



ADMINISTRATIVE
RULES OF
MONTANA

17.36.103 APPLICATION--CONTENTS *Rule Version 48396, Effective 06/22/2017 - 04/15/2023*

- (1) In addition to the completed application form required by ARM 17.36.102, the following information must be submitted to the reviewing authority as part of a subdivision application:
 - (a) payment of subdivision review fees as required in subchapter 8;
 - (b) plans and specifications for water supply, wastewater treatment, and storm water systems;
 - (c) if public or multiple-user water supply or wastewater systems are proposed, one copy of the design report and one set of plans and specifications may be submitted until the plans are approvable, after which three copies of final plans and specifications must be submitted;
 - (d) lot layout documents as required by ARM 17.36.104;
 - (e) a vicinity map or plan showing the locations of the following features if they are within 100 feet of proposed or approved subdivision mixing zones, within 100 feet of proposed subdivision water supply or wastewater treatment facilities, or within 100 feet of the perimeter of the proposed subdivision:
 - (i) lakes, streams, irrigation ditches, wetlands, and springs; and
 - (ii) existing, previously approved, and proposed wells, wastewater treatment systems, and mixing zones;
 - (f) evidence that the water source for the proposed subdivision is sufficient in terms of quality, quantity, and dependability, as required by ARM 17.36.331 and 17.36.332;
 - (g) if ground water is proposed as a water source, the applicant shall submit the following information:
 - (i) the location of the proposed ground water source, which must be shown on the lot layout, indicating distances to any potential sources of contamination within 500 feet, any known mixing zone as defined in ARM 17.30.502 within 500 feet, and any sewage lagoon within 1,000 feet. If the reviewing authority identifies a potential problem, it may require that all potential sources of contamination be shown in accordance with Department Circular PWS-6; and
 - (ii) a description of the proposed ground water source, including approximate depth to water bearing zones and lithology of the aquifer;
 - (h) if water is to be supplied by means other than individual on-site wells, information about water use agreements;
 - (i) if subsurface wastewater treatment systems are proposed:

- (i) soil profile descriptions, percolation tests if required, and other pertinent soil information for each proposed drainfield;
 - (ii) seasonal high ground water information;
 - (iii) direction and percentage of slope across the treatment area or a contour map with a contour interval of at least two feet; and
 - (iv) any other evidence to show whether the wastewater treatment systems are sufficient in terms of capacity and dependability;
- (j) if gray water irrigation systems are proposed:
- (i) descriptions of the soils within 25 feet of proposed gray water irrigation areas. Soils must be described in accordance with Department Circular DEQ-4. Each test hole must be keyed by a number on a copy of the lot layout or map with the information provided in the report; and
 - (ii) the location and design of the proposed systems;
- (k) a copy of the nondegradation analysis and calculations as required by ARM 17.30.715. If the proposed wastewater disposal facilities for a subdivision are subject to the discharge permit requirements of Title 75, chapter 5, MCA, and ARM Title 17, chapter 30, the applicant shall first obtain the discharge permit and provide the reviewing authority with a copy of the discharge permit nondegradation determination;
- (l) a storm drainage map and plan as required by ARM 17.36.310;
- (m) the name of the solid waste disposal site that will serve the subdivision;
- (n) a copy of any environmental assessment required for the subdivision under Title 76, chapter 3, MCA;
- (o) a copy of the plat, certificate of survey, deed, or other document that is consistent with the document that will be, or has been, filed with the county clerk and recorder for the proposed subdivision;
- (p) a copy of applicable letters of approval or denial from local government officials;
- (q) for an application that is not subject to review by a local reviewing authority under 76-4-104, MCA, a certification from the local health officer having jurisdiction that the design for non-public water supply and wastewater disposal facilities complies with applicable laws and regulations of local government;
- (r) a copy of applicable supporting legal documents;
- (s) except for connections to existing public systems addressed under ARM 17.36.328(2)(b)(iv), if the proposed water supply is from wells or springs, a letter from the Department of Natural Resources and Conservation stating that the water supply, either:
- (i) is exempt from water rights permitting requirements; or
 - (ii) has a water right, as defined in 85-2-422, MCA.
- (t) a copy or a summary of any public comments on preliminary sanitation information collected as provided in 76-3-604(7), MCA;

- (u) if an application involves a change to the plans and specifications for a subdivision previously approved by the reviewing authority, a copy of the certificate of subdivision approval and a copy of the approved lot layout document;
- (v) the information required in ARM 17.30.1702 regarding setbacks between sewage lagoons and wells; and
- (w) all additional information that is required under this chapter or that the reviewing authority determines is reasonably necessary for the review of the proposed subdivision.

Authorizing statute(s): 76-4-104, MCA

Implementing statute(s): 76-4-104, 76-4-125, MCA

History: Eff. 12/31/72; AMD, Eff. 11/4/73; AMD, Eff. 11/3/75; AMD, Eff. 5/6/76; AMD, 1977 MAR p. 746, Eff. 10/25/77; AMD, 1984 MAR p. 1027, Eff. 7/13/84; AMD, 1992 MAR p. 2145, Eff. 9/25/92; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2002 MAR p. 1465, Eff. 5/17/02; AMD, 2009 MAR p. 1786, Eff. 10/16/09; AMD, 2011 MAR p. 2278, Eff. 10/28/11; AMD, 2014 MAR p. 2098, Eff. 9/19/14; AMD, 2016 MAR p. 722, Eff. 4/23/16; AMD, 2019 MAR p. 836, Eff. 6/22/19.