



October 5, 2016

Jerry Lipp
Environmental Consulting Services
2 Village Loop
Kalispell MT 59901

RE: Layton Family Transfer
Flathead County
E.Q. #16-1996

Dear Mr Lipp:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

In addition, your project may be subject to Federal regulations relating to Class V injection wells. Please contact the United States Environmental Protection Agency regarding specific rules that may apply.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you wish to challenge the conditions of this Certificate of Subdivision Plat Approval, you may request a hearing before the Board of Environmental Review or the Department, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

If you have any questions, please contact this office.

Sincerely,

Barb Kingery Fox
Barb Kingery, Supervisor
Subdivision Review Section

BK/le

cc: County Sanitarian
County Planning Board (e-mail)
Owner



STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION PLAT APPROVAL
(Section 76-4-101 et seq.)

TO: County Clerk and Recorder
Flathead County
Kalispell, Montana

E.Q. #16-1996

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **LAYTON FAMILY TRANSFER**,

Tracts 1, 2, and 3 of the Layton Family Transfer located in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 of Township 29 North, Range 20 West, P.M.M., Flathead County, Montana as found in the records of the Flathead County Clerk & Records, consisting of 5.467, 2.036, and 2.334 acres respectively as described in Exhibit A,

consisting of three tracts have been reviewed by personnel of the Water Quality Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the Certificate of Survey is made with the understanding that the following conditions shall be met:

THAT the tract sizes as indicated on the Certificate of Survey to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT each tract shall be used for one living unit, and,

THAT each water system will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT when the existing water supply system serving Tract 3 is in need of extensive repairs or replacement it shall be replaced by a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT data provided indicates an acceptable water source at a depth of approximately 165 feet, and,

THAT the individual sewage treatment systems serving Tracts 1 and 2 will each consist of a septic tank, effluent filter, and subsurface drainfield of such size and description as will comply with Flathead City-County Regulations for Sewage Treatment Systems, Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and the most current standards of the Department of Environmental Quality, and,

THAT the subsurface drainfields serving Tracts 1 and 2 shall each have an absorption area of sufficient size to provide for an application rate of 0.5 gpd/square foot and,



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Flathead County, Montana
E.Q. # 16-1996

THAT when the present sewage treatment system serving Tract 3 is in need of extensive repairs or replacement it shall be replaced by a septic tank and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

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

THAT no sewage treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT the stormwater design requires the installation of a minimum of 10,000 square feet lawn and landscaped area around the structure on Tracts 1 and 2 to absorb a portion the additional run-off from the living unit, and,

THAT the stormwater design requires the installation of a minimum of 15,000 square feet lawn and landscaped area around the structure on Tract 3 to absorb a portion the additional run-off from the living unit, and,

THAT the stormwater design requires a retention pond or swales with a minimum volume of 81 cubic feet be constructed and located on Tract 1 in accordance with the approved plans, and,

THAT the stormwater design requires a retention pond or swales with a minimum volume of 279 cubic feet be constructed and located on Tract 2 in accordance with the approved plans, and,

THAT the stormwater design requires a retention pond or swales with a minimum volume of 110 cubic feet be constructed and located on Tract 3 in accordance with the approved plans, and,

THAT the operation and maintenance of water supply, sewage treatment system, and stormwater facilities shall be the responsibility of each lot owner, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the Certificate of Survey, approved location of water supply, sewage treatment system and storm drainage structures as shown on the attached lot layout, and a copy of this document, and,

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

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17,

Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.


Pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and local board of health under section 50-2-116(1)(i), before filing a subdivision plat with the county clerk and recorder.

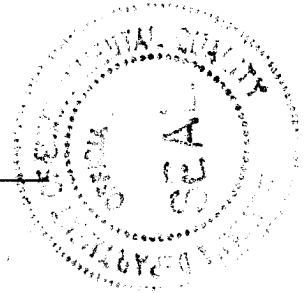
YOU ARE REQUESTED to record this certificate by attaching it to the Certificate of Survey filed in your office as required by law.

DATED this 3rd day of October, 2016.

Tom Livers
DIRECTOR

By:


Barbara Kingery, Supervisor
Subdivision Section
Engineering Bureau
Water Quality Division
Department of Environmental Quality



Owner's Name: Rachel Layton



EXHIBIT A

DESCRIPTION

THREE TRACTS OF LAND, SITUATED LYING AND BEING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27 TOWNSHIP 29 NORTH RANGE 20 WEST P.M.M. FLATHEAD COUNTY, MONTANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

TRACT 1:

Commencing at the southeast corner of the SE1/4NE1/4 of Section 27 Township 29 North, Range 20 West P.M.M. Flathead County Montana, which is a found brass cap Thence along the east boundary of said SE1/4NE1/4 $N00^{\circ}54'33''W$ 332.64 feet to the southeast corner of the N1/2S1/2SE1/4NE1/4 of said Section 27. Thence along the south boundary of said N1/2S1/2SE1/4NE1/4 $N89^{\circ}29'30''W$ 65.87 feet to a set iron pin on the east R/W of a 25 foot deeded County road known as Weaver Lane. Thence along said R/W the following two courses $N17^{\circ}21'50''W$ 13.13 feet to a set iron pin, and $N89^{\circ}29'30''W$ 502.03 feet to a set iron pin and **THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED**. Thence continuing along said R/W $N89^{\circ}29'30''W$ 743.44 feet to a set iron pin on the west boundary of said SE1/4NE1/4 and being on the centerline of a 60 foot declared County road known as Van Sant Road. Thence along said centerline $N00^{\circ}42'31''W$ 320.43 feet to a set iron pin and the northwest corner of said N1/2S1/2SE1/4NE1/4. Thence $S89^{\circ}29'20''E$ 743.45 feet to a set iron pin. Thence $S00^{\circ}42'31''E$ 320.39 feet to the point of beginning and containing 5.467 ACRES. Subject to a 60 foot declared County road known as Van Sant Road as shown here on. Subject to and together with all appurtenant easements of record.

TRACT 2

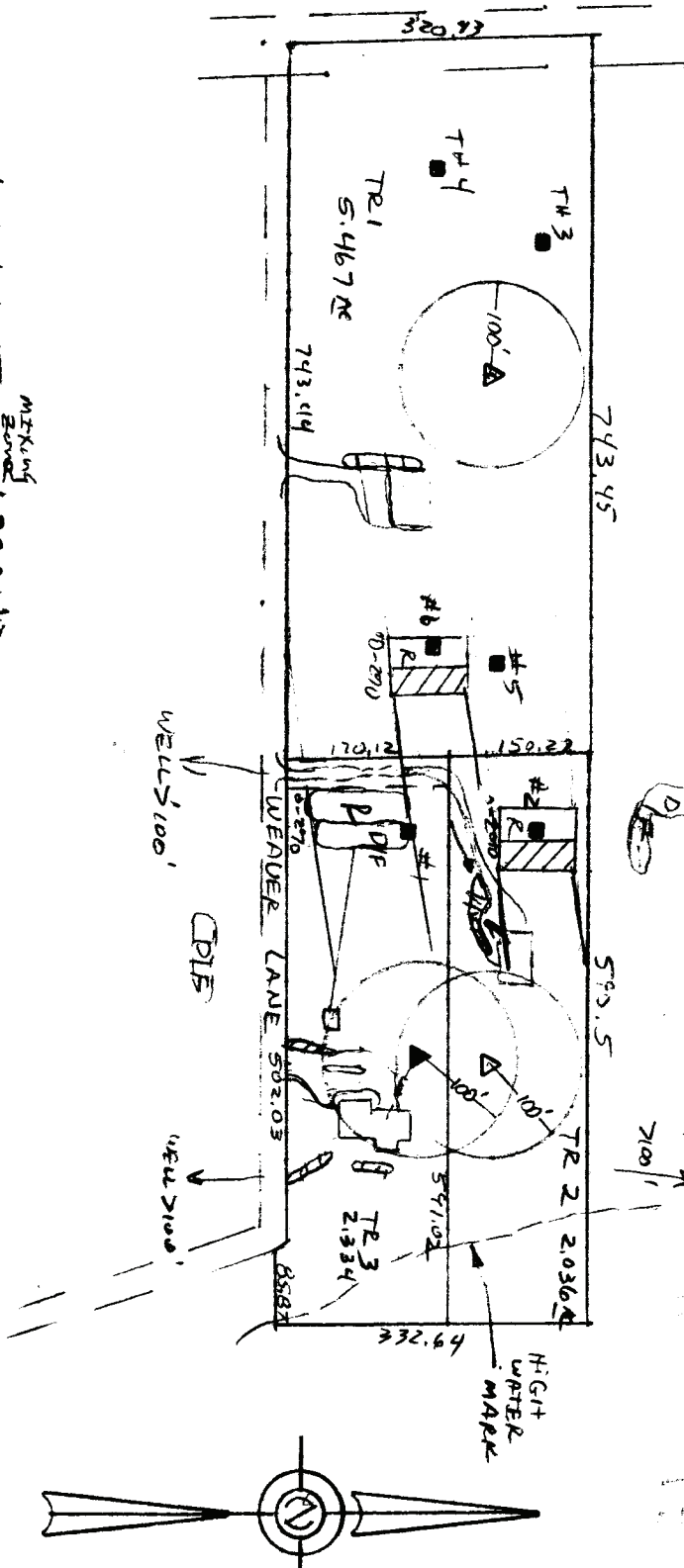
Commencing at the southeast corner of the SE1/4NE1/4 of Section 27 Township 29 North, Range 20 West P.M.M. Flathead County Montana, which is a found brass cap. Thence along the east boundary of said SE1/4NE1/4 $N00^{\circ}54'33''W$ 332.64 feet to the southeast corner of the N1/2S1/2SE1/4NE1/4 of said Section 27. Thence continuing $N00^{\circ}54'33''W$ 182.64 feet to **THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED**. Thence $N89^{\circ}29'30''W$ 591.02 feet to a set iron pin. Thence $N00^{\circ}42'31''W$ 150.27 feet to a set iron pin. Thence $S89^{\circ}29'20''E$ 49.69 feet to a found iron pin. Thence $S89^{\circ}27'41''E$ 540.81 feet a point on the east boundary of said SE1/4NE1/4. Thence $S00^{\circ}54'33''E$ 150.30 feet to the point of beginning and containing 2.036 ACRES. Together with a 30 foot private road and utility easement for access to Weaver Lane as shown here on. Subject to and together with all appurtenant easements of record.

