

CHAPTER 8: NATURAL RESOURCES

Comment:	Staff Response:
<p>Part 1. One of the unique treasures of the Valley is Flathead Lake, its main tributaries, and the purity of the Flathead Aquifer. The Growth Policy needs to make it absolutely clear that the continued health of these waters takes priority over all forms of development and must be protected at all costs. The Plan must contain clear policies that discourage damaging development, whether that’s a poorly placed mega-mall, or subdivisions full of small lots served by individual wells and septic systems.</p> <p>Part 2. Another vital resource we have is the fabulously rich soil that underlies many parts of the Valley. To say that such soils are rare in the Rocky Mountains would be an understatement. The Growth Policy must contain provisions to rate our soils valley-wide and steer incompatible growth away from the highest quality lands. Once they’re covered with 1-5 acre lots, they’ll never grow corn, wheat, mint, canola, or cherries again. In the future, such soils will be worth their weight in gold, and we have no business squandering them now for short-term profit.</p> <p>Part 3. Policies 4.7 and 4.8 relating to preserving farms and open space are right on target and long overdue. As one possible funding mechanism, we might consider the system Boulder, Colorado implemented beginning in the late 1960’s. They began with a citizen-approved one cent sales tax, with 60% going to roads, and 40% to open space. This was followed in the 70’s and 80’s by two citizen-approved bond issues that I believe were each \$20 million and included sunset clauses. The sales tax alone brought in \$10 million for open space and \$15 million for roads annually.</p> <p>Last time I checked, they had about 30,000 acres of citizen-approved and owned open space, which included protecting the best Ag land, wildlife habitats, streams/floodplains, and wetlands, and putting in over 100 miles of trails and bikepaths. I know we Montanans hate taxes, but you get what you pay for, and these folks have gotten a lot!</p> <p>Part 4. The same community has a comprehensive wetlands policy that defines (state & federal standards), designates, and maps such areas, and provides standards about how development proceeds in wetland areas.</p>	<p>Part 1. Refer to Goals: 34 through 39, and polices 34.1 through 39.7.</p> <p>The goals and policies referenced specifically target protecting groundwater aquifers and water bodies impacting Flathead Lake.</p> <p>Part 2. Refer to Goal 4 and policies 4.2 and 4.8.</p> <p>The goal and policies referenced will require identifying and prioritizing prime agricultural soils to be considered for preservation.</p> <p>Part 3. Ch. 9. Implementation Strategy – Market-Based voluntary transfer or adjustment of development rights. Also reference Fiscal Implementation.</p> <p>Part 4. Refer to Goal 38 and policies 38.1 through 38.4.</p> <p>The goal and policies referenced require comprehensive analyses of wetlands and riparian areas.</p>
<p>Part 1. Please include more specific language to protect view sheds and water quality around areas</p>	<p>Part 1. (2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-</i></p>

<p>that are along Flathead Lake. This lake must be viewed as an important economic factor and vital natural resource for our whole valley. If we mess the lake up, we have created a mess for the whole valley. Please impose height and density restrictions in order to protect this critical resource.</p> <p>Part 2. Please update the wetlands map. It is incorrect. I noticed that the wetlands along the north shoreline of Flathead Lake are not properly documented.</p>	<p><i>regulatory.</i> Subsequent implementation of the growth policy will review lakeshore protection regulations.</p> <p>Part 2. The data used to create Map 2.9 came from the Montana Natural Resource Information System using the Natural Heritage Program definition of wetlands.</p> <p>Staff recommends adding the National Wetlands Inventory data to Map 2.9.</p>
<p>Water Quality-related Goals & Policies The Flathead Lakers board of directors is pleased to see that the draft growth policy addresses the impacts of growth on water quality and includes numerous goals and policies that, if implemented, will help protect Flathead County’s unique and valuable streams, rivers and lakes. We support many of the policies, including those that:</p> <p style="padding-left: 40px;">Discourage development in floodplains (P.10.1 and P.10.2) and critical wetlands (P.10.5).</p> <p style="padding-left: 40px;">Restrict sand and gravel operations in areas that pose a threat to water quality (P.12.7 and P.41.4).</p> <p style="padding-left: 40px;">Allow dense development only in areas served by public sewer systems that treat to municipal standards (P.27.1).</p> <p style="padding-left: 40px;">Initiate a wastewater management plan for maintenance and management of septic systems (P.29.3).</p> <p style="padding-left: 40px;">Discourage development in wetlands and riparian areas. (P.40.5).</p> <p style="padding-left: 40px;">The policies under Goal G.35 Protect water quality in lakes, rivers, and streams from potential pollution sources.</p> <p>And, with suggested revisions:</p> <p>Part 1. The policies under Goal G.36 Prevent untreated storm water from entering into any surface water, stream, river or lake. Policy 36.3 should be revised to state that this <u>should</u> include vegetative buffer strips along stream sides and riverbanks, the use of sedimentation barriers, <u>and storm water management plans.</u></p> <p>Part 2. The policies under Goal G.37, which should be reworded to say Preserve and protect floodplains to ensure the safety of residents from flood hazards and to prevent the degradation of water quality and critical wildlife habitat.</p> <p>Part 3. We recommend that the policies under Goal 6.38 Preserve and protect important wetlands and</p>	<p>Thanks!</p> <p>Part 1. Staff recommends Policy 36.3 be revised to read: <i>Develop best management practices (BMPs) and setback requirements for development projects that impact water bodies. This should include vegetative buffer strips along stream sides and riverbanks, the use of sedimentation barriers and storm water management plans.</i></p> <p>Part 2. Refer to Goal 37.</p> <p>Part 3. Staff recommends amending Policy 38.3 to read: <i>Develop regulations that restrict development</i></p>

<p>riparian areas to prevent degradation of water quality and critical wildlife habitat be revised as follows:</p> <p>P.38.3 Develop regulations that restrict development on jurisdictional <u>and nonjurisdictional</u> wetlands and riparian corridors to <u>prevent degradation of water quality and critical wildlife habitat</u>. Many wetlands that provide the essential functions and services described in the text of the growth policy fall outside the definition of jurisdictional wetlands but still need protection. Flathead County has the opportunity to provide this protection through the growth policy and its implementation strategies.</p> <p>Part 4. P38.4 Develop BMPs and setback requirements for development to <u>prevent adverse impacts to sensitive wetland and riparian</u> areas. Also, the wetlands map should include at least all wetlands shown in the National Wetlands Inventory. While the NWI maps are themselves incomplete, including them in the wetlands map will provide Flathead residents a clear understanding of what the growth policy refers to when discussing wetlands.</p> <p>Shallow Groundwater</p> <p>Part 5. The goals and policies addressing shallow aquifers (see P.27.8, P.29.1, and G.39 and its policies) should be based on the University of Montana Flathead Lake Biological Stations and the Montana Bureau of Mines and Geology’s research. We refer you to, and incorporate into these comments by reference, the Flathead Lakers December 21, 2005 letter for citations of relevant research papers and reports. According to Biological Station Director Dr. Jack Stanford, a critically sensitive area for protecting water quality in the Flathead River and Flathead Lake is the shallow alluvial aquifer between the Whitefish and Flathead rivers. According to Dr. Stanford, any land in this area where the depth to the water table is five feet or less will flood from the aquifer before overland flow occurs. The groundwater at base river flow is very near the surface and at the surface nearly every spring during the runoff period and during any flood flow. Consequently, this area is inappropriate and hazardous for development. The Flathead Lakers agree with Dr. Stanford’s conclusion that no residential, commercial or industrial (including gravel mining) development should be allowed in this area.</p> <p>Part 6. The Flathead Lakers recommend that an aquifer protection zone be developed as a growth policy implementation tool. It should preclude new</p>	<p><i>in wetlands and riparian corridors.</i></p> <p>Part 4. Staff recommends Policy 38.4 be revised to read: <i>Develop best management practices (BMPs) and setback requirements for development to prevent adverse impacts to sensitive wetland and riparian areas.</i></p> <p>The data used to create Map 2.9 came from the Montana Natural Resource Information System using the Natural Heritage Program definition of wetlands.</p> <p>Staff recommends adding the National Wetlands Inventory data to Map 2.9.</p> <p>Part 5. The implementation of these goals and policies are to be based on scientific studies (see P.39.1).</p> <p>Part 6. Refer to Policy 27.8 This policy calls for the implementation of protection zones for aquifers susceptible to potential</p>
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<p>Part 10. G.39 Protect sensitive areas over shallow aquifers.</p> <p style="padding-left: 40px;">P.39.4 Discourage residential development in areas where the groundwater is five feet or less.</p> <p style="padding-left: 40px;">P.39.5 Encourage rural residential densities at one dwelling unit per five to forty acres (depending on the depth to groundwater and other site-specific characteristics) in shallow groundwater areas where the depth to groundwater is greater than five feet.</p> <p style="padding-left: 40px;">new policy: Restrict commercial development near environmentally sensitive areas such as wetlands, floodplains, riparian areas, and areas of shallow groundwater.</p> <p>Part 11. The Flathead Lakers reiterate our previous recommendation that the county support a study, in cooperation with the Flathead Lake Biological Station and others, that provides information about the tradeoffs in impacts on the shallow aquifer between 1) centralized sewer with high density development, greater impervious surface area and more polluted runoff, and 2) lower density development with septic systems.</p> <p>TMDLs The TMDL discussion on pages 112-113 should indicate that the U.S. Environmental Protection Agency (EPA) approved a TMDL for Flathead Lake on March 30, 2002. The phased TMDL and nutrient management plan does require additional data gathering and refinement of targets. A TMDL also has been approved by EPA for Big Creek (5/9/03) and the Flathead Headwaters (5/24/05). For more information, please contact the Montana Department of Environmental Quality.</p> <p>Part 12. How growth and development take place in Flathead County is key to whether the TMDL water quality targets for Flathead Lake (Table 8.1) are successfully achieved. An analysis of the effects on achieving the TMDL targets of development of various types, various densities, and in specific locations is needed to guide the development of new policies and implementation strategies. Such an analysis is mentioned in policy P.34.1: ...and evaluate the impacts of future development on water quality and quantity. The Flathead Lakers recommend adding a new policy that specifically addresses the TMDL targets and their relationship to development location, mitigation strategies, BMPs and growth policy implementation strategies.</p> <p>A TMDL is to be reviewed five years after approval to evaluate progress toward achieving water quality</p>	<p>Part 10. Need to identify what areas are over the shallow aquifer by measuring a depth of five feet or less.</p> <p>The growth policy is non-regulatory and cannot contradict the custom and culture of Flathead County. The growth policy must respect a person’s right to develop and mitigate the impacts from development by encouraging development at appropriate densities in acceptable areas.</p> <p>Part 11. Refer to Policies 34.1 and 35.2.</p> <p>The implementation of these policies will address all the impacts on the shallow aquifer.</p> <p>Part 12. Refer to Goal 34 and Policy 34.1</p> <p>The creation of a watershed management plan will be a comprehensive document that must incorporate TMDL targets.</p> <p>Staff recommends that two additional policies be added to Goal 35.</p> <p><i>P.35.5 Encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.</i></p> <p><i>P.35.6 Develop and implement non-point source reduction plans within a Flathead basin watershed management plan for each of the 10 Total Maximum Daily Loads.</i></p>
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<p>targets. The Flathead Lakers recommend a new policy that provides for county participation in this process: The county will participate in the Flathead Lake TMDL five-year and subsequent reviews to help evaluate the effects of current development policies and regulations on progress toward achieving TMDL water quality targets. The results of this review should be included in growth policy progress reports (p.134) and be the basis for revising policies and implementation strategies.</p>	
<p>This letter responds to a formal request from the Flathead Lakers asking me to summarize Flathead Lake Biological Station (FLBS) research concerning the ecology of the shallow alluvial aquifer of the Flathead River, and provide my recommendations for aquifer protection policies for inclusion in the Flathead County Growth Policy.</p> <p>Part 1. The aquifer exists between the Flathead and Whitefish Rivers, generally following the Highway 2 corridor from Evergreen to Columbia Falls. The aquifer exists in the glacial gravel-cobble that was deposited 15-30 feet deep on top of an impervious clay formation. The gravels are overlain by two to five feet of rich soil developed from sediments deposited over the years by the Flathead River on its flood plain. The river has gradually migrated from west to east to its present position owing to tectonic tilting of the valley and the vast amount of gravel deposited on the river flood plain as the glaciers retreated. The aquifer is fed by water from the Flathead River and the Whitefish Range at the top of the flood plain. Ground water flows south to Evergreen where it is constricted by the finer, less porous materials deposited on the broad delta plain of Flathead Lake. The ground water and any pollution placed into the aquifer, flows down-slope at high rates, in some places reaching hydraulic conductivity as much as 5 meters per minute. The aquifer waters, and any constituents it may have in it, is discharged into the Flathead River in the area near and slightly upstream from the deltaic constriction near Evergreen. The Montana Bureau of Mines has produced a map of the aquifer that is generally consistent with our work.</p> <p>In 1988, I published with J. V. Ward, in the science journal <i>Nature</i>, a paper on our findings that the aquifer is habitat for a wide variety of aquatic invertebrates, notably <i>Plecoptera</i> (stoneflies) that are nearly two inches long when mature. We were able to collect the invertebrates from specially installed monitoring wells throughout the aquifer system. The stoneflies are unique in that when they are mature they migrate to the river, where they emerge as flying adults to mate. Eggs are deposited</p>	<p>Part 1. Staff agrees with implementing objective scientific data into the decision-making process for mitigating impacts to natural resources.</p>

