding and condition should be made: FINDING: Test wells should be drilled to determine availability of water and reviewed by an independent hydrologist at subdivider's expense. CONDITION: As a condition of Final Plat, the subdivider shall provide a report based off the test well log data demonstrating the availability of water, which has been reviewed and approved by an independent hydrologist at subdivider's expense.

<p>Big Belt Watershed Coalition</p>	<p>MT DEQ Application: pg. 306 of DEQ application, showing the drain fields and well locations, it appears that several drain fields are close to or encroach on neighboring lots. And it is also clear that several drainfields are immediately adjacent to wells.</p>	<p>Yes</p>	<p>BCSR App. A, Definition 95 and ; 76-4-101, MCA; 17.36.101 et seq. ARM; 76-3-102(4), MCA; 76-3-501(1)(f), MCA; 76-3-608(3)(a), MCA</p>	<p>Yes-in addition to the recommended conditions of approval F11, which address this issue, the following finding and condition should be made: FINDING: Additional analysis of soils should be completed to determine the appropriate placement of septic drainage fields, reviewed by the Broadwater County Sanitarian. CONDITION: As a condition of Final Plat, subdivider shall provide soil analysis to support appropriate septic field placement, and shall be reviewed and approved by the Broadwater County Sanitarian.</p>
<p>Vickie Sullivan</p>	<p>Public Water System: The review of a public water system for a commercial lot requires review by MT DEQ as opposed to the county sanitarian.</p>	<p>Yes</p>	<p>Sections 76-4-101, et. Seq., MCA; Sections 17.36.101, et. seq., ARM; Sections 76-3-102(4), 501(1)(f)(iii), and 608(3)(a), MCA; Chapters IV-A. 9 and IV-A. 10., BCSR.</p>	<p>NO - Broadwater County does not have zoning which would designate the types of uses commercial property that are outright allowed or required a conditional use permit. Subdivision review does not require the subdivider to designate the type of commercial development on a proposed commercial lot. MT DEQ does not review lots over 20 acres unless and until a public water system is proposed. When the commercial lot is proposed to be developed, if a public water system is required the Broadwater County Sanitarian will require the applicant to obtain MT DEQ approval for the public water system at that time before the Broadwater County Sanitarian will approve sanitation. See Conditions in F-11 in addendum to staff report.</p>

<p>Waterkeepers</p>	<p>Commercial Lot (Lot 41): There is insufficient detail about the nature of the commercial lot.</p>	<p>Yes</p>	<p>Sections 76-3-102(4), 501(1)(f)(iii), and 608(3)(a), MCA; Chapters IV-A. 9 and IV-A. 10., BCSR.</p>	<p>NO - Broadwater County does not have zoning which would designate the types of uses commercial property that are outright allowed or required a conditional use permit. Subdivision review does not require the subdivider to designate the type of commercial development on a proposed commercial lot</p>
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<p>Waterkeepers</p> <p>Water Use, Quantity and Availability: HCH relies on exempt wells. There is a concern about availability of groundwater and the aquifer. The 10 AF/phase will be insufficient.</p>	<p>Yes</p>	<p>BCSR App. A, Definition 95 and ; 76-4-101, MCA; 17.36.101 et seq., ARM; 76-3-102(4), MCA; 76-3-501(1)(f), MCA; 76-3-608(3)(a), MCA</p>	<p>Yes, in addition to the recommended conditions of approval E-6, which address this issue, the following finding and condition should be made: FINDING: Test wells should be drilled to determine availability of water and reviewed by an independent hydrologist at subdivider's expense. CONDITION: As a condition of Final Plat, the subdivider shall provide a report based off the test well log data demonstrating the availability of water, which has been reviewed and approved by an independent hydrologist at subdivider's expense.</p>
<p>Waterkeepers</p> <p>Water Quality and Sanitation: Nondegradation analysis is not sufficient.</p>	<p>Yes</p>	<p>75-5-301, MCA; 17.30.715(2), ARM; 76-3-622(1)(g)</p>	<p>As a condition of final plat, the subdivider shall complete a nondegradation analysis in the same manner as is required for an application that is reviewed under Title 76, Chapter 4.</p>

Name	Subject	Summary of Comment	Relevant	Recommended Finding	Recommended Condition
Charles Plymale	Phasing	Phasing listed, concerned that 1 and 4 occurring at same time. Doesn't understand DEQ. Wants aquifer study so that nearby wells won't be affected. Application full of changes and inadequacies. Asks Denied.	No	Subdivider clarified the phasing dates (error in dates).	
Cody McDaniel	Application incomplete/water usage	New information added, constitute new application? Application doesn't make sense. Fails to identify ag produces on ag land. Documentation of ag affects. Does not address impact ag on neighboring properties. Fails to address adverse impacts of neighboring land. DNRC has provided letter of concurrence. Info contradictory to DNRC letters. Wants to know where letter is that DNRC says there's approval for Lot 41. Errors in application. If subdivision goes in, just wants it done correctly. Board should deny approval based on incomplete application.	No		
Phillip Finger	Water Usage	Concurs w/Cody in re: water. Concerned about the amount of water. Concerned about the 24 employees on the commercial lot. Aquifer will be over taxed. People out working in ag deserve some consideration. Going to need to have engineered septic. DEQ App Pg. 306. Septic fields close and encroach and other lots. Some close to domestic wells. Not a good situation. Soils in road aren't good either for septic systems. Is amended application a legal document because it's scratched out w/no initials.	Yes	Soil should be tested to determine the compatibility of soils for septic systems.	As a condition of final plat, the subdivider shall provide a report based on soil testing, which has been reviewed and approved by an independent soil specialist at subdivider's expense.

