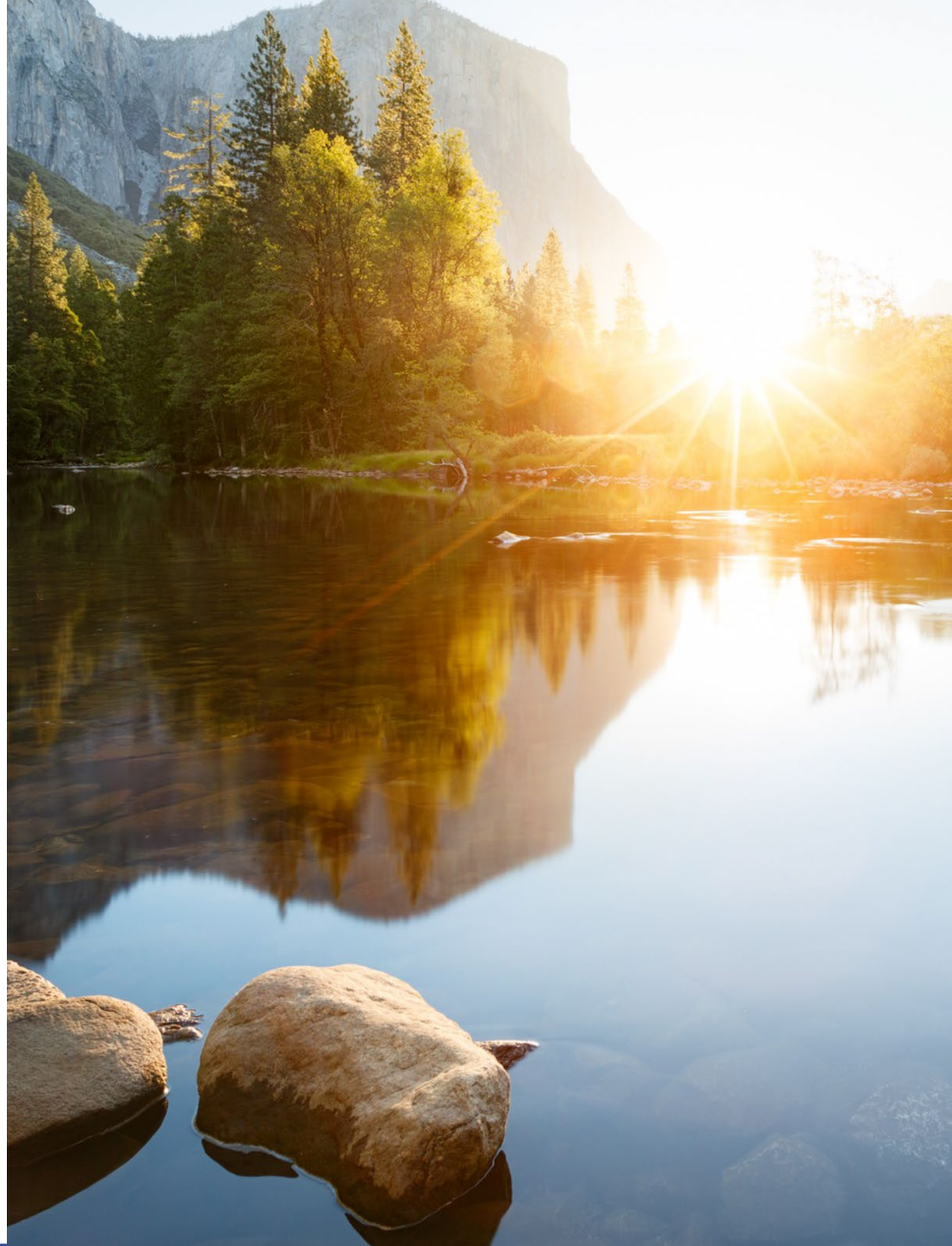


**November  
15-16 2023**

**SUBDIVISION  
TRAINING**

**Day 2**



# Logistics

Welcome and thank you for participating in DEQ's Subdivision Training.

- This training is being recorded.
- Please save questions until the end of each training session.
- Keep questions **general** in nature and not specific to a particular project or site. We can schedule time offline to discuss specific projects.

Please read the following tips about participating in this hybrid meeting:

- All Zoom participants have been automatically muted. You will need to be given permission to unmute. Once you have spoken, please re-mute yourself.
- On Zoom, use the “raise hand” feature in the app to indicate that you would like to speak. For those in the room, please also raise your hand.
- If you are called on to speak, please identify yourself by stating your first and last name.
- You may also use the chat box to type your questions.
- If you are joining by phone
  - Press \*6 to mute/unmute yourself.
  - Press \*9 to raise your hand.