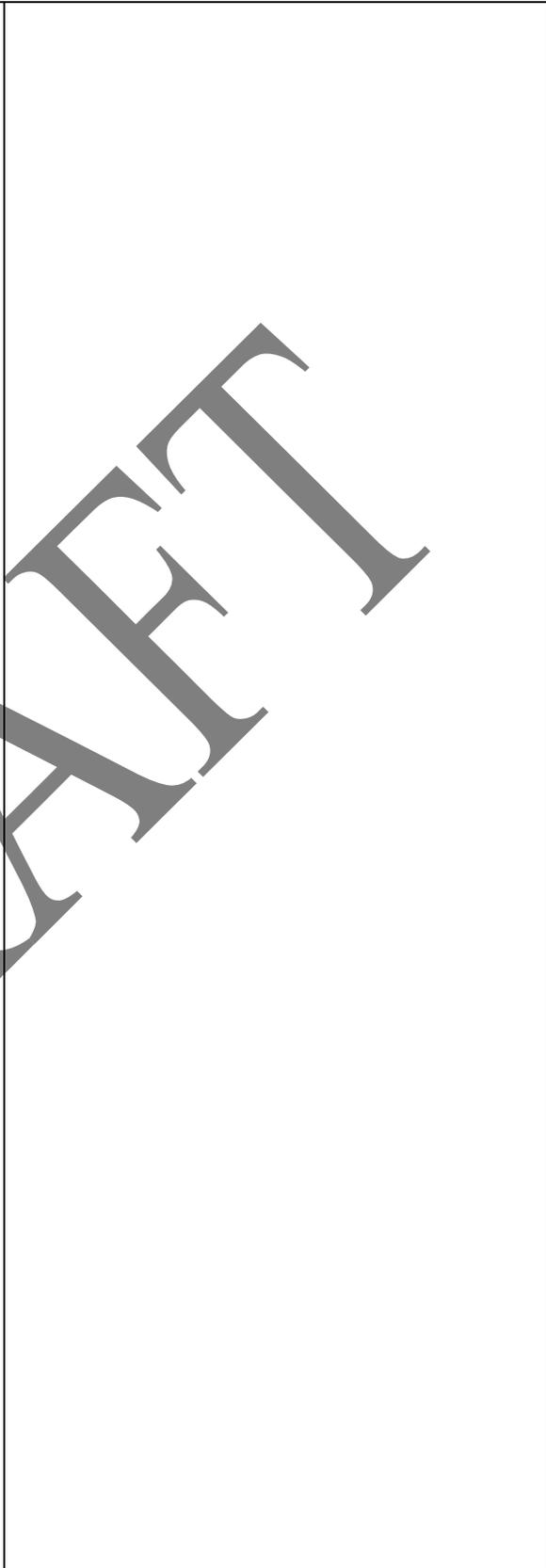
in the river where they penetrate into the bottom and hatch. In contrast to most stoneflies, the new larvae migrate far into the aquifer to mature, rather than staying in the river channel. Work by FLBS scientist Bonnie Ellis showed that the food base for these large invertebrates is bacteria and protozoans that grow on the rocks in the aquifer. Hence, a complex food chain exists naturally in the aquifer, and the large, migratory stoneflies are strong indicators of the high connectivity of the ground water with the river.

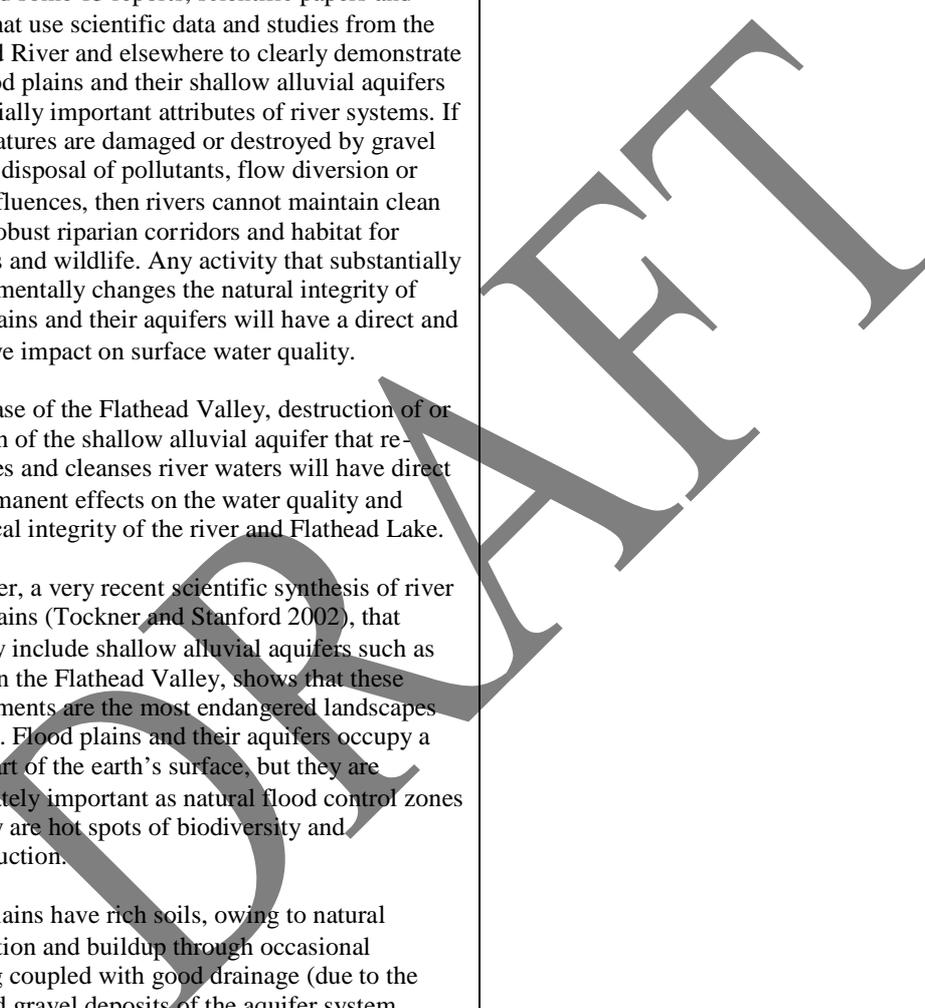
We collected these organisms throughout the aquifer, routinely as far away from the river as Highway 2 (e.g., near Glacier Park International Airport). The bugs were ubiquitous outside the urbanized area of the aquifer, but were absent inside the more urbanized area of the Evergreen community, suggesting that pollution was a problem in the Evergreen area. Indeed, direct measures of dissolved oxygen, nitrogen and phosphorus in the well grid verified what the stoneflies were telling us: that pollution of the aquifer by septic systems, street runoff and other sources from the urbanized zone was substantially polluting the aquifer. Moreover, the pollution load in the aquifer was discharging into the river and hence into Flathead Lake. This information, in due course, led to the sewerage of Evergreen to prevent pollution of Flathead Lake.

The scientific details of this research fundamentally changed the field of river ecology worldwide, because we showed clearly that alluvial aquifers have complex food webs made up of a wide variety of organisms, including large-bodied invertebrates and some small fish and salamanders and that the river and aquifer are inseparably linked. Passage of river water through the aquifer is a natural cleansing process mediated by food web retention and transformation of organic matter from the river and its flood plain. We cannot enjoy healthful water supplies, such as Flathead Lake, if the river-aquifer system upstream has been disconnected by human activities.

Clearly, activities such as large-scale gravel mining (which removes the gravel matrix of the aquifer, thereby creating lakes) and pollution from any number of sources, including urban expansion, can completely disrupt the aquifer-river ecosystem.

Indeed, the stoneflies have not yet re-inhabited the aquifer in Evergreen since sewerage. However, the pollution load to Flathead Lake has been substantially attenuated, based upon our loading calculations.



<p>We know from our Flathead River work and similar work elsewhere that ground water-surface water exchange between rivers and their flood plain aquifers involves complex processes and pathways that fundamentally determine water quality, riparian plant growth and aquatic species distributions and productivity.</p> <p>Indeed, the Flathead Lake Biological Station has produced some 15 reports, scientific papers and books that use scientific data and studies from the Flathead River and elsewhere to clearly demonstrate that flood plains and their shallow alluvial aquifers are crucially important attributes of river systems. If these features are damaged or destroyed by gravel mining, disposal of pollutants, flow diversion or other influences, then rivers cannot maintain clean water, robust riparian corridors and habitat for fisheries and wildlife. Any activity that substantially or incrementally changes the natural integrity of flood plains and their aquifers will have a direct and pervasive impact on surface water quality.</p> <p>In the case of the Flathead Valley, destruction of or pollution of the shallow alluvial aquifer that recirculates and cleanses river waters will have direct and permanent effects on the water quality and ecological integrity of the river and Flathead Lake.</p> <p>Moreover, a very recent scientific synthesis of river flood plains (Tockner and Stanford 2002), that typically include shallow alluvial aquifers such as occurs in the Flathead Valley, shows that these environments are the most endangered landscapes on earth. Flood plains and their aquifers occupy a small part of the earth's surface, but they are inordinately important as natural flood control zones and they are hot spots of biodiversity and bioproduction.</p> <p>Flood plains have rich soils, owing to natural fertilization and buildup through occasional flooding coupled with good drainage (due to the sand and gravel deposits of the aquifer system below the soil layers) and easy availability of irrigation water either from the aquifer or the river. They also are the most valuable real estate in many urbanizing areas because they are the riparian green belts along rivers that have high value as recreation areas. Unfortunately, in the U. S. and globally, flood plain structure and function has been vastly reduced by revetments, road building, gravel mining, pollution and stream flow regulation. Many governments in the U.S. (e.g., Napa, California) and around the world (e.g., Switzerland has a gas tax for</p>	
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<p>flood plain restoration) have recognized the huge value of river flood plains and are spending millions of dollars to rehabilitate them. Conservation and protection are the only actions that make economic sense anywhere flood plains and their alluvial aquifers remain intact, such as the Flathead Valley.</p> <p>Part 2. To protect this valuable resource, we need to take several important steps. We have found that the area where the depth to ground water is five feet or less is a critically sensitive area. This critical zone is subject to flooding from the aquifer before overland flooding occurs. Flooding in the river sufficient to drive aquifer flooding happens several times each decade.</p> <p>Part 3. No new structures or gravel mines should be permitted in any area within the 1964 flood boundaries or the designated 100-year flood plain (whichever is farther from the river) or in areas that are less than five feet in elevation above the typical summer water table. Furthermore, it should be up to the developer to show that any proposed activity does not violate these criteria. <i>Using fill to obtain an elevation greater than five feet in depth to the water table should not be allowed.</i></p> <p>Part 4. For the remainder of the shallow ground water and flood plain zone (the rest of the area between the Whitefish and Flathead Rivers downstream of the Columbia Falls - Whitefish road (Hwy 40) and including the Flathead Lake deltaic sands shallow aquifer on the north shore of Flathead Lake), only low density development with a minimum of impervious surface area should be allowed (e.g., no more than one septic system per 20 acres may be the appropriate level of density for this area) to prevent pollution to the aquifer, river and lake. Scientists at FLBS are continuing the scientific investigations of the ecology of flood plains and their alluvial aquifers in Montana with funding from the National Science Foundation. Upon request, we are available to elaborate our findings and the implications of our work.</p>	<p>Part 2. Refer to Goal 39 and Policies 39.1 through 39.7.</p> <p>The explicit intent of the goal and policies is to protect areas where the depth to groundwater is five feet or less.</p> <p>Part 3. Public will does not appear to support limiting development outside the 100-year floodplain.</p> <p>Part 4. Refer to Goals 37 and 39 and policies in Chapter 8. Refer to revised Policy 10.3 in Chapter 2.</p>
<p>The discouraging of high-density construction within areas of shallow aquifers and groundwater, wetlands, critical areas and scenic areas, including gateway corridors, is vital. Equally important is the discouragement of strip developments.</p> <p>I found two items in the draft that I feel need to be updated or addressed:</p> <p>Part 1. 1- M 2.7 and M2.9 do not show or adequately</p>	<p>Part 1. Refer to Goals 37 through 39 and Policies 37.1 through 39.7.</p>

<p>reflect the critical areas, wetlands and floodplain in the following areas:</p> <ul style="list-style-type: none"> a. Below Holt Drive in Bigfork on the north shore of Flathead Lake to the east of the Flathead River. b. To the south of Highway 82 on the north shore of Flathead Lake to the west of the Flathead River. c. The areas on the eastern side of Flathead River where Harbor Village is located. d. The floodplain areas on the west side of Hanging Rock Road in Bigfork. <p>The preservation of these areas is vital to the health of Flathead Lake, its local waterfowl and wildlife and should be safeguarded at all costs, and in perpetuity. It is essential that the Growth Policy Maps be updated to reflect these critical areas before the Final Growth Plan is accepted. I understand that the process of updating will most likely involve several agencies, but feel it is imperative that these lands are included in the final document.</p>	<p>The referenced goals and policies specifically require the use of scientific studies to identify locations over critical areas, wetlands, and floodplains.</p>
<p>Part 1. Retain important guidance on water quality already in the Draft Growth Policy. Comments from the scientific community and related agencies charged with protecting water quality should be given careful consideration in further strengthening of these policies.</p> <p>Part 2. Adequately address open space needs to secure viable wildlife resources and hunting and fishing amenities (not associated with flood plains and shallow aquifers.) Make sure there is connectivity between low lands and forest lands.</p> <p>Part 3. Include <u>all</u> of the pages, with all the regulations, in the Natural Resources Subcommittee report on important wildlife habitats. Maintain wildlife corridors.</p>	<p>Part 1. Refer to Policies 37.1, 38.1, and 39.1. These policies require the use of scientific studies.</p> <p>Part 2. Refer to Goal 9 and Policies 9.1 through 9.5.</p> <p>Part 3. The Natural Resources Subcommittee report was an important advisory document used for establishing goals and policies and identifying existing characteristics. However, (2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>Chapter 8, Part 3 (Draft page 121) – State Trust Land forest management is worthy of mention in this section. Montana DNRC oversees forest management on over 125,000 acres of forested Trust Lands in Flathead County.</p>	<p>Staff recommends pg. 121 be revised to read: <i>The State of Montana manages approximately 129,670 acres of forested trust lands in Flathead County. The lands are managed by the Montana Department of Natural Resources Conservation Trust Lands Management System.</i></p>
<p>I submit my comments and enclosures in an effort to support strengthening the language under Goal 34 “Protect and preserve water resources within the Flathead Watershed for the benefit of current residents and future generations”</p> <p>Please see Enclosures 1 and 2 for experts’ opinions that the Smith Valley area has special needs. Enclosure 2 states that a new and old well are directly connected and recommends continued monitoring as new residential properties and</p>	