Bill Walden	Water Usage	<p>2 airmiles from subdivision. Who is the imaginary HOA? Who is going to record water usage? Imaginary entity? What kind of enforcement is in place, if approved? Governing board has to be put in place to monitor water usage and make it public. Landowners stuck not having water in wells if there is no monitoring process put in process. 2 FAA airports within the area, including military airport. V. incomplete application.</p>	No	<p>County has no authority to require a specific legal entity for an HOA nor does the county have any authority to enforce HOA covenants.</p>	
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Vicki Sullivan	Water usage	<p>Staff report says 50 AF. Heard since 9/21, 40 AF. Put into record over and over. Only 4 DNRC letters addressing 40 AF. No documentation for 10 AF. Calculations: letter from FWP from Cascade Co. re: Big Cheese. "10.3 AF is significant water withdrawal out of prolific aquifer." Public water supplies: 3/2 spoke with DEQ re: PWS. Application states 24 employees on commercial lot. Circumventing DEQ reqs. PWS: entities that provide water to 25 or more people for more than 60 days a year. Walks through definition of PWS and what would be included (e.g. coffee machine/soda machine). Commercial lot fails to be identified. DEQ says application is circumventing PWS law. Continues to be incomplete application. EA continues to not be sufficient. If don't ID issues, can't mitigate. DNRC conversion table re: water usage. 11/30/2021, Dallas Diehl asked sanitarian about impacts. Said DEQ does. Pump test demonstrates to DEQ that there is water. Doesn't look at offsite impact. 12/14/21 Dallas Diehl contacted DEQ Kevin Smith. DEQ doesn't look at off-site impact. DNRC will not conduct aquifer study. Applications structured to circumvent need for water right permit for subdivision. Required analysis to existing water users needed b/c project is in a closed basin. Had a well test from DNRC re: cone of depression. Draw down to propogate up to 2 miles before stabilizing on 1 well. Counties must assure adequate water supplies. CA Swanson said that county can require independent study at developer's expense.</p>	Yes	<p>NONE - Broadwater County does not have zoning which would designate the types of uses commercial property that are outright allowed or required a conditional use permit. Subdivision review does not require the subdivider to designate the type of commercial development on a proposed commercial lot. MT DEQ does not review lots over 20 acres unless and until a public water system is proposed. When the commercial lot is proposed to be developed, if a public water system is required the Broadwater County Sanitarian will require the applicant to obtain MT DEQ approval for the public water system at that time before the Broadwater County Sanitarian will approve sanitation. See Conditions in F-11 in addendum to staff report.</p>
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Rob Ferris Olson	Application/water usage	Rep: Big Belt Watershed Coalition. Besides applicant, no one supports the subdivision. Cumulative errors are justification to deny at this point. Now add'l new information for another PB meeting. New information, pg. 11: Phase 1, 12 lots. Errors and inconsistencies need to be fixed. Go back to drawing board, re-do everything. Information is there, but not sensical. GW appropriations is a problem. DNRC and application misreading the law. Need to look at whole of project, not just each phase. DNRC has misinterpreted exempt wells. DNRC is not doing their job. Letters do not guarantee water. Implication of preapproval is not true. Must impact holistically. Mitigation isn't there re: water meters. Nothing to cap the amount of water per household. Don't know impacts without mitigation.	No	Explanation: DNRC has confirmed its analysis of 1 exempt well per phase and an additional well for Lot 4.1.F4	
Name	Subject	Summary of Comment	Relevant	Recommended Finding	Recommended Condition
Phillip Finger	DEQ	Soils. DEQ pg 100 to 105, on roads, 7% soils for roads ltd. 93% acceptable for roads? Not sure. Don't know where roads are going. Appx D: spending \$200k to bring up to county standards. Soils not compatible for co standards. Soils for septic systems not conducive. Numerous fields close. Close to adjoining wells. Is not good.	Yes	Soil should be tested to determine the compatibility of soils for septic systems.	As a condition of final plat, the subdivider shall provide a report based on soil testing, which has been reviewed and approved by an independent soil specialist at subdivider's expense.
Vicki Sullivan	DEQ	Concurs w/Phillip Finger. Site ltd re: soils. Will be important in septic infrastructure. Read water keepers document? V. clearly states that soils out there aren't good. Was emailed to PB. Reference a letter from Upper Missouri Waterkeeper. How do septic affect water quality. TMDL.	Yes	Soil should be tested to determine the compatibility of soils for septic systems.	As a condition of final plat, the subdivider shall provide a report based on soil testing, which has been reviewed and approved by an independent soil specialist at subdivider's expense.