# Agenda

- Welcome
- Introductions
  - Logistics
  - Our Mission
  - Who are we?
- Presentations
  - Pre-Applications
  - Element Reviews
  - Applications
  - Onsite Wastewater
  - Nondegradation
  - Onsite Water
  - Stormwater
  - Other Documents
  - DNRC Predeterminations
  - MFEs
  - Nondegradation Continued
  - Water and Sewer Extensions
  - Discharge Permits
  - Multiple-User Water Systems & PWS-6
- Round Table/Q&A

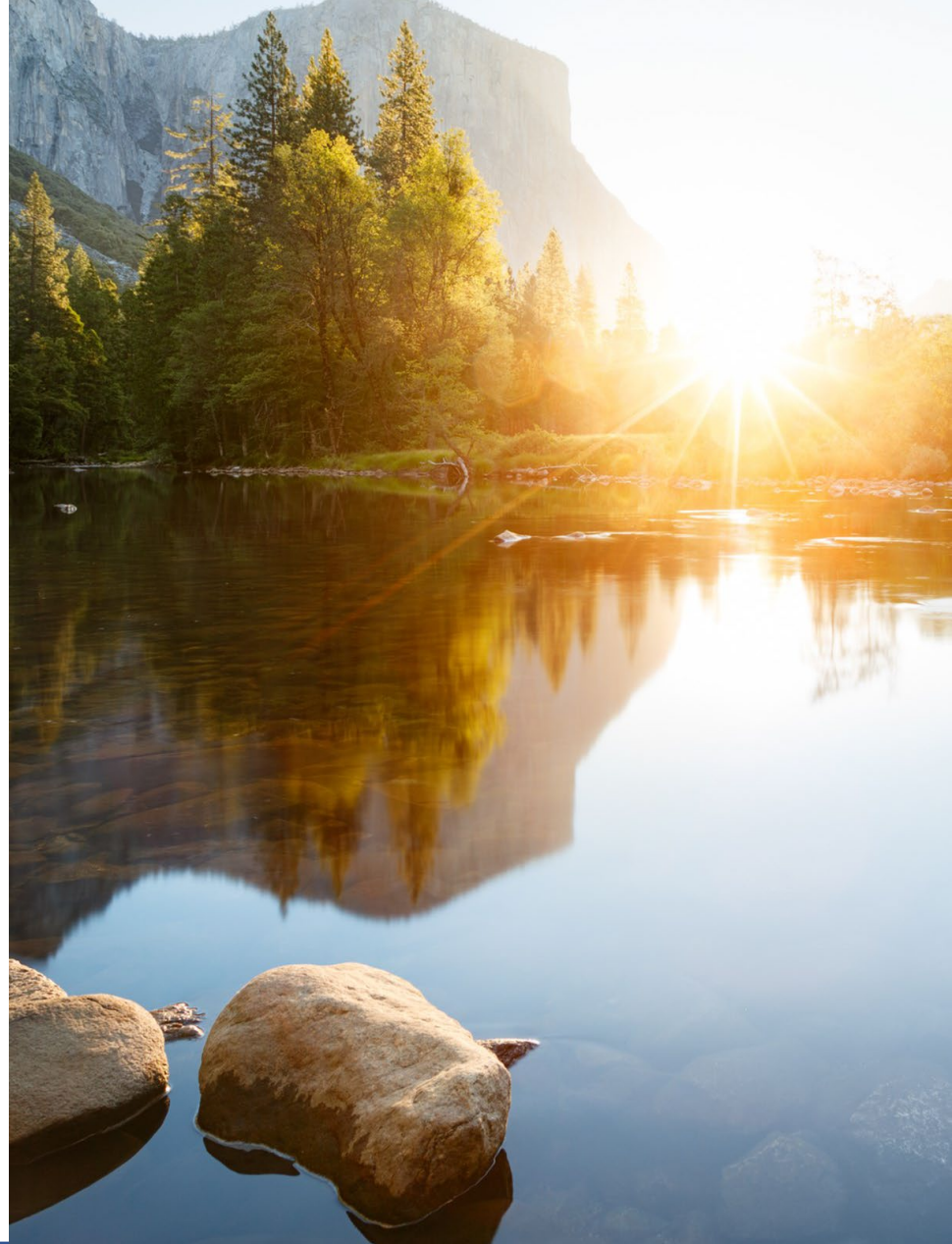
Wednesday

Thursday



# Full Review: Other Documents

1. Waivers and Deviations
2. Water Availability Analysis
3. Nondegradation Predetermination
4. Source Specific Mixing Zone
5. DNRC Letter
6. Sage Grouse Letter
7. Modified Site Plan





# Full Review: Other Documents (cont.)

## Waivers are from Rules (WAFR)

- If the rule does not specify that it can be waived, a waiver may not be requested

## Deviations are from Circulars

- Deviations may be requested from any item in the circular unless it specifically says that a deviation is not allowed.