<p>associated wells are developed and occupied.</p> <p>3. Policy 34.1 sounds wonderful. We need scientific data that comes from long term monitoring. I fully support this policy.</p> <p>Part 1. 4. P.34.2 sounds great but needs a stronger action word than “encourage.” This is nonbinding. I believe if terminology such as you put in the Bufflao Mtn and Fox Ridge preliminary plat requirements could be used, it would be a better guide to future commissioners and planning board members. I offer the excerpts to you as a suggestion for strengthening P.34.2</p> <p>A hydrogeological assessment will be conducted to evaluate groundwater availability within a half mile of each point of diversion for the subdivision. A written report will be supplied to the County documenting the findings of the water availability evaluation.</p> <p>The subdivision will participate in the neighborhood monitoring program of at least one well completed in the bedrock aquifer. The purpose of the monitoring is to document water level trends and water availability of the bedrock aquifer. The groundwater monitoring will be conducted through the use of water level data logger capable of recording hourly measurements. This information shall be submitted annually, November 30, to the Flathead County Health Department and the Department of Natural Resources Conservation.</p> <p>The community water and sewer system will be installed and implemented according to the specifications outlined in the Environmental Assessment submitted by the applicant.</p> <p>A hydrogeological assessment will be conducted to evaluated groundwater availability within a half mile of each point of diversion for the subdivision. A written report will be supplied to the County documenting the findings of the water availability evaluation.</p> <p>The subdivision will participate in the neighborhood monitoring program of at least one well completed in the bedrock aquifer. The purpose f the monitoring is to document water level trends and water availability of the bedrock aquifer. The groundwater monitoring will be conducted through the use of a water level data logger capable of recording hourly measurements. This information shall be submitted annually, November 30, to the Flathead City-County Health Department and the</p>	<p>Part 1. (2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
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<p>Department of Natural Resources Conservation.</p> <p>I also support P.38.1 “Use scientific studies to identify locations of riparian areas and delineated wetlands in conjunction with private landowners ...”</p>	
<p>Environmental issues should also be quantified. Water is probably the most important and both surface and ground water need to be addressed. Ground water for domestic and agricultural use are critical to the amount of growth that can be allowed in individual areas of the valley. A ground water and surface water study should be undertaken by an engineer familiar with the local aquifers and surface hydrology of the valley to allow proper planning of water issues.</p>	<p>Refer to Goals 34, 38, and 39 and policies.</p>
<p>Part 1. Page 105 Chapter 8 Natural Resources Any place the word “preserve” is used certainly gets my attention. Unless the County, State, Federal or well-meaning citizens are willing to pay for “preserving or restoring” then this should be referenced otherwise. To require a private property owner to be used for “preserving” is a taking of property by regulation without compensation.</p> <p>Part 2. Page 109 P.40.1 Please do not establish one more layer of bureaucracy as in a Natural Resources Task Force. There are already many agencies in place at the local, state and federal level that are tasked with using the best science, education and regulations to achieve the goals set forth in the Natural Resource chapter. As with the Open Space Board, a Natural Resources Task Force will be made up of well-meaning residents will not be able to accomplish much as the regulations and zoning restrictions are overseen by other agencies. If the County decides to establish this board, please make sure that agricultural and private timber land owners have a place as members.</p>	<p>Part 1. (2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p> <p>Part 2. The implementation of P.40.1 will require a transparent public process.</p>
<p>p.106: P.34.2: Change to read “Restrict development in sensitive water areas...”</p> <p>p. 107: P.37.4: “Restrict high and medium-density...” but overall, this section (pp. 106-107) is good.</p> <p>P.38.3: Hallelujah.</p> <p>P.39.5: Restrict, not encourage.</p> <p>P39.6: Require, not encourage.</p> <p>P.40.1: excellent</p> <p>P.40.3: good</p>	<p>Staff disagrees with the proposed changes because the terminology implies restricting the use of private property while the same ends can be achieved through incentives.</p>

<p>P.40.5: Restrict, not discourage.</p> <p>p. 120, Wildlife Species: Please add a paragraph or senetence at the end of the page which states: “Yet, private lands and the habitats they include play a critical role in the life cycles of many wildlife species in the Flathead, particularly birds. These needs must be considered in the development of policy and regulations of wetland, riparian and other key habitats in the County.”</p>	
<p>We have a great start. Please add additional protections for our aquifer. Aquifer protections in the growth policy need strengthening. Protecting the areas where the aquifer is less than 5 feet below the surface, is commendable. However, soils in the shallow alluvial aquifer are generally not suitable for septics and many other uses. It would be prudent to protect all lands over the shallow alluvial aquifer. The Spokane area polluted their aquifer and deduced that a 5 acre minimum density would help to alleviate that situation. The growth in the flathead county can be directed elsewhere with tools such as TDRs. I met a farmer recently who grows grasses. They do not use chemicals, pesticides etc. The county needs to provide incentives for undisturbed open spaces, and for non polluting farming as a best use for the sensitive areas over our aquifers. Growth if necessary must be very low density, with 5 to 80 acres most desirable.</p> <p>Level II septic systems have recently been accepted by the planning board and county commissioners as the solution for development over the aquifer. The level II systems do not remove phosphorus, only the soils below the level II systems MAY remove the phosphorus. The soils over the aquifer will not remove the phosphorus. Please refer to the volumes of information on the aquifer, including the most recent report written by Roger Noble on the Presentine Ranch Subdivision. Introducing more phosphorus to the aquifer waters will inflict damage to the Flathead Lake. We are in a mandate to improve the water quality of Flathead Lake. This should be a goal in our growth policy.</p> <p>Our state constitution states that we are entitle to clean air and water. This should be confirmed in our growth policy, to uphold the State Constitution.</p> <p>Recently, the BBC news reported on Bangladesh and their current problems with water quality. Their solution was to just keep going deeper for clean water when they have polluted the surface and shallow aquifer waters. They found that the pollution has gone now to their deepest waters. We</p>	<p>Refer to Goals 4 and 10 and Policies 4.1 through 4.9 and Policies 10.1 through 10.7.</p>

<p>need to learn from what is going on the the world with regards to water quality. We have the ability to protect our clean water. Lets do that.</p> <p>The Flathead Lake Biological Station is currently helping countries world wide to protect their water quality. We should use their expertise to formulate protections for the aquifers. We should implement a special ordinance for protection the shallow alluvial aquifer. This would prohibit gravel mining. Commercial development, industry gravel mining and anything other than sparse (one home on 5 to 80 acres) must be prohibited in order to preserve our water quality.</p> <p>Special considerations should be made for the analysis of septic over the aquifer. Current calculations by DEQ use a formula which will allow more pollutants over the aquifer due to the fast moving waters below. The county ordinances must not allow any development over the aquifer which would be prohibited in a location with similar soils and without the water moving below.</p> <p>Thank you for looking to the future. Please include protection for water quality in the growth policy.</p>	<p style="text-align: center; font-size: 48px; opacity: 0.3; transform: rotate(-45deg);">DRAFT</p>
<p>Part 1. P.38.1 Use scientific approaches, new information, photography, agencies, hydrography, and other existing data to complete a comprehensive map of wetlands, not just delineated or jurisdictional wetlands.</p> <p>P.38.3. Develop regulations and incentives that direct development away from wetlands, riparian areas, floodplains, and ephemeral wetlands.</p> <p>Part 2. Page 109 G.40 Wildlife Under 40.1 Suggest a timeline of 1 year for coordinated strategy.</p> <p>Under 40.4. FWP biologists do not have the time to do more than the minimum review of most proposed projects. We do recommend an interagency or interlocal agreement that spells out what our respective entities can and cannot do given our resources and other demands. We further recommend that the County encourage or require developers to complete more thorough mapping of fish or wildlife habitats and description of possible impacts through use of qualified consulting wildlife or habitat biologists. The maps and information should then be included in the preliminary plat for review by County and possibly state personnel.</p>	<p>Part 1. Staff does not agree with the proposed revisions to policies 38.1 and 38.3.</p> <p>Part 2. Refer to Chapter 9 Part 2: Timetable for Implementing.</p>

<p>Part 3. Suggest new policy P. 40.6 When warranted, require realtors and developers to have homebuyers sign off on a form that indicates that they have read and understand the Living With Wildlife brochures that are applicable to their land or home purchases.</p> <p>Part 4. Wildlife Species (page 120) We feel the information on fish and wildlife should be expanded through the eventual adoption of Appendices to include game species distribution maps, winter range maps, descriptions or maps of habitats for Threatened and Endangered Species, special management areas, species of special concern. FWP would facilitate providing some of this information to the County through development of the interlocal or agency agreement described above.</p>	<p>Part 3. The suggested policy is not appropriate as the Living with Wildlife information is intended to be educational technique and not a regulatory technique.</p> <p>Part 4. Refer to Policies 40.1 and 40.4.</p>
<p>Another concern I have is regarding the five-acre minimum lot size on lands with ground water at five feet or less. It needs to be made clear in the document that if the property is served by a public water system it is not subject to this restriction.</p>	<p>Refer to Policy 27.9 – Land division resulting in residential densities greater than one dwelling unit per five acres should be discouraged in areas of high groundwater of five feet below ground surface or less <i>which are not served by a public sewer district.</i></p>
<p>The Draft Growth Policy does a decent job of portraying existing conditions, and even cites the Total Maximum Daily Load (TMDL) plans that are being carried out by the FBC in partnership with the Montana Department of Environmental Quality, the US Environmental Protection Agency and other agency and NGO stakeholders in the basin. However, we believe the text of Chapter 8 (Natural Resources) could be amended, as the draft provides very minimal direction for guiding future land use policy.</p> <p>Our specific comments on Chapter 8 are:</p> <p>Part 1. Goal G.35: This goal should be amended to include “existing” and potential pollution sources.</p> <p>Part 2. Policies under G.35: Two additional policies should be included.</p> <ol style="list-style-type: none"> 1. Develop, implement and monitor annual benchmarks to come into compliance with TMDLs, and 2. Develop and implement non-point source reduction plan for each of the 10 TMDL targets. <p>Part 3. Policies under G.38:</p> <ol style="list-style-type: none"> 1. 38.3: This policy should be amended to include “non-jurisdictional” and 	<p>Part 1. Staff recommends that Goal 35 be revised to read: <i>Protect water quality in lakes, rivers, and streams from existing and potential pollution sources.</i></p> <p>Part 2. Staff recommends that two additional policies be added to Goal 35.</p> <p><i>P.35.5 Encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.</i></p> <p><i>P.35.6 Develop and implement non-point source reduction plans within a Flathead basin watershed management plan for each of the 10 Total Maximum Daily Loads</i></p> <p>Part 3. Staff recommends amending Policy 38.3 to read: <i>Develop regulations that restrict development in wetlands and riparian corridors.</i></p>

<p>jurisdictional wetlands.</p> <p>Part 4. Policies under G.41:</p> <ol style="list-style-type: none"> 1. 41.4: This policy should delete “sand and gravel” and insert “all mineral” operations. <p>Part 5. Page 114: The discussion on TMDLs is inadequate, in that the Draft does not discuss the obvious, which is that land use policies will have to be amended in order to come into compliance with the TMDLs. The Draft highlights the success of the sewage treatment plant upgrades in reducing nutrients, but fails to state that these efforts have fallen short as water quality continues to deteriorate. We believe that past efforts should be commended while pointing out that significant changes are still needed. The proposed text from FBC could state:</p> <p>FBC commends the efforts of community wastewater treatment plants in their efforts to successfully reduce the nutrient load in the watershed. However, since 1977, water quality in the Flathead watershed has continued to decline despite the efforts to improve the infrastructure of wastewater treatment plants. Therefore, significant changes to land use policies and management practices will need to be implemented in order to come into compliance with the TMDLs which represent not pristine water quality conditions, but conditions that would need to be met to ensure that a large algae bloom of <i>Anabaena Flos-aquae</i> will not occur within Flathead Lake..</p> <p>More specifically, for each of the 10 TMDL targets, a reduction plan for both point and non-point sources should be implemented county-wide, focusing first on those areas with the potential for the greatest adverse impacts to water quality. The reduction plan should feature both a voluntary and regulatory component, and be implemented using the Development Predictability Map, Special Consideration Areas, Zoning, Subdivision Review, Impact Fees and Special Improvement Districts. In addition, the County should develop, implement and monitor, in cooperation with the FBC and Flathead Biological Station, annual benchmarks to come into compliance with each of the 10 TMDL targets. Such an approach should be iterative in nature, with land use policies and management practices being amended as needed to achieve annual benchmarks.</p>	<p>Part 4. Staff recommends amending P.41.4 to read: <i>Discourage mineral extraction operations in areas in which those operations would pose a threat to Flathead County water quality.</i></p> <p>Part 5. Refer to Chapter 2 Goals and Policies. The text in Chapter 8 reviews existing characteristics and projected trends. Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. . Staff recommends that two additional policies be added to Goal 35. <i>P.35.5 Encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.</i> <i>P.35.6 Develop and implement non-point source reduction plans within a Flathead basin watershed management plan for each of the 10 Total Maximum Daily Loads</i></p>
<p>My one degree focused on "Urban Wildlife" and didn't see any provisions to accommodate those concerns. One visual is all the carnage of dead wildlife being struck by vehicles. Where are the mowing operations to clear the sides of roadways</p>	<p>Refer to Goal 40 and Policies 40.1 through 40.5</p>

<p>from the towering brush to harbor deer, elk, bear, skunks and other urban critters from darting out into the traffic? No reflectors on the mileage post have not been used and are a proven deterrent to this movement. The interface between streams, movement corridors, and city boundaries are most vulnerable and of concern.</p>	
<p>Another recommendation I have is that it be a PRIORITY to identify land and areas that are of particular significance to wildlife habitat, water resources, etc. The reason I believe this should be a priority is that once these are gone, they are gone forever. For example, we own 18 acres of which approximately 4-6 acres are filled with springs - wetlands, yet today there is no restriction on how we can develop this land, yet in Montana it represents less than 1% of all land. This land is a significant area for wildlife habitat and supplies much needed water through the dry season as well as food sources and plant life. While we may want to leave the land as it is our neighbors do not and this area is shared by all. It is slowly becoming houses and livestock grazing areas etc.</p>	<p>Refer to Goal 34 and Policies 34.1 through 34.3 and Goal 40 and Policies 40.1 through 40.5</p> <p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>I understand that you had to edit this document to keep it from being unreasonably large. However, the section concerning wildlife was far too short. The original report of 19 pages was a summary of other reports (many of which I've read) and had some excellent data to help the public (many of whom don't pay attention, or are new to the valley) understand the issues concerning wildlife and land use practices that may enhance or harm species that live here. In addition, some excellent regulations were listed that were completely left out of the Draft Growth policy. Please reinstate them. These policies/regulations are considered by professional biologists and "people in the know" as the bare minimum! Good regulations would far surpass what was listed in the report you were given. The public surveys indicate that wildlife conservation issues are important. This should be reflected in the Growth Policy. Open space needed to secure viable wildlife resources and hunting and fishing amenities not associated with flood plains and shallow aquifers have not been adequately addressed. Connectivity between low lands and forest lands also needs to be addressed.</p> <p>Regulations should be specific and you may find some help by looking at State, and Federal laws, such as the Endangered Species Act for some guidance. I would suggest you look at Gallatin County's original wildlife report (not their growth policy, the original report (I have it if you want to borrow it) It is very well done. It has maps, and</p>	<p>Refer to (2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>

<p>excellent regulations that should be part of our Growth Policy in the Flathead.</p> <p>The Draft Growth Policy contains important guidance on water quality that should be retained. Comments from the scientific community and related agencies charged with protecting water quality should be given careful consideration in further strengthening of these policies.</p>	
<p>The entire section on Natural Resources is outside the purpose of a growth policy as set forth in 76-1-106 (M.C.A.). The emphasis in this section is on environmental preservation whereas the purpose of a growth policy is to promote "...public health, safety..." etc. Growth policy should be about the human environment. Natural resources should be used for the benefit of humans yet there is no discussion of resource use – only preservation.</p> <p><u>P.35.2 The language here requires the expansion of the lake protection zone. This is regulatory and preempts the review. This policy should be changed to read "...regulations and, if necessary, make changes to ensure the lakeshore protection zone is adequate to reduce...."</u></p> <p>P.37.2 Once again the growth plan is creating regulations with a requirement for a 100 foot setback. The review is OK and may be necessary. Revision should depend on the results of the review rather than be required by the language of this policy.</p> <p>P.38.3 The federal protections for wetlands are adequate. We do not need additional protections. Delete this policy.</p> <p>P.40.1 We do not need another task force with a potential for creating problems for property owners. Wildlife have enough protected habitat on the surrounding public lands. Property owners must be free to create a market driven human habitat. There is nothing in the growth policy statutes about protecting "natural resource areas and wildlife habitat..."</p> <p>P.40.4 We absolutely do not need or want more interference from government agencies. Delete this policy.</p>	<p>Staff disagrees with the suggested revisions.</p>
<p>The use of the term "critical wildlife habitat" greatly concerns me. How and by whom will this habitat be designated? To my knowledge the only "critical habitat" that is even proposed right now is for Canada lynx, and this has yet to be designated. Generally, the entire valley provides wildlife habitat, the problem is that both wildlife and</p>	<p>Refer to Goal 40 and Policy 40.1.</p>

<p>humans are trying to use the same habitat! I urge you to deal with habitat issues specifically on a project level and very generally at the growth policy level. We also must remember that there are entire agencies and law sets that deal with habitat preservation. I don't think it is the place for the county to intervene.</p>	
<p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Provide regulations that encourage development to occur in areas that will not impact areas of delineated critical habitat and Special Wildlife Management Areas.</p> <p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Development impacts on wildlife corridors should be considered and mitigated to allow movement and habitat connectivity for wildlife on land and water.</p> <p>**From the 1987 Flathead County Growth Policy Chapter 4-pages 17-18.</p> <p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Maintain the 100-year floodplain in a natural state, open space, recreational area or as agriculture.</p> <p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Development within Big Game Winter Range Riparian Areas should be discouraged.</p> <p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Development of all non-riparian, big game winter range should not exceed a maximum density of one unit per 20 acres.</p> <p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Development impacts on wildlife should be considered and mitigated whenever development will affect riparian complexes, forested areas of over five acres, and marsh areas with or without trees.</p> <p>RECOMMENDATION: Add to Chapter 8-Goal 40-Policy: Identify native fish habitat. If such areas are proposed for development, incorporate conditions which will protect the habitat.</p>	<p>Policies 40.1 through 40.5 adequately address these areas.</p>
<p>Throughout this document, reference to “corporate timberlands” should be replaced with “forested lands”.</p> <p>Part 1. P.37.2 – a 100 foot setback from all floodplains is unreasonable, especially as applicable to small creeks.</p> <p>Part 2. P.39.5 – The Policy should define what rural low density is.</p>	<p>Part 1. Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value.</p> <p>Part 2. Policy 39.5 encourages rural low-<i>intensity</i> land uses which is different from <i>density</i>. Instead of</p>

<p>Part 3. P.40.1 – The Natural Resource Task Force needs to identify certain categories of critical resources and then provide a mechanism to achieve protection of those resources through a variety of approaches that could include regulatory incentives and purchases.</p> <p>Part 4. P.40.4 – This policy assumes that FW&Ps would have review authority on all subdivisions. All agencies with review interests should have an advisory role through the planning process without special standing to one particular agency.</p> <p>Part 5. P.42.1 – How would the Flathead County Air Pollution Plan be implemented through development standards? Would this require all roads to be paved and would this also apply to Flathead County, not just the development community?</p> <p>Part 6. Under the narrative, is habitat loss a big issue if you consider that nearly 80% of the county is already protected under federal management? Under other policies of the plan, key wildlife habitats, such as riparian areas and wetlands would be protected.</p>	<p>addressing the size of developments this policy is intended to guide the uses on the developments.</p> <p>Part 3. The implementation process for Policy 40.1 will create the responsibilities and guidelines of the Natural Resources Task Force.</p> <p>Part 4. The inter-local agreement is intended to incorporate FW&Ps as an advisory agency.</p> <p>Part 5. The Flathead County Air Pollution Plan recommends pollution control strategies for open burning, burning of solid fuel, and air pollution control districts in Kalispell, Columbia Falls, and Whitefish, which include paving of roads.</p> <p>Part 6. Wildlife habitats exist on public lands as well as private lands. The impacts of habitat loss transcends established property boundaries to degrade the overall environment.</p>
<p>Part 1. Policy P.40.1 suggests the establishment of a Natural Resource Task Force. How will members be appointed? What will their credentials be? How will the information collected and/or developed be used? Will it be considered advisory or law? Care must be taken to provide the right information and incentives so that landowners will do the right thing on their own.</p> <p>Part 2. Policy P.40.4 calls for including wildlife agencies in the development process. Their input is needed, however, in the past their focus has been very narrow and negative. From the forest landowner perspective they only see part of the picture and seem to forget that management of these lands has provided an abundance of fisheries, wildlife and recreational opportunities. They must become an active positive partner if they are part of the process.</p> <p>Part 3. Riparian areas and Wetlands are addressed on page 117. An addition needs to be made here that the vegetation in these areas ages similar to the way humans age. If we are to maintain the quality and quantity of these areas there must be manipulation of this vegetation. This includes harvesting of trees and trimming of brush.</p>	<p>Part 1. The regulations governing the board and its authority will be established when P.40.1 is implemented.</p> <p>Part 2. Policy 40.4 is intended to make the development process more comprehensive and give decision-makers as much objective information as possible.</p> <p>Part 3. Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>

<p>Secondly, I wish to comment on the discussion of Fish and Wildlife Resources, in particular the fisheries segment on page 119 (appearing again in the Appendix on pages 134-135). As a native of the valley and nearly lifelong resident, as well as a professional fisheries biologist, I found this portion of the write-up was marginal. I recognize the intent of the Draft Policy is not to create a thorough review. However, the singular focus on the <i>Mysis</i> problem and Flathead Lake, while fundamentally correct, ignores the much broader picture. A brief overview of the variety of fishery resources in the County (types of waters), the significant species (with emphasis on native cutthroat and bull trout), angler preferences and use patterns, and other attributes would be much more useful in this document. Either myself, or staff from Montana Fish, Wildlife and Parks, could assist you in upgrading this Draft for a final version. You can reach me if you so desire.</p>	<p>Staff appreciates the input from objective scientific research.</p> <p>The implementation of Policies 40.1 through 40.5 to achieve Goal 40 is intended to protect wildlife habitat through informed decision-making from objective scientific studies.</p>
<p>I support the comments on the Policy that will be provided to you by the Flathead Lakers.</p> <p>We live on Flathead Lake and have drawn our drinking water from it for all the years we've lived here ... as did the prior owners back to the 1940s. About 6 years ago, we entertained the idea of drilling a well ... and had both Liberty and Billmeyer Drilling review our property and make recommendations. They gave us comparable siting and cost estimates. At the end of each presentation, I asked a simple question.... "If this was YOUR property, what would you do?" Each company had the same response ... "I'd continue to draw from the lake for as long as the water quality remains as great as it is now." That is my criteria for stewardship of the lake -- that future generations can enjoy the same quality the past several generations have enjoyed.</p>	<p>These comments relate to Goals 34 and 35 and their subsequent policies. The explicit intent of these goals and policies is to mitigate the impacts on water quality throughout the county.</p>
<p>Discourage high-or medium-density development within the 500 year flood plain, or in areas with shallow groundwater. Some parameter needs to be set for how deep "shallow" is.</p>	<p>Refer to Goals 10 and 39 and Policies 10.1, 10.2 and 10.3 and 39.1 through 39.7.</p>
<p>Then in Chapter 8: Properly Manage and Protect the Natural and Human Environment Add a goal</p> <p>G.xx. Prevent the further degradation of the night skies to preserve the beautiful views of star studded skies and add to the outdoor amenities and quality of life.</p> <p>A policy P.xx.1 might be: Implement Flathead County lighting standards based on the lighting ordinances approved by Kalispell and Whitefish. The emphasis might be on simple, low cost</p>	<p>Refer to revision suggestions for Chapter 2 Land Uses.</p>

<p>solutions to control light pollution.</p>	
<p>Goal .38 Should include a strategy to control pets from disturbing wetland flora and fauna.</p>	<p>This issue is addressed in the subdivision process and is not appropriate for the growth policy</p>
<p>Goal .41 Require proponents of gravel extraction operations to pave unpaved roads used frequently by the operators trucks.</p>	<p>Refer to policy 41.5</p>
<p>WATER QUALITY</p> <p>I appreciate the fact that the Draft Policy includes many goals and policies that could help protect water quality from Flathead Lake, northerly.</p> <p>Part 1. Possibly you could get a little more specific in at least one instance, namely the protection of shallow aquifers: Follow the recommendation of Dr. Jack Stanford, Director of the Flathead Lake Biological Station, and prohibit any and all development or gravel extraction where ground water is encountered less than five feet below the surface.</p> <p>Part 2. Also, the Flathead Basin Commission and the Montana Dept of Environmental Quality, with the approval of the Environmental Protection Agency, have developed water quality protection targets incorporating the Total Maximum Daily Load (TMDL) requirements of the Clean Water Act. There is no need to reinvent the wheel. Just incorporate the Targets into the new growth policy.</p>	<p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p> <p>Part 1. Refer to Goal 41 and Policies 41.1 through 41.5.</p> <p>Part 2. Staff recommends that two additional policies be added to Goal 35.</p> <p><i>P.35.5 Encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.</i></p> <p><i>P.35.6 Develop and implement non-point source reduction plans within a Flathead basin watershed management plan for each of the 10 Total Maximum Daily Loads</i></p>
<p>As one reads the Flathead County Draft Growth Policy one can easily see where the priorities have been placed: open space, views, wildlife, environment, water, and air, which were considered the County Natural Resources. Vast amounts of data and statistics were collected by the Long Range Planning Committee, but apparently no use made of the Natural Resource Policy Document, Resolution No. 17770, adopted in August of 2005. This book constituted two years of effort on the part of knowledgeable specialists compiling well referenced data and information that would have provided a valuable component for the Growth Policy. It would have put into perspective the many factors essential to providing the economy, custom and culture, and planning that would assure a healthy environment and coexistence of humans and wildlife.</p> <p>Eleven pages of the Draft Growth Policy were devoted to water, fish and water fowl while Forest Lands occupy less than one page and Agriculture</p>	<p>Staff disagrees no action needed.</p>

Lands about one third page squeezed in at the very end of the document almost as an afterthought, before proceeding to the Implementation chapter. Absolutely no mention was made of forest fires except briefly in relation to people living in the wildlands urban interface (WUI) where people and their property are the expressed concern rather than the forests themselves.

