

From: [Ben Schmidt](#)
To: [Alex Eidam](#); [Mirtha Becerra](#); [Tracy L. Campbell](#)
Cc: [Troy Monroe](#); [Andy Schultz](#); [Elena Evans](#)
Subject: RE: Phased Development Review - Heron's Landing Phase W2 and E1 Agency Review
Date: Thursday, March 31, 2022 9:30:30 AM
Attachments: [image001.png](#)

Hi Alex,

Thanks for the information. The Missoula City-County Air Program rules require that reasonable measures be taken to control fugitive dust emissions. What constitutes reasonable measures can vary based on changing/different circumstances. One idea mentioned to me was putting a PM-10 (particulate matter with an aerodynamic diameter of 10 microns and less) monitor on location to see what conditions are like in the neighborhood. Montana DEQ has eBAM monitors, which can give us hourly data, that we may be able to borrow. The eBAM would require commonly available residential 110 power.

Reasonable measure can include cleaning the paved approach roads, application of chemical dust suppressant where vehicles park or travel, mud knock off mats before vehicles leave the site, water spray on travel lanes, water application at active digging sites. Reasonable measures need to be in place and used whenever construction activity that raises dust occurs. If dust events continue, more reasonable actions to control dust events may be required by the Missoula City-County Air Pollution Control Program.

If any meetings are set up with the developers/contractors to discuss reasonable measures to control dust emissions, feel free to invite us to those meetings.

Sincerely,

Benjamin Schmidt, M.S., Q.E.P.
Air Quality Specialist
Missoula City-County Health Department
301 W. Alder
Missoula, MT 59802
Phone: (406)258-3369



From: Alex Eidam <EidamA@ci.missoula.mt.us>
Sent: Thursday, March 31, 2022 8:27 AM
To: Mirtha Becerra <BecerraM@ci.missoula.mt.us>; Tracy Campbell <campbellt@ci.missoula.mt.us>
Cc: Troy Monroe <tmonroe@ci.missoula.mt.us>; Andy Schultz <SchultzA@ci.missoula.mt.us>; Ben

Schmidt <bschmidt@missoulacounty.us>

Subject: RE: Phased Development Review - Heron's Landing Phase W2 and E1 Agency Review

Good Morning All,

Thank you for the comments. Per MCA 76-3-617 the Missoula City Council shall determine whether any changed primary review criteria impacts or new information exists that create new potentially significant adverse impacts for each phase prior to the subdivider commencing with installation of infrastructure or submitting the final plat application for each phase. City Council may approve additional conditions of approval based on the **new information or changes in regulations** resulting in new findings of fact from those approved by City Council at the time of preliminary plat approval.

Please note that state law doesn't allow new conditions of approval because staff or Council missed something in the initial approval. Every approval is what the applicant proposed as amended by conditions of approval. If we missed a condition in the preliminary plat approval we can't add one at Phased Development Review. Conditions can only be added if the regulations have changed or there is new information (such as an irrigation ditch no longer exists, or there was a flood where flood water expanded beyond the floodplain boundary, etc.).

With that said, unless there are new regulations that cover best practices for mass grading, dust control, construction plans, etc. we are not able to add conditions requiring these items through the Phased Development Review for the subdivision.

Mirtha, work continuing into the late hours may be a City Police issue, but I am not positive. I will touch base with the Building Department on that and will keep you posted with what I find out.

Please let me know if there are any additional comments or questions.

Thanks,

Alex Eidam | she/her | Senior Planner
Community Planning, Development & Innovation
City of Missoula Development Services
(406) 552-6052 | eidama@ci.missoula.mt.us

From: Mirtha Becerra

Sent: Wednesday, March 30, 2022 11:08 AM

To: Tracy L. Campbell <CampbellTL@ci.missoula.mt.us>; Alex Eidam <EidamA@ci.missoula.mt.us>

Cc: Troy Monroe <MonroeT@ci.missoula.mt.us>; Andy Schultz <SchultzA@ci.missoula.mt.us>; bschmidt@missoulacounty.us

Subject: RE: Phased Development Review - