

Ravalli County Commissioners Office

From: Clancy, Chris -FS <cclancy@fs.fed.us>
Sent: Friday, January 9, 2015 4:25 PM
To: Ravalli County Commissioners Office
Cc: Brian Wilkinson
Subject: Submission for your consideration
Attachments: FWP criteria recommendations_Downing_edits (2).docx; Pictures for review criteria.docx

Commissioners:

Attached is a letter and some photographs suggesting some additions to your criteria for permitting homes in the flood fringe. I would like to be clear that FWP does not support relaxing the regulation in the flood fringe without a more studied approach. However, if the proposed changes occur, we suggest criteria such as these which are less subjective. Thank you for your consideration.

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Montana Fish, Wildlife & Parks

January 9, 2015

Jeff Burrows, Chair
Ravalli County Commission
215 S. 4th St. Suite A
Hamilton, MT 59840

Dear Jeff:

Montana Fish, Wildlife and Parks does not support the proposed relaxation of the rules that allow for new home construction and the associated sealed septic systems in the flood fringe. As stated previously, we support a process that identifies those areas within the flood fringe that are appropriate for home construction and those that are not.

The Ravalli County Commission has proposed minimum standards with certain criteria that must be met in the case that new homes are allowed to be constructed in the flood fringe. Although we do not support the proposed change that allows this construction, if it occurs we suggest some additions to the criteria. The changes we suggest are in italics:

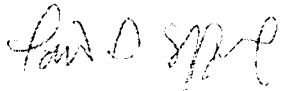
To determine whether the application meets the minimum standards of these regulations and fulfills its purposes, the Floodplain Administrator shall consider the following criteria:

1. Risk to life and property due to increased flood heights, increased flood water velocities or alterations in the pattern of flood flow caused by encroachments;
2. Risk that materials may be swept onto other lands or downstream to the injury of others;
3. The proposed water supply and wastewater systems, if any, and the ability of these systems to prevent disease, contamination and unsanitary conditions;
4. The susceptibility of the proposed activity to flood damage *or flood inundation. Historic flood inundation promotes the development and natural maintenance of cottonwood galleries in riparian areas.*
5. The likelihood that the building or structure will be threatened due to its proximity to the stream or potential lateral movement of the stream. *In these cases, setbacks would be appropriate. Evidence of previous channel occupation increases the risk of future channel and floodplain occupation of these areas. Areas at greatest risk include:*
 1. *Islands of flood fringe surrounded by floodway*
 2. *Flood fringe peninsulas that project into the floodway.*
 3. *Historic channels or channel scars in flood fringe areas adjacent to active or secondary channels in the floodway.*
 4. *Evidence of historic river occupation such as meander scars, oxbows, abandoned channels and headcuts.*
 5. *Actively eroding streambanks nearby.*

6. The importance or value of the proposed activity to the community;
7. The requirement of the facility for waterfront location;
8. The availability or feasibility of alternative locations not subject to flooding;
- 9. The location of the area in relation to existing maintained infrastructure, such that maintenance of the infrastructure protects the area from lateral river movement.**
- 10. Scientific sources that describe stream processes in the Bitterroot River and other similar rivers will be used as an information source.**
11. The compatibility of the proposed activity with existing development and anticipated development in the foreseeable future;
12. The relationship of the proposed activity to an adopted Growth Policy (if any) and floodplain management program for the area;
13. The safety of access to property in times of flooding for ordinary and emergency services;
14. The potential effects of the project on other properties;
15. The potential effects on water rights;
16. The cumulative effect of the proposed project along with other existing projects; and
17. Such other factors as are in harmony with the purposes of the RCFR, the Montana Floodplain and Floodway Management Act, and the National Flood Insurance Program.

We believe that these criteria additions will enhance the likelihood that homes will not be put at risk in the flood fringe. However, due to the unpredictable nature of the Bitterroot River, maintaining the restriction on new homes in many areas would still be more appropriate.

Sincerely,



Patrick Saffel
Fisheries Manager



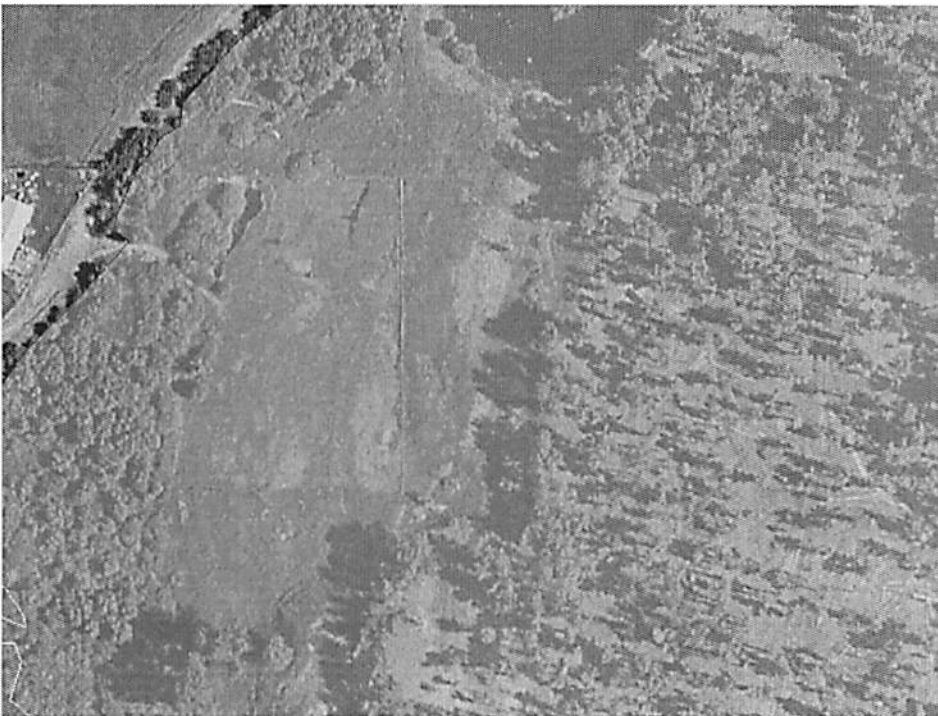
Island of flood fringe surrounded by floodway



Flood fringe peninsulas that project into the floodway.



Historic channels or channel scars in flood fringe areas adjacent to active or secondary channels in the floodway.



Evidence of historic river occupation such as meander scars, oxbows, abandoned channels and headcuts.