Flathead County is heavily forested. These forests are in severe fire-prone condition which could lead to extensive burning by catastrophic fire. This could drastically impact not only the economy but the livability of this entire region for many decades, and there-by the growth itself. As an example, loss of the forests would be at least as important as ramifications of water and water quality and would actually render it highly polluted. Far greater attention should have been paid to the forests not only from their revenue producing capability and their support of the economy, but their relationship to EVERY ASPECT of a healthy, safe environment.

Let me briefly outline WHY!! Unfortunately space and time will not permit a detailed, scientific, thoroughly documented explanation of each item.

1. Montana's forests are dead, dying and burning from disease and fuel buildup. These include not only the 59% of federal forested land, but also forests under other agencies such as Glacier Park, Fish Wildlife and Parks, and Indian Reservations. These all total roughly 2,788,900 acres of wooded lands or about 83% of our total County land mass. We better pay attention to this threat to the county, its environment and our way of life. Our county government should be making an ongoing effort to gain a place at the table for governmental decision-making through establishing Memorandums of Understanding (MOU's) with agencies in the interests of addressing this MAJOR environmental problem. Our Federal and State governments must allow and respect our concerns and potential for valuable input.

2. Damage from burning of unhealthy forests

- Dangerous

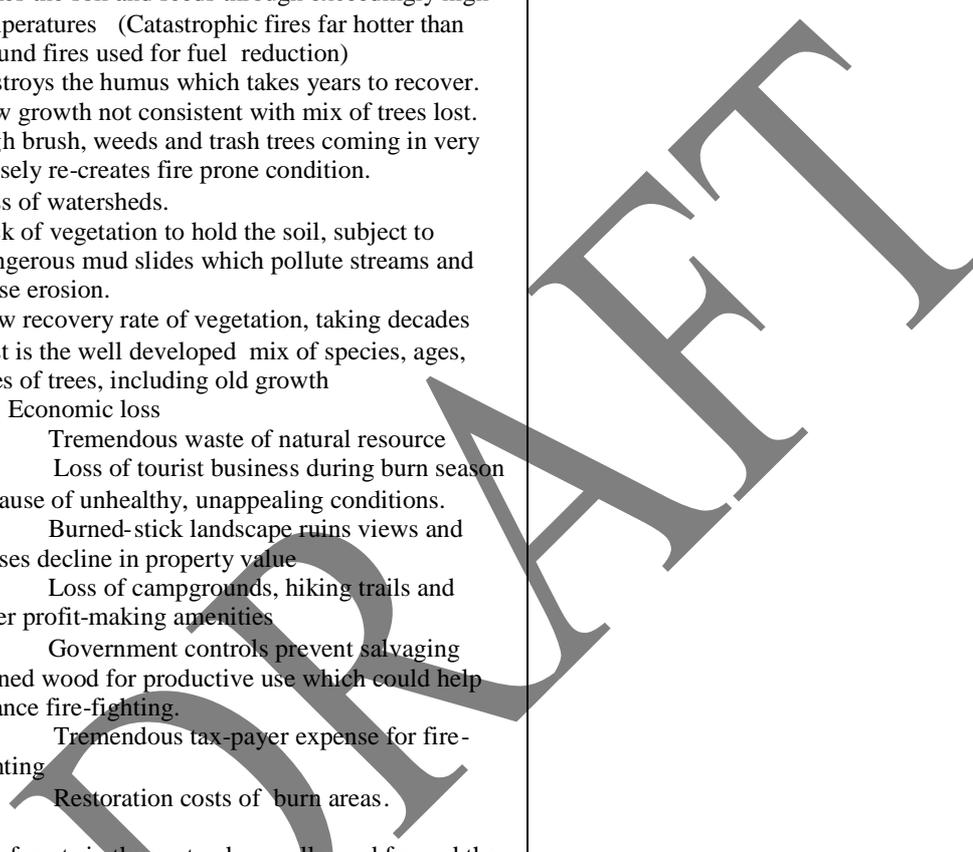
Torturous death to wildlife and fish,
many labeled endangered

Homes, property, lives endangered

Hazardous, expensive fire-fighting

- Pollution (Smoke and ash):

Serious health problems (human
and animal)

<p>Water pollution absorbed from air plus water run-off For those concerned about Global Warming, consider the tons of CO2 emitted, exceeding all that from combustion engines since their invention. This to say nothing of heat produced.</p> <p>Damage to soil and general forest condition: Bakes the soil and seeds through exceedingly high temperatures (Catastrophic fires far hotter than ground fires used for fuel reduction) Destroys the humus which takes years to recover. New growth not consistent with mix of trees lost. High brush, weeds and trash trees coming in very densely re-creates fire prone condition. Loss of watersheds. Lack of vegetation to hold the soil, subject to Dangerous mud slides which pollute streams and cause erosion. Slow recovery rate of vegetation, taking decades Lost is the well developed mix of species, ages, sizes of trees, including old growth</p> <p>3. Economic loss</p> <ul style="list-style-type: none"> Tremendous waste of natural resource Loss of tourist business during burn season because of unhealthy, unappealing conditions. Burned-stick landscape ruins views and causes decline in property value Loss of campgrounds, hiking trails and other profit-making amenities Government controls prevent salvaging burned wood for productive use which could help finance fire-fighting. Tremendous tax-payer expense for fire-fighting Restoration costs of burn areas. <p>Our forests in the past, when well cared for and the timber utilized, were able to support families as well as schools and highways in the community. Now taxpayers are paying PILT funding to help replace revenues previously derived from the timber industry. Even this is now in jeopardy. The forests themselves could pay for their own hospitalization and recovery if government policy would allow them to do so by letting private enterprise become involved in environmentally approved forest management procedures.</p> <p>County Planning needs to address the loss of this industry as being critical to a safe, secure future for county residents. Much of the current revenues are in home construction for an influx of new residents. They bring their money with them and often timber</p>	
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<p>is imported from foreign sources. This is an unpredictable source of income and materials which could be subject to national and international events and trends.</p> <p>The resource industries such as timber harvest and agriculture, although not growth industries, are based on stable, ongoing production of essential products. We simply must not overlook their importance and contribution to providing for citizen needs, protection of the environment, contribution to custom, culture and happy, healthy way of life.</p> <p>We simply cannot allow ourselves to become so enamored with the environment that we forget the role that the timber and agricultural industries have played through the years to maintain this environment and the wildlife in it. They have provided the stability and the balance that is much needed now. Newcomers must become aware of the role these citizens and their industries have historically played, acting as stewards of the land and saving this beautiful place for us all. By ignoring or down-playing that, we may well lose that which we thought we were saving through over-emphasis of other individual issues.</p>	
<p>First of all I would like to commend you for taking to task the County Growth Policy and doing it in a professional and timely manner. It is a learning document that we will be using for some time. I am rather disappointed that there was little or no reference to the Natural Resources Policy-Custom and Culture document resolution number 1777C which also had a lot of fine points presented previously to the County Commissioners for consideration. I strongly feel that when you are addressing a matter that relates to the issue at hand you must call professionals to lead the charge. This refers to matters that are also of a sensitive and controversial nature.</p>	<p>Staff disagrees and no action is required.</p>
<p>NATURAL RESOURCES: THE PLAN does not include the damage that will be done to the sky in terms of the clear view of the stars, moon, etc. caused by the increase of unregulated exterior lights. If a policy regarding exterior lighting is not included now, the cost later to both public and private entities will be significant. I have first hand experience when I lived in Tucson, Arizona during its "boom years" and watched the sky become hazy and the public shock and anger when the Kitt Peak National Observatory announced it may have to move if action was not taken to correct the problem.</p>	<p>This issue is appropriate for Chapter 2 Land Uses</p>
<p>Page 108: Part 1. G.38: Who determines which are</p>	<p>Part 1. Refer to Policy 38.1</p>

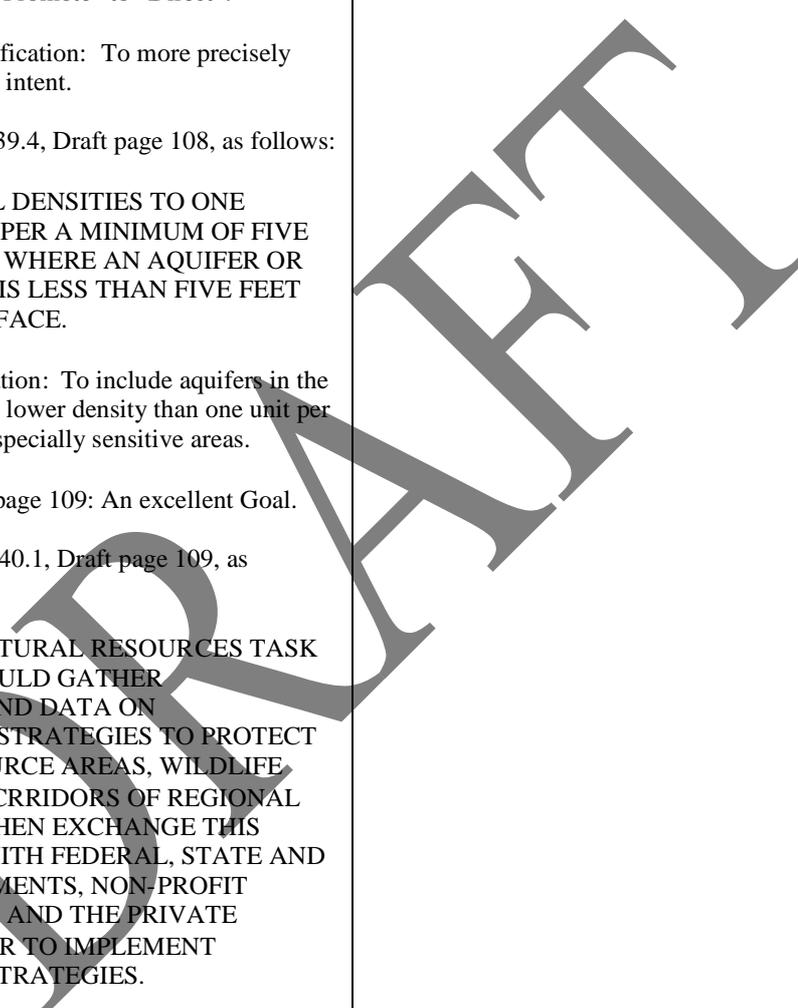
<p>“important” wetland and riparian areas? Since the vast majority of these areas have already been impacted by human activities, we should preserve and protect all the remaining ones no matter how small or seemingly insignificant. Using the qualification of “important” just insures that more of the wetland and riparian areas we have left will be destroyed. There should be no net loss of wetland and riparian areas.</p> <p>Part 2. G.39: What is the justification for using 5 feet of soil depth to the aquifer as the basis for water quality protection? Is this deep enough to protect water quality? Will septic systems be permitted in areas of shallow soil depth?</p>	<p>Part 2. According to scientists at the Flathead Lake Biological Station, the area where groundwater is five feet or less from the surface is critically sensitive and no development or gravel mining should occur in this zone. Public comments indicated that prohibiting development in these areas is unreasonable, so staff recommends low density development as a compromise.</p> <p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>Page 112: How does following the direction of the MT Dept. of Environmental Quality concerning TMDL priorities protect Flathead Lake? If the streams flowing into Flathead Lake have a lower priority for establish TMDL standards than the lake itself, how will the water quality goals for the lake be achieved? The area immediately around the lake is important but the water flowing into the lake is equally important. Will it be necessary for the county to impose stricter water quality standards than both the state and federal standards in order to protect the water quality of Flathead Lake? Is it possible do this given the other jurisdictions around the lake? The load priorities listed in Table 8.2 conflict with the statements in the first paragraph of page 115.</p>	<p>Reducing the amount of pollution that flows into the headwaters of Flathead Lake will reduce the water quality decline in Flathead Lake. Using pollution reduction strategies established by state and federal government agencies are intended to achieve this outcome.</p>
<p>This document, especially in Chapter 8, confuses goals that were broadly stated by many of us (i.e. views & protection of water resources) with changes in long standing policy & regulations.</p>	<p>Staff disagrees no action needed.</p>
<p>Natural Resources</p> <p>Page 106 – Goal G.34 and Policies P.34.1, P.34.2, and P.34.3 – This goal and subsequent policy statements incorporate many of the responsibilities of the Flathead Basin Commission (FBC). Flathead County is a member of the FBC. A fourth policy statement could be added here which recognizes the role of the FBC in protecting Flathead Lake and the waters that flow into the Lake and pledges County cooperation with the FBC. The avoidance of duplicate efforts is a worthy goal given scarce</p>	<p>Staff recommends that two additional policies be added to Goal 35.</p> <p><i>P.35.5 Encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.</i></p> <p><i>P.35.6 Develop and implement non-point source reduction plans within a Flathead basin watershed management plan for each of the 10 Total Maximum</i></p>

