

APPENDIX J

FIRST MINOR SUMMARY OF PROBABLE IMPACTS

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

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

A. Definitions

The following provides definitions for each of the criteria:

1. Agriculture: The use of the land for grazing and cropping to produce food, feed, and fiber commodities. Examples may include: cultivation and tillage of the soil; dairying; growing and harvesting of agricultural or horticultural commodities; and the raising of livestock, bees, fur-bearing animals, or poultry. This definition does not include concentrated animal feeding operations.

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

3. Local services: Any and all services or facilities local government is authorized to provide, such as water supply, sewage disposal, law enforcement, fire protection, transportation system, and educational system as well as services not provided by local government such as electricity, gas, telephone, and solid waste disposal.

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

5a. Wildlife: Animals (e.g. mammals, birds, reptiles, fish), that are neither human nor domesticated, existing in their natural environment.

5b. Wildlife habitat: Geographic areas containing physical or biological features essential to wildlife for breeding, rearing, nesting, and/or winter feeding and forage; and/or essential to the conservation of listed endangered and threatened species under the Endangered Species Act.

6. Public health and safety: A condition of optimal well being, free from danger, risk, or injury for a community at large, or for all people, as well as for the welfare of a specific individual or a small class of persons.

B. Evaluation

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

C. Summary of Probable Impacts.

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

1. Effect on agriculture.

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

2. Effect on agricultural water user facilities.

- Location and proximity to agricultural water user facilities
- Potential conflicts between facility users and subdivision residents including:

- Seeps, flooding, washouts,
- Obstructions and interference
- Unintended uses (recreation or landscaping)
- Water rights
- Vehicular access to facility

3. Effect on local services.

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

4. Effect on natural environment.

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

5. Effect on wildlife and wildlife habitat.

- Loss of significant, important and critical habitat, as defined by Montana Fish, Wildlife and Parks or the U.S. Fish and Wildlife Service.
- Impacts on significant, important and critical habitat including potential effects of
 - roads and traffic
 - closure of existing operations and/or potential to provide new access to public lands
 - effects of humans and pets on wildlife.

6. Effect on public health and safety.

- Creation of potential man-made hazards (e.g. unsafe road intersection, development in wildland residential interface fire areas).
- Natural hazards (e.g. wildfire, flooding, steep slopes).

- Existing potential man-made hazards (e.g. high pressure gas lines, lack of fire protection, cumulative impacts).
- Traffic safety.
- Emergency vehicle access.
- Emergency medical response time.
- Condition of road leading to proposed subdivision.
- Condition of bridges on road leading to proposed subdivision.
- Any other item that endangers public health and safety