

SB 173 Hearing

Chairman **Mangan**

Committee members

Senator **Hawks**

Thank you for recognizing me.

For the **Record**

I'm Dick **Boehmler** from Missoula; speaking on behave of the  
Montana Chapter of the **Sierra Club**.

This bill is designed to avoid some of the **horrible mistakes** our local governments have made in the past.

I'd have lived in Missoula for **46 years** and would like to share my **experiences** with this issue.

I own **four waterside** properties.

One is **timber and grazing** land outside of Missoula on which I erected a cabin and septic system overlooking a stream. One is a riverside, **recreation site** on which I erected a log house with a septic system. Both of these sites also more than meet the standards of this bill.

The other two are my **residence** in Missoula built in a county subdivision and later annexed into Missoula and a **rental** in Missoula. **Both are on Rattlesnake creek**. Neither would meet the **standards** of his bill. Let me explain.

My home is less than 30' from a branch of the rattlesnake. I have kept the lot natural. Living room overlooks the stream from my chair I see: mink, muskrat, wood duck, kingfisher, blue heron, dipper, spawning fish, deer bear etc. Homes close to a stream and natural riparian corridors are desirable.

The building is at least 6' above a 1000' flood plane so it might be exempted from bill's standards but a very well functioning septic system should not be. (I voluntarily at considerable expense hooked on to the city system.)

: Down stream is **Greenough Park** which lies in the flood plane. Monroe street borders the park on the east. Numerous houses have been built along Monroe. The city has invested significantly in protecting them from 40-50 year flood levels, Protection from 100 year floods has yet to be devised.

Now the **rental**. It is about a block from where the Rattlesnake meets the Clark Fork River. The area use to be a **delta** with many channels. These **were channeled** into one straight stream bed with fairly high banks. A **bridge was build** with its bottom below the level of the banks. Now a ice flow comes along. The bridge forms a dam. The water rises above the road over the bridge. My rental is **flooded**. (30 years ago repaired at me expense) Now my **neighbor** on the other side of the stream raises his bank 4 or 5 feet. The last flood will still reach his land but more would come on my lot. I could raise my bank 7 to 8 feet which would put it a few feet above the street and make me safe from a flood or I could blow up the cities bridge, well maybe that's not an option.

You see my point, Let's learn from our past and not repeat it.

**Please pass this bill**

Thank you