<p>financial resources.</p> <p>Page 107 – Policies P.37.1 to P.37.5 – These are all excellent policies and we encourage Flathead County to also update FEMA maps and existing floodplain studies for areas along the Middle and North Forks of the Flathead River within Glacier National Park. Our reason is because Flathead County has permitting authority for proposed septic systems within Glacier National Park and such County decisions are, in part, dependent o the location of such proposed septic systems in relation to delineated floodplains.</p> <p>Pages 108 and 113 – Given the importance of water quality to Flathead County residents and visitors, a statement should be added to this Growth Policy that pledges County support for the Total Daily Maximum Daily Load (TMDL) limits for Flathead Lake and its tributaries. The responsible agency for establishing these limits is the State of Montana’s Department of Environmental Quality. Both the Flathead Basin Commission and the Flathead Lake Biological Station have however played key goals in drafting proposed TMDL limits for the Lake and Lake Tributaries. County and Flathead Basin Commission support for maintaining such limits is critical if the clarity and relative absence algae in Flathead and other Flathead County Lakes is to be maintained.</p> <p>Page 109 – Policy P.40.2 – Examples of such “Living with Wildlife” brochures are available from North Fork Landowner Associations, from the Montana Dept. of Fish Wildlife and Parks, and from the Burlington Northern Environmental Stewardship Area Committee.</p>	<p><i>Daily Loads.</i></p>
<p>I would ask that special consideration be focused on protecting and preserving the county’s current relatively high level of water quality; a proven barometer of how we, as stewards of the land, manage our surrounding environment. Unfortunately, growth has been most evident in areas least able to accommodate it without paying an environmental price – over shallow aquifers in the Flathead Valley floor, and in areas adjacent to lakes, streams and wetlands.</p> <p>Increasing the setbacks to 100 feet or more would be highly desirable, as would requiring developers and individual private landowners to utilize simple but effective Best Management Plans (BMPs) on their property, such as maintaining a healthy and intact buffer zone of native vegetation between areas of development and surface water bodies. This is common sense, and also a scientifically proven</p>	<p>Refer to Goals 34, 35, 36, 37, 38, and 39 and subsequent policies.</p>

<p>method of minimizing the effect of land management on water quality. For more information on this, please refer to The Flathead Basin Commission’s landowner BMP video CD, “Healthy Lakes through Living Shores.” In summation, all growth guidance that takes into account the need to preserve water quality through such techniques as encouraging environmentally intact river and stream corridors and lakeshore areas and protecting vulnerable aquifer areas should be a priority.</p>	
<p>Part 1. Shallow Aquifer Protection: The Flathead Lakers encourage the county to strengthen protection for the shallow aquifer (groundwater) connected to the Flathead River. Flathead Lake Biological Station Director Dr. Jack Stanford says the area where groundwater is five feet or less from the surface is critically sensitive and no development or gravel mining should occur in this zone. Developments should be limited in the rest of the shallow aquifer area.</p> <p>Part 2. Meeting Water Quality Protection Targets: The growth policy should include specific policies that address the Flathead Lake water quality protection targets and their relationship to development location, densities, mitigation strategies, best management practices and growth policy implementation strategies. The targets were developed by the Flathead Basin Commission and the Montana Department of Environmental Quality and approved by EPA under the Total Maximum Daily Load (TMDL) requirement of the Clean Water Act.</p>	<p>Part 1. Refer to Goal 39 and Policies 39.1 through 39.7.</p> <p>Part 2. Refer to Goals 34, 35, and 36 and subsequent policies.</p> <p>Staff recommends that two additional policies be added to Goal 35.</p> <p><i>P.35.5 Encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.</i></p> <p><i>P.35.6 Develop and implement non-point source reduction plans within a Flathead basin watershed management plan for each of the 10 Total Maximum Daily Loads</i></p>
<p>Spring habitat & other wildland urban interface habitat for grizzly bears should be identified as top priority for conservation. Wildlife habitat for sensitive species should be discussed more directly under land uses.</p> <p>Discourage development of private inholdings in Glacier National Park.</p>	<p>Implementing Policies 40.1 through 40.5 will achieve Goal 40. Policy 40.1 has the ability to prioritize key habitats for wildlife.</p>
<p>Re: Air Quality – Minimize particulates to improve air quality – amount of traffic on dirt roads increase particulates, decrease health thereby affecting rural identity.</p> <p>Also, forest fuel reduction on forest lands – not 100% of slash/standing dead trees removed – by a mosaic affect areas where fuels are removed and interspersed with areas where fuels may choose & remain – again for forest health. (maintain population of insect-eating birds – maintaining soil health for regeneration.</p>	<p>Refer to Goal 42 and Policies 42.1 through 42.3.</p>
<p>p34.1 Flathead Lakers already have such a map -</p>	

<p>based on Stanford data - INCLUDE IT P34.2 These areas have to be clearly identified - most of this data exists -USE IT. P35.2 Lakeshore Protection regs need to be updated before this GP becomes the Advice of the Land. P36.1 Require DEVELOPERS to develop a storm water management plan. P36.3 BMPs could be in sub regs NOW. P36.5 Require discharge of storm water to be at least 5' above ground water. P37.1 Aren't FEMA maps up to date? INCLUDE THEM. p37.4 Too vague. P38.3 Put this into sub regs right now. P39.1 This info exists USE NOW. P39.2 How do you PROMOTE? P39.3 Where would these regs live? P39.6 Owners of failing & polluting septic systems will be PUBLICLY FLOGGED. p40.1 Task Force should include professional wildlife managers. P40.5 Again, How do you discourage? G.41 What if minerals are by wetland? river? P41.4 NO gravel pits in floodways.</p>	<p>Implementation of these policies will require adopting updated regulatory maps, objective scientific studies, standard development practices, and public and private partnerships.</p> <p>Regulations need to be justified in the growth policy. Once the growth policy has been established regulations will have to conform to the goals and policies. Therefore, regulations should not be revised and updated until the growth policy has been established.</p> <p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<ol style="list-style-type: none"> 1. PAGE 109 – P.40.4 –Add “timely communication and cooperation” after “increase” and add “opinions” after “agencies’”. Note that apostrophe should be added at end of “agencies’”. 2. PAGE 109 – P.40.5 –Change “Discourage” to “Restrict” 3. PAGE 124 – PART 4 – Add “Rapidly increasing traffic on gravel roads in Flathead County is a growing problem that is heading towards a critical stage. An aggressive dust abatement program should be initiated.” After the fourth sentence in the second paragraph. 	<p>Staff disagrees and no action is needed.</p> <p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>Part 1. GOAL G.34, Draft page 106: An excellent Goal.</p> <p>GOAL G.35, Draft page 106, Rerword as follows:</p> <p>PROTECT WATER QUALITY IN LAKES, RIVERS AND STREAMS FROM EXISTING AND POTENTIAL SOURCES OF POLLUTION.</p> <p>Reason for rewording: Broadens goal to include existing sources of pollution.</p> <p>Part 2. Amend POLICY P.35.2, Draft page 106, as follows:</p> <p>REVIEW AND REVISE THE LAKESHORE PROTECTION REGULATIONS TO EXPAND THE LAKESHORE PROTECTION ZONE TO</p>	<p>Part 1. Staff recommends that Goal 35 be revised to read: <i>Protect water quality in lakes, rivers, and streams from existing and potential pollution sources.</i></p> <p>Part 2. Staff disagrees and no action is required. And agrees with comments about Goals 36 and 37.</p>

<p>REDUCE POTENTIAL HARM CAUSED BY FERTILIZERS, PESTICIDES AND OTHER TOXINS AND HARMFUL AGENTS ENTERING LAKES, STREAMS AND RIVERS.</p> <p>Reason for amendment: To include all harmful elements.</p> <p>GOAL G.36, Draft page 107: An excellent Goal.</p> <p>GOAL G.37, Draft page 107: An excellent Goal.</p> <p>Modify POLICY P.37.3 as follows:</p> <p>Part 3. PREVENT DEVELOPMENT IN FLOODWAY OR FLOODWAY FRINGE.</p> <p>Reason for modification: The Policy as draft is inconsistent with the supporting text. It seems clear from the supporting text for “Floodplains”, Draft pages 115-117, that the best management practice is to forbid development in the floodway or floodway fringe.</p> <p>Part 4. Suggestion regarding POLICY P.37.4, Draft page 107: The wording “within proximity” is vague and should be more specific.</p> <p>GOAL G.38, Draft page 108, should be modified to delete the word “important”.</p> <p>Reason for modification: The word “important” invites arbitrary definition and subjects wetlands and riparian areas to destruction.</p> <p>Modify POLICY P.38.3, Draft page 108 as follows:</p> <p>PROHIBIT DEVELOPMENT IN WETLANDS AND RIPARIAN CORRIDORS.</p> <p>Reason for the modification: The Draft’s supporting text on “Riparian Areas and Wetlands”, Draft 117, speaks for itself. Allowing even restricted development in these areas is inconsistent with the substance of the supporting text and would not be consistent with best management practices.</p> <p>Modify POLICY P.38.4, Draft page 108, to delete the word “sensitive”.</p> <p>Reason for the modification: All wetland areas are sensitive. Removal of the adjective makes that unequivocal.</p> <p>GOAL G.39, Draft page 108, should be rewritten as follows:</p>	<p>Part 3. Refer to Goal 10 and Policies 10.1 and 10.2.</p> <p>Part 4. Staff disagrees and no further action is required.</p> <p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
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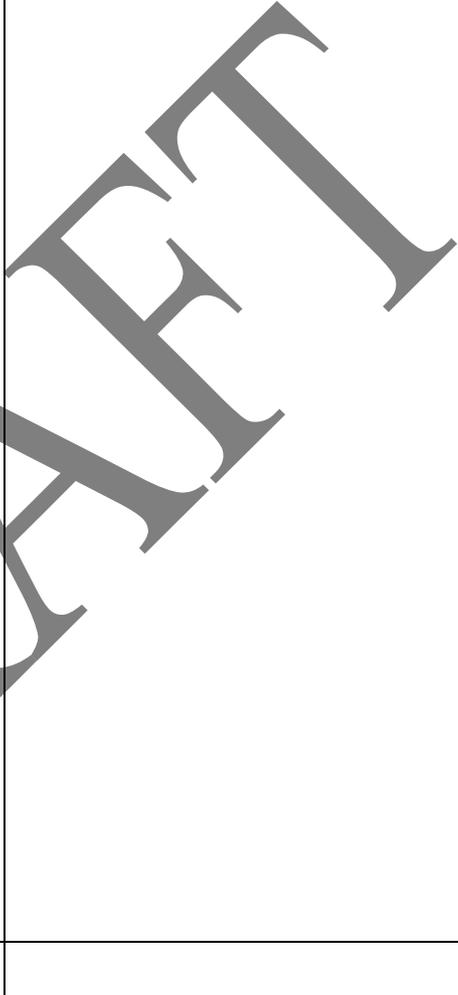
<p>PROTECT AREAS OVER SHALLOW AQUIFERS, LESS THAN FIVE FEET BELOW THE SURFACE, AND AREAS OVER SHALLOW GROUND WATER.</p> <p>Reason for the rewrite: to make clear that all such areas are sensitive and to make the Goal consistent with Policy P.39.1, Draft page 108.</p> <p>Modify POLICY P.39.2, Draft page 108, to change the first word from “Promote” to “Direct”.</p> <p>Reason for the modification: To more precisely capture the planning intent.</p> <p>Modify POLICY P.39.4, Draft page 108, as follows:</p> <p>RESTRICT RURAL DENSITIES TO ONE DWELLING UNIT PER A MINIMUM OF FIVE ACRES IN AREAS WHERE AN AQUIFER OR GROUNDWATER IS LESS THAN FIVE FEET BELOW THE SURFACE.</p> <p>Reason for modification: To include aquifers in the Policy and to enable lower density than one unit per five acres in these especially sensitive areas.</p> <p>GOAL G.40, Draft page 109: An excellent Goal.</p> <p>Reword POLICY P.40.1, Draft page 109, as follows:</p> <p>ESTABLISH A NATURAL RESOURCES TASK FORCE THAT WOULD GATHER INFORMATION AND DATA ON CONSERVATION STRATEGIES TO PROTECT NATURAL RESOURCE AREAS, WILDLIFE HABITAT AND CORRIDORS OF REGIONAL IMPORTANCE., THEN EXCHANGE THIS INFORMATION WITH FEDERAL, STATE AND LOCAL GOVERNMENTS, NON-PROFIT ORGANIZATIONS AND THE PRIVATE SECTOR IN ORDER TO IMPLEMENT COORDINATED STRATEGIES.</p> <p>Reason for rewrite: Clarity.</p> <p>Reword Policy P.40.4, Draft page 109, as follows:</p> <p>DEVELOP AN AGREEMENT AMONG WILDLIFE AGENCIES AND FLATHEAD COUNTY THAT WILL INCORPORATE THE PARTICIPATION OF WILDLIFE AGENCIES IN THE DEVELOPMENT PROCESS.</p> <p>Reason for rewrite: Clarity.</p>	
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<p>Under GOAL G.41, modify POLICY P.41.1, Draft page 110, to change the first word from “Restrict” to “Prohibit”.</p> <p>Reason for rewrite: Let’s protect water at all costs. There are hundreds of sand and gravel operations in Flathead County.</p> <p>GOAL G.42, Draft page 110: An excellent Goal.</p>	
<p>The use of the term “critical wildlife habitat” greatly concerns me. How and by whom will this habitat be designated? To my knowledge the only “critical habitat” that is even proposed right now is for Canada lynx, and this has yet to be designated. Generally, the entire valley provides wildlife habitat, the problem is that both wildlife and humans are trying to use the same habitat! I urge you to deal with habitat issues specifically on a project level and very generally at the growth policy level. We also must remember that there are entire agencies and law sets that deal with habitat preservation. I don’t think it is the place for the county to intervene.</p>	<p>Staff disagrees and no further action is needed.</p>
<p>Pages 106 & 107 refers to changes in the Lakeshore Protection setback of 20 feet, establish a 100 foot setback on flood plains, and establishing setbacks on streams is not appropriate at this time. One size fits all regulations do not protect and/or preserve the resources nor do they respect landowner rights. Rules established here must protect the resource and be defensible by credible science.</p>	<p>Staff disagrees and no further action is needed.</p>
<p>The ruling by Judge Kelly reaffirms our need to protect our water. We need good science to understand what we have and what we need. Protect our water quality at all costs should meet our goal.</p>	<p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>Chapter 8—Policy 35.4—Natural Resources Comment—This policy would require all public waste water systems to meet municipal discharge standards. The need is for all public waste water systems to meet DEQ non-degradation requirements.</p>	<p>Staff disagrees no action needed.</p>
<p>Chapter 8—Table 8.2—Page 113 Comment—Ashley Creek, among others listed, is in the Low Priority category for Maximum Daily Load. Why? It would seem to me to be especially important when considering its importance in being connected to Flathead Lake.</p>	<p>Total Maximum Daily Loads were established by the Montana Department of Environmental Quality</p>
<p>Flathead Lake, river and the Flathead aquifer are unique and irreplaceable treasures, and their conservation must take precedence over all forms of development that might compromise their health.</p>	<p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>All quotations used by American Dream Montana (ADM) are directly taken from the draft county</p>	

