

From: [DW Paulson](#)
To: [Greg McNally](#)
Subject: Attention ZAP
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Attachments: [ZAP 2-23-22.pdf](#)

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Thank you

Dale Paulson

To: Community Development and Planning Department February 23, 2022
Attention Zoning Advisory Panel
From: Dale Paulson 2610 Three Bars Drive
East Helena Montana 59635

I believe that the intent of the PD section with staff changes and ZAP comments, posted for the February 9, 2022 meeting, is to ensure that there is adequate water available for not only the subdivision that is being considered but also for existing neighboring property owners that also depend on water availability in the area's aquifer. This is born out from the cumulative effects comments that have also been made. Cumulative impacts of an action can be viewed as the total effects on a resource, ecosystem, or human community. However, I can't find a clear statement that cumulative impacts to existing neighboring property owners, that also depend on water availability in the area's aquifer, must be analyzed and safeguarded.

The well thought out comments below from ZAP on water Section 21 Planned Development Overlay District (PD) February 7, 2022 are excellent but don't address cumulative impacts to the larger area. I would suggest adding (and existing neighboring property owners that also depend on water availability in the area's aquifer) as noted below.

" An applicant for subdivision approval must shoulder the burden of proof about the availability and capability of an identified water source(s) to meet the long term needs for that development (and existing neighboring property owners that also depend on water availability in the area's aquifer) This can be accomplished via a comprehensive study/report from consultants versed in the science of hydrogeology and hydrology to assess in detail an identified source(s) of water. In areas located over bedrock and/or tertiary aquifers, areas subject to limited recharge, a cumulative effects analysis should be performed to assess long-term risk of running out of water."

Until a "comprehensive study/report from consultants versed in the science of hydrogeology and hydrology to assess in detail an identified source(s) of water" is available the 10- acre minimum is a good tool and even this may not be enough as we don't know the long term impacts of existing recent development.

Because the February 25, 2022 meeting is a re-do it provides the opportunity to add clarity to your recommendations.

Thank you for your consideration of this comment.