



Department of Health and Environmental Sciences  
STATE OF MONTANA Environmental Sciences Division

*Office Copy*

P.O. Box 1031  
Kalispell, Montana 59901

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copy need*

John S. Anderson M.D.  
DIRECTOR

*File in  
"Ranch" file*

MONTANA STATE DEPARTMENT OF HEALTH  
AND  
ENVIRONMENTAL SCIENCES

RECEIVED

JUL 15 1976

FINAL ENVIRONMENTAL IMPACT STATEMENT ENVIRONMENTAL QUALITY  
THE RANCH, A PROPOSED SUBDIVISION COUNCIL  
Flathead County, Montana

To:

- Honorable Thomas Judge, Governor, State of Montana, Helena
- Environmental Quality Council, Capitol Station, Box 215, Helena
- Montana Fish & Game Dept. Mitchell Bldg., Helena
- Department of Community Affairs, Div. of Planning, Helena
- Department of Natural Resources and Conservation, Attn: Mr. W. Wetzell, Helena
- Flathead County Commissioners, Courthouse, Box 1000, Kalispell
- City-County Planning Board, Courthouse, Kalispell
- Flathead County Sanitarian, Box 919, Kalispell
- Flathead County Areawide Planning Organization, 723 5th Ave. E., Kalispell
- Mr. Dan Averill, Flathead Lake Lodge, Bigfork
- Mr. Paul T. Richards, 1836 Flowerree, Helena

Gentlemen:

Pursuant to the Montana Environmental Policy Act, Section 69-6504, (b)(3), the act controlling both public and private water supply and sewage disposal for subdivision, Section 69-5001; and the act to control water pollution, Section 69-4801 to 4827, a draft environmental impact statement (EIS) was prepared by the State Department of Health and Environmental Sciences, Environmental Sciences Division, concerning the request for administrative approval of THE RANCH, a proposed subdivision near Bigfork in Flathead County, Montana. Distribution of the EIS was made to 54 agencies, agency representatives or interested public persons. Date of issuance was May 20, 1976

Statutory elapse time requirements have now been met and the following final environmental impact statement has been prepared. Dissemination of the final EIS is hereby being made to the three agencies or individuals who have responded to the draft statement in addition to those agencies or individuals accepted as having mandatory recipient status.

Respectfully submitted,

*Wilbur O. Aikin*

Wilbur O. Aikin, P.E.  
Subdivision Bureau  
Environmental Sciences Division

*7-13 Plat approved*

WOA:jnh

Enclosure

1. State of Montana; Department of Fish and Game, Helena, MT

Subject: White-tailed deer winter game range

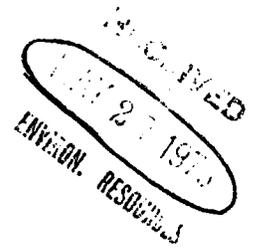
Because the response made to the draft impact statement was essentially the same as that made during the Flathead Areawide Planning Organization (APO) public meeting, the contents of the Fish and Game memorandum were available, and were so included, at the time the draft EIS was created.

It has been conceded by virtually everyone; the developer, critics of the Fish and Game, local residents and planning members alike, that the entire area is a significant game range and that the subdivision is within that game range area.

The developer, in particular, realized this limitation and has acted in a manner designed to lessen the adverse impact of this game range-human usage relationship. The covenants and restrictions for this subdivision are extraordinarily lengthy and several paragraphs speak directly to the game problem. For example: peripheral lot line fencing will not be allowed and household pets are to be confined or kept under leash control. Normally such covenants have questionable value, however, this project is again unique in that a development manager is to be employed with full authority to enforce such covenants. The local governing authority (county commissioners) is also party to these covenants should any formal written change be made in the covenants.

Such constraints as this are obviously not as good as simply leaving the land as it is, but they certainly are significant. This may or may not be an acceptable rationale for development of the full 2000 acres, but it appears to be acceptable for the first 100 acres, back by 1900 acres which will for the time remain under normal management conditions. To this Department the game range question is no longer an overriding consideration which would warrant unqualified subdivision disapproval.

STATE OF MONTANA  
DEPARTMENT OF FISH AND GAME  
HELENA, MONTANA



*Office Memorandum*

TO : Wes Woodgerd

Attn: Jim Posewitz

DATE: May 25, 1976

FROM : Tom Hay

By: Otis Robbins

SUBJECT: The Ranch Subdivision

The subject subdivision complex is only one of numerous subdivisions that have been proposed and/or are under construction on critical white-tailed deer winter range. This subdivision has many facets that are quite similar to the others. It should be noted that this is a small tract of a large potential development (2,000+ acres) in this area. (Memo: Robbins to Posewitz - 10/9/1975). This presents a unique situation in subdivision development.