<p>growth policy (DCGP). Whenever quote marks are used in this analysis, the statement is a direct quote, goal or policy as stated in the proposed DCGP.</p> <p style="text-align: center;">Chapter 8</p> <p>Part 1. Page 106, P.35.4</p> <p>ADM comments: Is up to M.D.E.Q. to set non-DEQ requirements, not Flathead County. Delete</p> <p>Page 107, G.36</p> <p>ADM comments: Is up to M.D.E.Q. to set non-DEQ requirements, not Flathead County. Delete</p> <p>Part 2. Page 107, P.37.2</p> <p>ADM comments: What is the scientific basis for the 100' setback? Is arbitrary and unreasonable. Delete</p> <p>Part 3. Page 107, P.37.4</p> <p>ADM comments: What is "within proximity"? Is vague. On what scientific basis would this requirement be based? Delete</p> <p>Page 108, G.39</p> <p>ADM comments: What is the scientific basis for the 5' separation to around water? Arbitrary Delete</p> <p>Page 108, P.39.4 & P.39.5</p> <p>ADM comments: Not scientifically based. These decisions are better left to qualified experts at M.D.E.Q. Delete</p> <p>Part 4. Page 109, P.39.7</p> <p>ADM comments: Who will conduct the presentations? Will this be based on scientific information or political agendas? Needs to be defined.</p> <p>Part 5. Page 110, P.42.1</p> <p>ADM comments: What Plan? Is this a way to backdoor recently proposed County-wide Air Quality District? Define or Delete</p>	<p>Part 1. Staff recommends revising Policy 35.4 to read: <i>"Encourage all public waste water treatment systems to meet the equivalent of municipal discharge standards."</i></p> <p>Refer to paragraph two pg.114 of Ch. 8.</p> <p>Part 2. Refer to paragraph four pg.116 of Ch.8.</p> <p>Part 3. Staff recommends deleting P.37.4</p> <p>According to scientists at the Flathead Lake Biological Station, the area where groundwater is five feet or less from the surface is critically sensitive and no development or gravel mining should occur in this zone. Public comments indicated that prohibiting development in these areas is unreasonable, so staff recommends low density development as a compromise.</p> <p>Part 4. Implementation of Policy 39.7 should be based objective scientific data.</p> <p>Part 5. The Flathead County Air Pollution Control Regulations is a plan developed by the Flathead City-County Health Department.</p>
<p>It's not a GP, it's a growth restriction document. It's very restrictive. ¾ of the people in the valley live on</p>	<p>Staff disagrees and no action is required. (2)(a) MCA 76-1-605 of Montana State Law,</p>

<p>lands designated as the non-developable areas outlined in the GP. The Lake is dirty because we don't manage the forest anymore. Not because of septic systems. I am saying these things b/c they are based on fact. The GP needs maps. The maps in there are just a portion of the valley. The federal land is open space for perpetuity. The open space that is owned by the county is not developed in to parks. It looks sneaky because there are no maps and they don't delineate the entire county. The GP should be tabled. This should not be based on emotion but based on what it is what.</p>	<p>specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>500 year flood plain. It could be a great expense to delineate. Pinpointing that boundary will be costly. My other concerns are that we are developing about 4.7 ac lots. We have gone thru about 14000 ac of land into subs. If we take out the farm and private timber lands, it's about 30000 acres and half of it is already developed. There is an alternate way of developing with neighborhoods with denser housing and around common center space. The gp states that that type of dev needs to be on municipal waste and there are other ways to have good waste and water. The growth policy shouldn't take rights, but there is a lot of verbage that villanizes high density.</p>	<p>Implementation of the policies to achieve the goals of the growth policy will require objective scientific research.</p>
<p>Flathead Lake and aquifers must be protected and restrict development in 100-year floodplain. Avoid strip development along highways. All new developments must pay impact fees. Sent written letter as well.</p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>For example, the water quality in Flathead Lake is declining. We need to do something to protect the lake. The word 'encourage' is used over and over when we need to use the word 'prohibit.' We need strong language to protect water quality. I have also submitted written comments. Also, we have a five foot soil depth for development. Is five feet enough? Especially since the Evergreen aquifer goes right into the lake. These assertions need to be supported by scientific documentation. Somewhere in the document, it states that wetlands are being questioned by experts. The 'experts' are still arguing about the floodplain. Someone is always questioning the floodplain. If Flathead County doesn't have the expertise to understand the floodplain, then they don't have the expertise to understand wetlands. The document says 'preserve and protect important wetlands.' What is important? 40% of wildlife depends on 4% of wetlands. We need all riparian areas, not just those that are 'important.' Please check to make sure that the policy section really supports the goals.</p>	<p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>support in all the policies that protect water. Submitted written comments regarding water protection policies. Submit DNRC copy of water monitoring for Smith Valley. Thank you for doing</p>	<p>Staff agrees no action necessary.</p>

<p>what is best for the Flathead.</p> <p>Small wood lot owner. Natural resources provision of this plan are egregious. I am very disappointed, the policy did not address the problem of declining timber companies. This growth policy does not promote the forestry or agriculture industries. We have to have some positive statements to increase forest production from these federal lands that protects the safety of residents from forest fires. The policy must promote the development of high-paying jobs. Compressed time schedule is unacceptable and unrealistic. Revise product before it goes into final approval. Submitted written comments.</p>	<p>Refer to Goal 3 and Policies 3.1 through 3.7 and Chapter 5.</p>
<p>Biggest threat is to the water. People want to prostitute their rights to their water for paved roads. If you want to live in the city move to the city. Have to have development where development is needed. Don't give up we do need someone to say what's what.</p>	<p>Protecting our waterways – of all sizes – is crucial to the health of our land, water, air, and people, and to preserving the way of life we all value. .</p>
<p>I would also like to see the air quality control issue pulled off the shelf. It must not wait until the county's air pollution levels reach critical mass. Public protest should not curtail changes to control regulations. Industries that reap financial benefits while elevating air pollution problems should not be allowed to constrict controls that show effectiveness in reducing particulate matter. The county should not postpone its efforts to reduce this growing problem, but move toward addressing every aspect of it.</p> <p>If careless, shameful, destructive and unaccountable stewardship is allowed to take place, future generations will never have the pleasure to 'know' something so wonderful as the Flathead Valley, but possibly gaze upon her in an old movie.</p> <p>In my learning process I have come across individuals with a love of this valley and spirit similar to mine, native or not, with views different from mine. I find that the common thread is to preserve this treasure. With the help of this public document, I hope that the most important elements of life in Flathead County will remain and thrive. I ask to consider these observations. Thank you for your time.</p>	<p>Refer to Goal 42 and Policies 42.1 through 42.3.</p>
<p>Manage and Protect the Natural Environment</p> <p>There are some excellent policies in the current master plan that I would like to see included in the new one. I think they will enhance what is included in Chapter 8 of the proposed growth policy. They are listed as followed: 1987 Flathead County Growth Policy Chapter 4 Page 17-18 Policy 4.5: Maintain the 100-year</p>	<p>Staff disagrees with the use of 1987 policies for the current growth policy.</p>

<p>floodplain in a natural state, open space, recreational area or as agriculture.</p> <p>1987 Flathead County Growth Policy Chapter 4 Page 17-18 Policy 4.6: Development within Big Game Winter Range Riparian Area should be discouraged.</p> <p>1987 Flathead County Growth Policy Chapter 4 Page 17-18 Policy 4.7: Development of all non-riparian, big game winter range should not exceed a maximum density of one unit per 20 acres.</p> <p>1987 Flathead County Growth Policy Chapter 4 Page 17-18 Policy 4.8: Development impacts on wildlife should be considered and mitigated whenever development will affect riparian complexes, forested areas of over five acres, and marsh areas with or without trees.</p> <p>1987 Flathead County Growth Policy Chapter 4 Page 17-18 Policy 4.9: Identify native fish habitat. If such areas are proposed for development, incorporate conditions which will protect the habitat.</p> <p>1987 Flathead County Growth Policy Chapter 4 Page 17-18 Policy 4.11: Areas not conducive to individual on-site sewage disposal systems because of flooding, ponding, seasonal high water table, bedrock conditions, severe slope conditions and no suitable access to a community sewage system should be discouraged from development. ADDITIONAL POLICY adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources: Provide regulations that encourage development to occur in areas that will not impact areas of delineated critical habitat and Special Wildlife Management Areas.</p>	
<p>NATURAL RESOURCES</p> <p>Draft Growth Policy 37.3 Page 107 NATURAL RESOURCES CHAPTER 8: Development in floodway or floodway fringe should not create a net increase in the floodplain area. Development or fill create such an increase.</p> <p>Draft Growth Policy 37.4 Page 107 NATURAL RESOURCES CHAPTER 8: Prohibit development that displaces floodwaters within the 100-year floodplain.</p> <p>REPLACEMENT POLICY adapted from policies submitted to the county planning office and</p>	<p>Staff disagrees and no action is required.</p>

<p>recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources: Allow no structures or septic systems in the 100-year floodplain. Filling in order to raise an area out of the floodplain or to obtain the required depth to groundwater for septic system siting should not be allowed.</p>	
<p>Draft Growth Policy 39.2 Page 108 NATURAL RESOURCES CHAPTER 8: Promote development into areas with public facilities or appropriate depth to groundwater to preserve water quality and water supply. ADDITIONAL POLICY adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources: Create regulations and development standards that limit development in locations over sensitive and shallow aquifers.</p>	<p>Staff disagrees no action is needed. Refer to Policy 34.2</p>
<p>Chapter 8: Part 1. P.37.4 “Discourage high and medium-density development within proximity to 100 year floodplain.” Needs more definition. Would impact the ability for low income housing.</p> <p>Part 2. P.42.1 “Implement the Flathead County Air Pollution Plan into development standards.” What plan and who would write and review it? Needs more definition.</p> <p>Part 3. Page 118: “Groundwater and Depth to Table” Identifies areas that should be hooked up to public services. I believe this substantiates the great need for Flathead County to have its own Regional Sewage Treatment facility.</p>	<p>Part 1. Staff disagrees and no action is needed.</p> <p>Part 2. The Flathead County Air Pollution Control Regulations developed by the Flathead City-County Health Department.</p> <p>Part 3. Refer to Policy 35.3.</p>
<p>Part 1. Policy 35.4 Require all public wastewater treatment systems to meet the equivalent of municipal discharge standards. Needs to be changed to “require” all public wastewater treatment systems to meet the requirement of DEQ non-degradation requirements.</p> <p>Part 2. Page 107 Policy 36 Prevent untreated stormwater from entering into any surface water, stream, river or lake. Needs to be changed to make stormwater entering any surface water, stream, river or lake meet DEQ stormwater discharge treatment requirements.</p> <p>Part 3. Policy 37.2 Review and revise floodplain regulations. This</p>	<p>Part 1. Staff disagrees no action needed.</p> <p>Part 2. Staff disagrees no action needed.</p> <p>Part 3. Refer to paragraph four pg. 116 Chapter 8.</p>

<p>could include the treatment of floodplains as a whole instead of “floodway” and “floodway fringe” and implement a 100 foot setback requirement from floodplains. –What is the basis for this 100 foot setback?</p> <p>Part 4. Policy 37.4 Discourage high and medium density development within proximity to 100 year floodplain –Define proximity?</p> <p>Part 5. Page 108 Goal 39 Preserve and protect important wetlands and riparian areas to prevent degradation of water quality and critical wildlife habitat. Why a five foot separation from groundwater? What is your basis for this?</p> <p>Part 6. Policy 39.6 Encourage the upgrading of failing and polluting septic systems. –How is this accomplished?</p>	<p>Part 4. Refer to paragraph four pg. 116 Chapter 8.</p> <p>Part 5. Refer to pg.118 Groundwater and Depth to Water Table section.</p> <p>Part 6. The implementation of Policy 39.6 will require failing septic systems to be compliant with DEQ upgrades.</p>
<p>Part 1. Page 106, Policy 35.4, “Require waste water treatment systems to meet the equivalent of municipal discharge standards.” See 3. above, this policy shows a total lack of knowledge with relationship to wastewater treatment. As state above Kalispell directly discharges 9.4 PPM nitrates, Lolo directly discharges 22 PPM nitrates and Missoula directly discharges 21.9 PPM nitrates per 1992. There is not one set standard, this policy would not mean anything and could have the potential to lower water quality. DEQ requires septic systems and decentralized systems to discharge nitrates at the end of the mixing zones to be 5 PPM nitrates or less and surface loading to surface water to not increase nitrate not more than 0.001 PPM. If we were to raise the discharge to 22 PPM nitrate, we would actually lower water quality in Flathead County. MECA is opposed to unqualified individuals writing policies such as this policy. This policy needs to be changed to read, “Require waste water treatment systems to meet the requirements of the experts at DEQ that is an insignificant impact to water quality.”</p> <p>Part 2. Page 107, Goal 36, “Prevent untreated storm water from entering any surface water, stream, lake or river.” Needs to be changed to read, “Require storm water entering any surface water, stream, river, or lake to meet the DEQ storm water treatment requirements as outlined by the experts at DEQ.” The reason for this request is that DEQ has the required standards and none of the authors of the Growth Policy are qualified to set the standards.</p>	<p>Part 1. Staff recommends amending Policy 35.4 be revised to read, “<i>Develop waste water treatment systems that meet the equivalent of municipal discharge standards in Flathead County.</i>”</p> <p>Part 2. (2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>