TRACT 3:

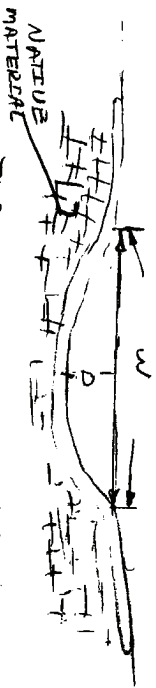
Commencing at the southeast corner of the SE1/4NE1/4 of Section 27 Township 29 North, Range 20 West P.M.M. Flathead County Montana, which is a found brass cap. Thence along the east boundary of said SE1/4NE1/4 $N00^{\circ}54'33''W$ 332.64 feet to the southeast corner of the N1/2S1/2SE1/4NE1/4 of said Section 27 and **THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED**. Thence along the south boundary of said N1/2S1/2SE1/4NE1/4 $N89^{\circ}29'30''W$ 65.87 feet to a set iron pin on the east R/W of a 25 foot deeded County road known as Weaver Lane. Thence along said R/W the following two courses $N17^{\circ}21'50''W$ 13.15 feet to a set iron pin, and $N89^{\circ}29'30''W$ 502.03 feet to a set iron pin. Thence leaving said R/W $N00^{\circ}42'31''W$ 170.12 feet to a set iron pin. Thence $S89^{\circ}29'30''E$ 591.02 feet to a point on the east boundary of said SE1/4NE1/4. Thence $S00^{\circ}54'33''E$ 182.64 feet to the point of beginning and containing 2.334 ACRES. Subject to a 30 foot private road and utility easement as shown here on. Subject to and together with all appurtenant easements of record.

APPROVED
 Montana Department of
 Environmental Quality
 Permitting and Compliance Division
 10/3/2016
 K.S. Brewer / C.E.
 EQ# 16-1996 Page 5/5

LAYTON FT,
 SE 1/4, NEW SEC 27, T29N R20W



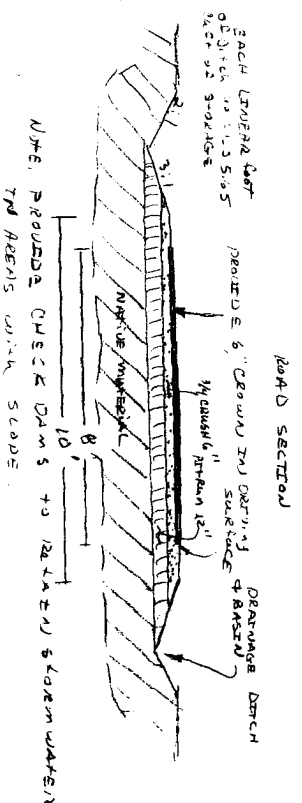
LOT LAYOUT
 FOR: LAYTON
 AB: E.C.S
 DATE: 5-3-16
 SCALE: 1" = 200'



TYPICAL RETENTION BASIN
 CUFF = $\frac{W \times D \times LENGTH}{2}$

- LEGEND**
- PROPOSED DRAINFIELD
 - 100% REPLACEMENT SITE
 - TEST HOLE
 - EXISTING WELL
 - PROPOSED WELL
 - RETENTION BASIN

TRACT 1 - 80' X 2.5' X 1', 8294 FT²
 TRACT 2 - 90' X 6' X 1', 2790 FT²
 TRACT 3 - 60' X 4' X 1', 1100 FT²



WHEN REQUIRED CHECK DAMS TO RETAIN STORM WATER IN THE AREAS WITH SLOPE

Health Department Checklist for Survey Attachments

Owner LAYTON

Surveyor SANDS

Legal description SEYNEY 27.29-20

The following document must accompany this survey as required by the Montana Sanitation in Subdivisions Act.

Parcels/Lots TR 1-3 subject to review. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval is required.

Municipal Facilities Exclusion Certification from MDEQ indicating that this subdivision is in compliance with the requirements of the Sanitation in Subdivision Act is required.

County Health Department memorandum only required.

Agricultural Use Covenant Documentation from the owner and the County Commissioners indicating the covenant has been removed.

No Health Department documents are required.

Signed Wendee Jacobs RS. Date 2/5/16