The proposed subdivision sits in the northwestern corner of a large tract in the rolling hills about one mile south of the village of Big Fork. The area has been logged and burned in the recent past and vegetation consists of second growth timber interspersed with various shrub plants that include a large portion of winter food plants for deer (i.e. maple, redstem ceanothus and serviceberry). Major portions of the area have low elevations and a south or westerly facing aspect.

The immediate area or adjacent sections is year-round habitat for white-tailed deer, ruffed grouse and black bear, as well as critical winter range for white-tailed deer concentrations in the winter months. This general area provides key winter range for deer that move into the area from several areas adjacent to the site.

Deer and other animals that live in summer on the eastern and northern slopes in the Swan drainage and at higher elevations of the Flathead National Forest move to this area in the winter. Much of these higher elevations receive heavy snow fall and are not capable of wintering deer even in moderate months. The Ranch subdivision area should be considered as an important part of the key area for winter survival for much of the deer herds in the area south of Big Fork.

Small subdivisions, singularly, do not represent catastrophic problems but collectively threaten the loss of key winter range areas. White-tailed deer winter range in this part of Flathead County has been diminished and down-graded by a large number of subdivisions.

The proposed Ranch subdivision would be yet another step to the serious problem of loss of key white-tailed deer winter range in the Big Fork area. The effect would not be limited to white-tailed deer but also would be adverse on grouse, bear and others.

The development of this land could also aggravate the nuisance black bear problem that exists in some of the developed sections of this general area.

It is recommended that the development be denied because of the foregoing factors. Further, it is suggested that if this development is permitted it be so with the restriction that no further development occur on the remaining 1,600+ acres of the large tract. Perhaps scenic easements could be investigated as a potential solution to the problem.

A handwritten signature in cursive script that reads "Otis Robbins". The signature is written in dark ink and is positioned above the printed name.

Otis Robbins

OR/ea

2. Rep. Paul T. Richards, 1836 Floweree, Helena, MT  
Montana State House of Representatives, District 32  
Subject: Scope of draft impact statement

A draft environmental impact statement concerning the entire contiguous land ownership was not possible for the sole reason that a master plan for development of all acreage was neither offered by the developer nor required by law at either the state or local level.

Because the Department does not have, at this time, the authority to require such a master plan it has become accepted procedure to act on these matters in accordance with local procedures despite the fact that local interpretation can and does vary from county to county.

At the time The Ranch subdivision was submitted to the APO for review the administrative procedure by this county wide organization regarded the first phase as an entity in itself. Public hearings, compliance representations, agency evaluations; all were required to focus on the Phase 1 subject areas and not on the entire ownership. As a result of this viewpoint, the only data available and the only data offered was restricted to those areas within the peripheral boundaries of the subdivision.

One of the recommended conditions of approval by the local planning agency stated that no further subdivision would be accepted for review without a master plan for the entire remainder of the holdings. There is considerable speculation by area developers and officials whether anyone, city, county or state has the legal authority to give such a condition the full force of law, whether the submittal be the first, second, third or fourth phase of the project. Legal or legislative clarification of the matter is clearly needed.



*The Big Sky Country*

**MONTANA STATE HOUSE OF REPRESENTATIVES**

REP. PAUL T. RICHARDS  
DISTRICT NO. 32  
1002 WILDER  
HELENA, MONTANA 59601  
406/442-0032

COMMITTEES:  
NATURAL RESOURCES  
BUSINESS AND INDUSTRY

June 18, 1976

Mr. Edward W. Casne, Chief  
Subdivision Bureau  
Environmental Sciences Division  
Department of Health and Environmental Sciences  
Capitol Complex  
Helena, Montana 59601

Dear Mr. Casne,

I have just finished reviewing your "Draft Environmental Impact Statement, The Ranch, A Proposed Subdivision - Flathead County," which you issued May 20, 1976.

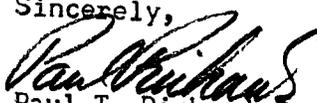
I have one specific comment: I cannot see the merit behind piecemeal review of a subdivision which could ultimately include around 1,800 acres. The local citizenry should be aware of the full impacts of the development. They should be given the opportunity to review such plans and provide input into the decision-making process concerning the development. They should not be expected to monitor the complex and confusing procedure of piecemeal review.