<p>Part 3. Page 107, Policy 37.2, “Review and revise floodplain regulations. This could include the treatment of floodplains as a whole instead of “floodway” and “floodway fringe” and implement a 100 foot setback requirement from the floodplains.” MECA adamantly opposes the 100 foot setback from the 100 year floodplain. This would have many severe unintended consequences on a person’s right to use their property and there is no scientific data to back it up. The 100 foot setback in this policy should be removed.</p> <p>Part 4. Page 107, Policy 37.4, “Discourage high and medium-density development within proximity to the 100 year floodplain.” This policy is vague, what does proximity mean? There could be many unintended consequences from this policy. The policy is too vague and needs to be deleted.</p> <p>Part 5. Page 108, Goal 39, “Protect sensitive areas over shallow aquifers less than five feet below the ground surface”. What is the basis for the 5’ number?</p> <p>Part 6. Page 108, Policy 39.4 and 39.5, there is no scientific basis for these two policies, both policies should be combined into one policy to read, “Allow residential development densities that meet the requirements of non-significance to ground water as determined by the experts at DEQ.”</p> <p>Part 7. Page 109, Policy 39.7, “Conduct educational presentations for neighborhood associations and owner organizations on septic system impacts to groundwater and surface water quality.” Who is going to give these seminars? MECA is concerned that misleading information is being provided to citizens with regards to septic systems. Any presentation should be reviewed for scientific accuracy by members of MECA prior to presentation.</p> <p>Part 8. Page 118, refers to 5’ ground water separation, what is the scientific basis for this arbitrary number? One size fits all arbitrary rules not based on science should be removed from this policy.</p>	<p>Part 3. Staff disagrees refer to p.116 of Chapter 8.</p> <p>Part 4. Staff recommends deleting 37.4</p> <p>Part 5. MT state law does not allow septic approval on areas with groundwater 4 ft deep. Scientific studies have shown these areas to be susceptible to flooding and groundwater contamination (refer to pg. 118 of Chapter 8). Goal 39 considers the cumulative impacts to the water and land.</p> <p>Part 6. Staff disagrees no action needed.</p> <p>Part 7. The educational presentations should be developed from objective scientific data.</p> <p>Part 8. Staff disagrees see part 5.</p>
<p>DRAFT GROWTH POLICY: <u>NATURAL RESOURCES CHAPTER 8</u></p>	
<p>Policy 37.3 Page 107 NATURAL RESOURCES CHAPTER 8 <i>Development in floodway or floodway fringe should not create a net increase in the floodplain area. Development or fill create such an increase.</i></p>	
<p>Policy 37.4 Page 107 NATURAL RESOURCES CHAPTER 8</p>	

<p><i>Discourage high and medium-density development within proximity to 100-year floodplains.</i></p>	
<p>Policy 37.5 Page 107 NATURAL RESOURCES CHAPTER 8 <i>Prohibit development that displaces floodwaters within the 100-year floodplain.</i></p>	
<p>RECOMMENDATION: The following recommendation has been based upon facts and suggestions provided by the Flathead Lakers. These recommended policies should replace policies 37.3, 37.4 and 37.5 in the 2006-drafted version of the Flathead County Growth Policy.</p>	
<p>Add (New) Policy: <i>Create regulations that restrict development in delineated floodplains. This includes the development of structures, fill, levee construction and impervious surfaces.</i> (adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Transportation).</p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>Add (New) Policy: <i>Allow no structures or septic systems in the 100-year floodplain. Filling in order to raise an area out of the floodplain or to obtain the required depth to groundwater for septic system siting should not be allowed.</i></p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>Policy 39.1 Page 108 NATURAL RESOURCES CHAPTER 8 <i>Use scientific studies to identify locations over shallow aquifers and groundwater.</i></p>	
<p>RECOMMENDATION: Strengthen Policy 39.1 with the addition of the following policy under Goal 39.</p> <p>Add (New) Policy: <i>Encourage local governments to assess the groundwater impacts of new development proposals.</i></p>	<p>Staff suggests adding <i>Policy 39.8 Encourage local governments to assess the groundwater impacts of new development proposals.</i></p>
<p>Policy 39.2 Page 108 NATURAL RESOURCES CHAPTER 8 <i>Promote development into areas with public facilities or appropriate depth to groundwater to preserve water quality and water supply.</i></p>	
<p>RECOMMENDATION: Promoting development into areas with “appropriate” depth of groundwater does not restrict development in areas where water availability can be dramatically impacted by the subdivision and development of properties. This is an important issue for the County to address with language that supports regulatory action. Replace Policy 39.2 with the following policy.</p> <p>Add (New) Policy: <i>Create regulations and development standards that restrict development in locations over sensitive and shallow aquifers.</i></p> <p>Comment: Include implementation of this policy in a detailed discussion of subdivision regulations and</p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>

<p>development standards.</p>	
<p>Policy 39.4 Page 108 NATURAL RESOURCES CHAPTER 8 <i>Encourage rural residential densities at one dwelling unit per five acres in areas where the groundwater is less than five feet.</i></p>	
<p>Comment: Effective protection of shallow ground water is dependent upon three things:</p> <ol style="list-style-type: none"> 1. Regulations and development ordinances that encourage development into areas that can accommodate growth (i.e.: necessary services and infrastructure) 2. Standards and regulations that encourage the protection of sensitive areas and resources 3. Definitions, delineations and visual representations that identify and prioritize these areas according to their levels of sensitivity. <p>Therefore, the County must work to provide strong policies/implementation strategies in all three aforementioned areas.</p> <p>The County’s definition of shallow groundwater (less than five feet from the surface) does not adequately reflect the sensitivity of the Flathead Valley’s water table. This definition should be moved to accommodate groundwater that is less than 20 feet.</p> <p>Shallow groundwater is not specifically identified as a Special Consideration area under the implementation chapter of the proposed growth policy.</p>	<p>Staff disagrees and no action is required.</p>
<p>Policy 39.5 Page 108 NATURAL RESOURCES CHAPTER 8 <i>Encourage rural low-intensity land uses in areas where the groundwater is less than five feet.</i></p>	
<p>RECOMMENDATION: The county should change the definition of shallow groundwater to incorporate areas that are 5-12 feet.</p>	<p>Staff disagrees and no action is required.</p>
<p>Policy 39.7 Page 109 NATURAL RESOURCES CHAPTER 8 <i>Conduct educational presentations for neighborhood associations and other organizations on septic system impacts to groundwater and surface water quality.</i></p>	
<p>RECOMMENDATION: The County should provide a greater level of detail concerning policies and goals that address on-site wastewater treatment facilities. In order to accurately reflect community goals, the County should strengthen Policy 39.7 with the addition of the following policies. Add (New) Policy: Allow on-site septic systems only for low density development. (adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by</p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>

<p>the Long Range Planning Task Force Committee on Natural Resources)</p>	
<p>Add (New) Policy: <i>Encourage on-site septic systems for moderate development densities in rural areas suitable for development (i.e., no shallow groundwater and far from surface water.</i> (adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources)</p>	<p>Refer to Goals 27 and 29 and accompanying policies in Chapter 7.</p>
<p>Policy 40.1 Page 109 NATURAL RESOURCES CHAPTER 8 <i>Establish a Natural Resources Task Force to exchange critical information and data, propose coordinated conservation strategies to protect natural resource areas and wildlife habitat and corridors of regional importance, with elements of the strategies to be implemented by various federal, state and local governments, nonprofit organizations, and the private sector.</i></p>	
<p>RECOMMENDATION: Strengthen with the addition of the following policies Add (New) Policy: <i>Create standards and regulations that limit ungulate attractants in all rural, agricultural, or riparian/wetland developments located at or below 4,500 feet.</i> (adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources)</p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>Add (New) Policy: <i>Developers must determine the impacts of proposed projects on wildlife that use Special Wildlife Management Areas and on the management programs for these areas.</i> (adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources)</p>	<p>(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>Add (New) Policy: <i>Provide incentives for developers to set aside open areas or buffers between the Special Wildlife Management area and proposed developments</i> (adapted from policies submitted to the county planning office and recommended for inclusion in the growth policy by the Long Range Planning Task Force Committee on Natural Resources)</p>	<p>See revised P.4.8 in Chapter 2 Land Uses.</p>
<p>COMMENT: Special Wildlife Management Areas should be visually represented on the County’s proposed Development Predictability Map and Land Use Map</p>	
<p>Policy 40.3 Page 109 NATURAL RESOURCES CHAPTER 8 <i>Provide incentives for non-development in areas of critical habitat.</i></p>	

<p>RECOMMENDATION: Replace Policy 40.3.</p> <p>Add (New) Policy: <i>Provide regulations that encourage development to occur in areas that will not impact areas of delineated critical habitat.</i></p>	Staff disagrees and no action required.
<p>RECOMMENDATIONS: The discussion of Natural Resources in the proposed growth policy should be strengthened with the addition of the following policies. The language and tone that is present in the existing master plan provides a considerable level of detail that is absent in the draft of the proposed growth policy. Due to the high level of public comment concerning natural resources, and the extensive list of recommendations provided by the Natural Resource Committee of the Long Range Planning Task Force, the level of attention that the County has devoted to natural resources in the draft of this policy provides an insufficient base for preservation/protection.</p> <p>Add (New) Policy: <i>A greenbelt should be maintained along all streams and rivers in the County to protect the quality of water (reduce erosion; surface runoff containing pesticides, fertilizers, etc.; stream bank depredation/defoliation; etc.) and maintain the natural aesthetics of waterway.</i> (from 1987 Flathead County Growth Policy Chapter 12, Page 55, Policy 12.11)</p>	(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i> .
<p>Add (New) Policy: <i>Fuel and chemical storage tanks in, over, or adjacent to water areas and the application of stains, varnishes and paint to structures over the water should be prohibited because of their potential negative impacts on water quality.</i> (from 1987 Flathead County Growth Policy Chapter 3, Page 13, Policy 3.15)</p>	(2)(a) MCA 76-1-605 of Montana State Law, specifically states that a growth policy is <i>non-regulatory</i> .
<p>Add (New) Policy: <i>Suspected areas of failing private sewage disposal systems should be investigated.</i> (from 1987 Flathead County Growth Policy Chapter 3, Page 13, Policy 3.16)</p>	Refer to Policy 39.6
<p>Add (New) Policy: <i>Known failing or substandard private sewage disposal systems should be immediately addressed.</i> (from 1987 Flathead County Growth Policy Chapter 3, Page 13, Policy 3.17)</p>	Refer to Policy 39.6
<p>Add (New) Policy: <i>Maintain the 100-year floodplain in a natural state, open space, recreational area or as agriculture.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 17, Policy 4.5)</p>	Refer to Goal 37 and Policies 37.1 through 37.5.
<p>Add (New) Policy: <i>Development within Big Game Winter Range Riparian Areas should be discouraged.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 17, Policy 4.6)</p>	See revised P.38.3
<p>Add (New) Policy: <i>Development of all non-</i></p>	(2)(a) MCA 76-1-605 of Montana State Law,

<p><i>riparian, big game winter range should not exceed a maximum density of one unit per 20 acres.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 17, Policy 4.7)</p>	<p>specifically states that a growth policy is <i>non-regulatory</i>.</p>
<p>Add (New) Policy: <i>Development impacts on wildlife should be considered and mitigated whenever development will affect riparian complexes, forested areas of over five acres, and marsh areas with or without trees.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 17, Policy 4.8)</p>	<p>Staff disagrees and no action is required.</p>
<p>Add (New) Policy: <i>Identify native fish habitat. If such areas are proposed for development, incorporate conditions which will protect the habitat.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 18, Policy 4.9)</p>	<p>Staff disagrees and no action is required.</p>
<p>Add (New) Policy: <i>Areas not conducive to individual on-site sewage disposal systems because of flooding, ponding, seasonal high water table, bedrock conditions, severe slope conditions and no suitable access to a community sewage system should be discouraged from development.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 18, Policy 4.11)</p>	<p>Staff disagrees and no action is required.</p>
<p>Add (New) Policy: <i>Protect and preserve natural drainage ways when possible.</i> (from 1987 Flathead County Growth Policy Chapter 4, Page 19, Policy 4.22)</p>	<p>Staff disagrees and no action is required.</p>
<p>Add (New) Policy: <i>The County shall require that development be planned and designed to avoid areas rich in wildlife or of a fragile ecological nature (e.g., areas of rare or endangered plant species, riparian areas). Alternatively, where avoidance is feasible or where equal or greater ecological benefits can be obtained through off-site mitigation, the County shall allow project proponents to contribute to off-site mitigation efforts in lieu of on-site mitigation.</i> (adapted from Pacer County, CA, General Plan Land Use Chapter, Page 42 Policy 1.1.2)</p>	<p>Staff disagrees and no action is required.</p>