17.36.601 (3) A request for a waiver or deviation must be in writing and must be accompanied by information substantiating the request and by the appropriate fee. The applicant shall also demonstrate that the waiver or deviation:

- (a) would be unlikely to cause pollution of state water in violation of 75-5-605 , MCA;
- (b) would protect the quality and potability of water for drinking water supplies and domestic uses and would protect the quality of water for other beneficial uses, including those uses specified in 76-4-101 , MCA; and
- (c) would not adversely affect public health, safety, and welfare.



# Full Review: Other Documents (cont.)

2. Water Availability Analysis  
Will be reviewed by the DEQ Hydrogeologist

3. Nondegradation Predetermination

4. Source Specific Mixing Zones  
Will be discussed later today

5. DNRC Predetermination Letter

17.36.103(n) except for connections to existing public systems addressed under ARM 17.36.123 or projects within reservation boundaries, if the proposed water supply is from wells or springs, or is relocating an existing multiple-user water supply, a letter from the Department of Natural Resources and Conservation stating that the water supply:

(i) is, or is not, located in a controlled groundwater area; and

(ii) is either exempt from water rights permitting requirements or has a water right, as defined in 85-2-102, MCA;

**Make sure the water volumes and flow rates outlined in your application match what was approved by the DNRC**

Jen Daly from the DNRC will be talking next



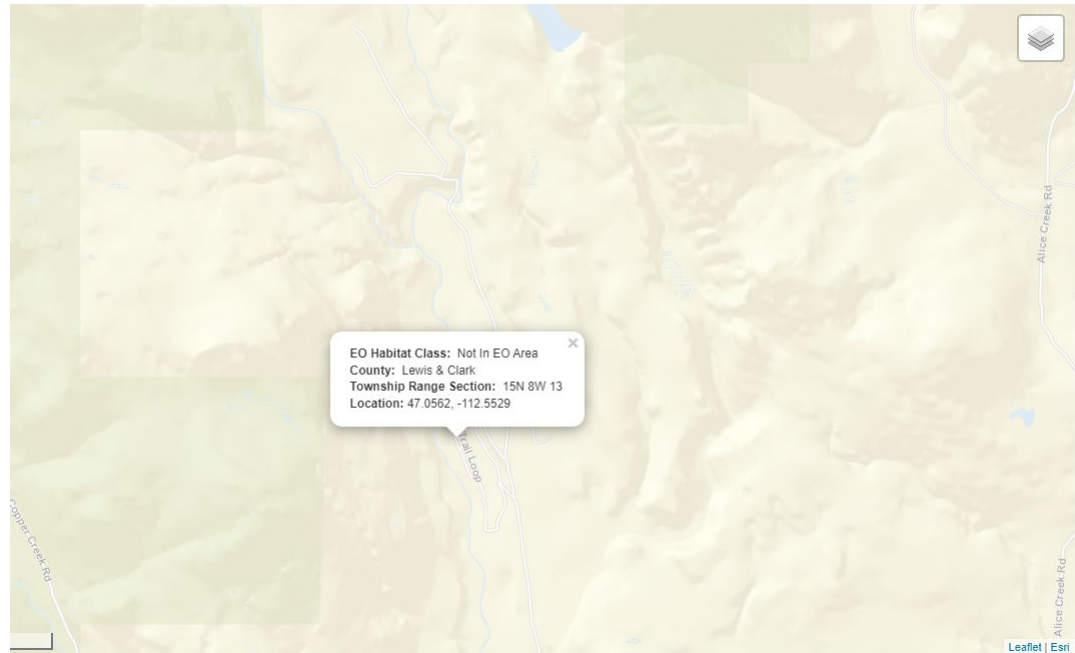


# Full Review: Other Documents (cont.)

## 6. Sage Grouse

17.36.103(q) a letter from the Montana Sage Grouse Habitat Conservation Program or evidence that the subdivision is located outside designated sage grouse habitat as required under Executive Order 12-2015;

[Program Map \(mt.gov\)](https://mt.gov/ProgramMap)



# Full Review: Other Documents (cont.)

## 7. Modified Lot Layout/Revised Lot Layout

17.36.112(4) Amendments that consist solely of the relocation or modification of previously approved facilities may be made through approval of a revised lot layout document in accordance with (a) through (c).

(a) A revised lot layout document may be issued for lots with previously approved facilities if:

(i) the changes consist solely of the relocation or modification of previously approved facilities shown on the lot layout that do not affect the conditions of approval in a COSA statement;

(ii) there are no changes in lot boundaries; and

(iii) the changes comply with applicable rules... Revised lot layouts must show any changes to previously approved facilities. The reviewing authority may require the applicant to submit additional information that the reviewing authority determines is necessary for the review.

**If the COSA Language does not need to change, you most likely can do a Modified Lot Layout/Revised Lot Layout**



# **Thank you for attending**

## **Next Agenda Item**

### **“DNRC Predeterminations”**

#### **Jen Daly**