If a developer has grand plans for an area, fine. But, he should come out front with those grand plans. Thorough review of those plans should take place before any approval, no matter how conditional, is granted.

I ask that review of the entire potential development take place before approval is granted to this first phase. I further ask that your department take every step possible to insure that local communities are made aware of potential impacts of proposed developments. The days are over when sub-dividers can subject local communities to gradual "nickel and dime" erosions of their community's environment.

With this perspective, it would seem best for your bureau to deny approval for the proposed development. This denial should remain in effect until all relevant data concerning the full scope of the development is made available and reviewed. I realize that all further proposals will be subject to this type of review, and that a master plan will be required, if, and when, the developers choose to develop the remaining acreage. My point stands, however, that it is most fair to the area and its people to have this sort of review from the very beginning, instead of granting the sub-dividers a nice, solid "Phase 1" foot in the door.

Sincerely,

  
Paul T. Richards  
House District #32



3. State of Montana; Department of Natural Resources and Conservation,  
Helena, MT.  
Subject: Forest fire and structural fire protection

It is the understanding of this office that forest fire suppression in this area is the responsibility of the Montana Division of Forestry and that structural fire protection is to be provided by the Bigfork Rural Fire Department.

Both are services which are paid for by means of tax levies or insurance fees. Meeting this responsibility would be eased considerably if a community water supply system including significant surface storage were available to provide adequate amounts of water at the site to those involved in fighting any potential fire.

Unfortunately, this problem of community vs. individual water supply systems has been explored before in numerous prior subdivision proposals. This is a consideration which is seen, but not met, in virtually every subdivision, large or small. Advice from departmental legal counsel has reiterated that the department has no authority in the matter of specifying the kind of system if subsurface water is available in satisfactory quantity and quality and the lots are large enough to protect such a domestic water supply source from contamination. Our perspective is limited by statute to potability and human usage, not high volume and property protection.

More to the point is the fact that the proven drilled well water supply source in this area is quite deep. Cost alone will probably cause the development to create either a community system or a series of multi-user systems. It is our understanding that a community system is now being investigated as a matter of marketing and economics. If so, plans and specifications for this system will come before the department for review. Even then, the department cannot insist that the community system have a fire protection capability, however, if a storage reservoir is part of the planned system efforts will be made to make certain that the engineering drawings include fittings for both the rural fire department and the forest service equipment.

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### Conclusions

A statement of approval, including the conditions of approval, will be made from this office for the State Department of Health and Environmental Sciences. A letter concurring with this decision according to the stated conditions has been received from the Flathead County Health Department.

This statement was prepared by Wilbur O. Aikin, P.E., environmental engineer in the employ of the Montana State Department of Health and Environmental Sciences Regional Office in Kalispell, Montana.



# MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

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GARY WICKS, DIRECTOR

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449-3712  
32 SOUTH EWING  
NATURAL RESOURCES BUILDING  
HELENA, MONTANA 59601

June 14, 1976

*Aiken*

Mr. Edward Casne  
Chief, Subdivision Bureau  
Department of Health & Environmental  
Sciences  
Board of Health Building  
Helena, MT 59601

Re: THE RANCH EIS, Flathead County

Dear Mr. Casne:

Prior to the issuance of this EIS, Mr. William F. Wright, Division of Forestry in Kalispell, supplied information to the Flathead County Areawide Planning Organization expressing our concern that adequate forest fire protection measures be considered before approval of THE RANCH subdivision. (See attached letter and pages 15 and 16 of the draft EIS).

The Draft EIS gives no indication that these recommendations will be accepted and without adequate consideration to forest fire and structural protection measures, both human life and high structural property loss may result. As proposed, we find this subdivision clearly inadequate from the forest fire protection standpoint. We therefore urge that the recommendations of Mr. Wright, Area Firewarden, be made formal conditions for the approval of this subdivision. These conditions are set out on page two of the attached letter.

Sincerely,

*Wayne A. Wetzel*

WAYNE WETZEL  
ENVIRONMENTAL COORDINATOR

WW/bh  
Attachment



TO: James F. Gragg, Supervisor Northwest Area  
FROM: William F. Wright, Kalispell Unit Forester  
DATE: June 2, 1976  
SUBJECT: THE RANCH EIS

I do not see any land management problems as to our lands that adjoin the development on the East. I still wish to stress my comments as stated on pages 15-16 of the Statement, ( attached is a copy of letter to APO). I think the developer should provide some type of water supply system for fire protection, but it does not seem that is in the plans as indicated on page 3. With the development, the risk, fire potential, and value all increase while the assessments will decrease.

