

What is a qualified professional?

The regulations may require certain reports be developed by qualified professionals, which is a person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant water quality protection area. A qualified professional must have obtained a B.S. or B.A. or equivalent degree as identified and have five years of progressively more responsible work experience with the relevant type of water quality protection area. The city has a list of pre-approved qualified professionals available upon request.

Other Resources

More information can be found at the Planning & Building Department office or on the web at: www.whitefish.govoffice.com.

Water Quality Protection Area Flow Charts

Water Quality Protection Area Maps

Karin Hilding, Public Works Dept:
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CITY OF WHITEFISH PLANNING & BUILDING DEPARTMENT



Water Quality Protection Areas in Whitefish



Lost Coon Lake

What are water quality protection areas and why preserve them?

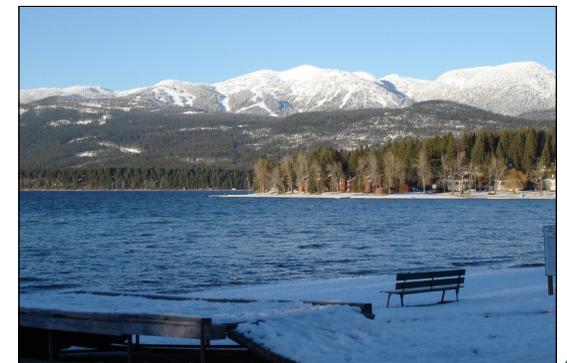
Water quality protection areas are landscape features that perform an important natural function or pose a potentially significant hazard to human life or property. Areas protected in the Whitefish water quality protection regulations include:

- *Streams, lakes, and the Whitefish River*, whose water quality is the primary focus for protection.
- *Critical stormwater conveyances*, which can convey substantial amounts of water during big storms, even though they are dry most of the time. Development in conveyance areas can create significant flooding or drainage problems.
- *Wetlands*, which perform many important functions, including moderation of storm flows and removal of water pollutants.
- *Slopes and other areas that may be sources of erosion*, particularly areas with potential for landslides or slumping. These areas can contribute large amounts of sediment to water bodies and also pose potential safety hazards.

Why is Whitefish preserving water quality protection areas?

Growth threatens water quality protection areas and, therefore, the quality of life for people in the Whitefish area. Past development in the area has been on a lesser scale and has generally been located where it is easier and safer to build. Future development is more likely to be located in areas that pose significant environmental threats.

Through community meetings held by the Growth Policy Steering Committee, citizens told City leaders that water quality protection areas are key to what makes Whitefish unique and an attractive place to live, that they care deeply about preserving these areas for future generations, and that they place particularly high importance on protecting water quality.



Whitefish Lake

Where do these regulations apply?

The Water Quality Protection (WQP) regulations are designed to review development within 200-feet of a lake, wetland, stream, the river or stormwater conveyance. Each of the WQP areas has a specific buffer and setback to insure its protection.

The regulations apply to properties within the city limits, as well as properties in the Whitefish planning jurisdiction. The planning jurisdiction in some cases extends as much as two miles beyond the incorporated city limits.

If I have an existing home within 200-feet of a water quality protection area, do these regulations apply to me?

Possibly. You may maintain, repair, modify or add to existing structures, if you do not affect water quality protection areas or would not further encroach on a water quality protection area or buffer (e.g., an addition placed on the side of your home away from a water quality protection area).

In most circumstances, slope requirements would be waived for very small additions to single-family homes (less than 200 square feet). Larger additions on slopes 10% or greater would require a geotechnical letter.

If your lot is already developed and you propose to replace the existing structure, including replacement after fire, the City's normal requirements would apply, including compliance with this ordinance. If your lot is undeveloped, then all proposed development must comply with this ordinance.

I live outside the city limits. Am I subject to these regulations?

If a water quality protection area is located within 200-feet of your proposed development area, these regulations apply.

Before starting construction, you are required to receive a *Water Quality Protection Areas Compliance Permit*. No fee would be charged for the permit, but you may incur some costs to develop a complete application or other documentation.

The purpose of the permit is to ensure compliance with these regulations in unincorporated areas within the city's

planning jurisdiction. Development in unincorporated areas in violation of these regulations could cause harm to the natural resources of the Whitefish area.

What will these regulations mean to me if I am selling or buying property located within 200-feet of a water quality protection area?

The ordinance would not render property unbuildable unless development of the lot would post a significant threat of injury to the occupiers of the land or other properties.

The ordinance is more geared toward the specific development of property; however, the city recognizes the need for those buying or selling property to understand how this ordinance may possibly affect development of a lot. To this end, the city has a *Preliminary Water Quality Protection Area Determination* application. With a complete submittal, staff will provide a written preliminary determination as to effect of the regulation on development of the lot. A more specific review can occur once specific plans are submitted.

Also, see the brochure developed for the real estate community.

The Whitefish community is defined by its natural resources.



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