*William F. Wright*

Box 224  
Kalispell Montana  
59901

May 6, 1975

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Mr. James E. Mohn, Current Planner  
Flathead County Area-wide Planning Organization  
Room 2, Ford Building  
Kalispell, Montana, 59901

Reference: April 29, 1975 Letter  
"The Ranch Unit One" Secs. 5, 6, T26N, R19W

Dear Mr. Mohn:

I will try to answer your questions as stated in your letter of April 29, 1975.

- 1) A subdivision in a forested area increases the potential of Forest Fires greatly for the following reasons:
  - a) Structural fires within the forest.
  - b) General cleanup and disposal of forest debris with fire by tenants
  - c) The influx of people that will reside in the structures and all of their general activities in the area.
  - d) Children in the area will greatly increase the risk of making campfires, playing with matches, firecrackers, without parents knowledge.
- 2) The location is within the Bigfork voluntary Fire Department for structural fires and the Montana Division of Forestry for wildland forest fires.
- 3) The cost for wildland forest fire protection on class one forest land is \$0.16/per acre.

With the subdivision, the area will have houses that will be of high value. With a forest fire in the area, it could be a fire that could have a possible high value loss due to the structures. It would be advantageous for the developer to have in his subdivision sufficient fire protection facilities such as:

309 page 2

a) An adequate water storage and supply system for fire suppression within the subdivision.

b) Locate fire hydrants at strategic locations throughout the subdivision.

c) Work closely with the Bigfork, USD and the Montana Division of Forestry so that the equipment installed for subdivision fire protection can be used adequately by both fire protection groups.

If you have any further questions, please feel free to contact me.

Sincerely,

~~William~~ F. Wright, NW Area Firewarden

WFW:rg

cc: 309  
cal file

STATE OF MONTANA  
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES  
CERTIFICATE OF SUBDIVISION PLAT APPROVAL  
(Section 69-5001 through 69-5009, R.C.M. 1947)

To: County Clerk and Recorder  
Flathead County  
Kalispell, Montana 59901

No. 15-76-K393  
E.S. 76/K172

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the individual water supply system and the individual sewage disposal system for the subdivision known as The Ranch located in Flathead County, Montana have been reviewed by personnel of the Subdivision Bureau, and,

THAT the documents and data required by Section 69-5001 through 69-5009, R.C.M. 1947 and the rules of the Department of Health and Environmental Sciences made and promulgated pursuant thereto have been submitted and found to be in compliance therewith, and,

THAT approval of the plat of said subdivision is made with the understanding that the following conditions shall be met:

THAT the lot size(s) as indicated on the plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT the lot(s) shall be used for single family dwelling(s), and,

THAT the individual water system will consist of a drilled well constructed in accordance with the criteria established in MAC 16-2.14(10)-S14340 to a minimum depth of 100 feet, and,

THAT the individual sewage disposal system will consist of a septic tank and subsurface drainfield of such size and capacity as set forth in MAC 16-2.14(10)-S14340 and will be located as indicated on the "typical location of sewer system" maps now on file in the Flathead County Sanitarian's office, and,

THAT each subsurface drainfield shall have an absorption area based on a maximum application rate of no more than 2.0 gallons per square foot per day, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT no sewage disposal system shall be constructed within 100 feet of the maximum high water level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, and,

THAT plans for the proposed water and individual sewage systems will be reviewed and approved by the Flathead County Health Department before construction is started, and,

THAT the developer shall provide each purchaser of property with a copy of plat including a copy of this certificate of subdivision plat approval and said purchaser shall locate water and/or sewage facilities in accordance therewith, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT departure from any criteria set forth in MAC 16-2.14(10)-S14340 when erecting a structure and appurtenant facilities in said subdivision is grounds for injunction by the Department of Health and Environmental Sciences.

YOU ARE REQUESTED to record this certificate by attaching it to the map or plat of said subdivision filed in your office as required by law.

DATED this 13th day of July, 1976.

A. C. KNIGHT, M.D., F.C.C.P.  
ACTING DIRECTOR

By: \_\_\_\_\_

  
Wilbur O. Aikin, P.E.  
Subdivision Bureau  
Environmental Sciences Division  
Kalispell Regional Office

**DUPLICATE**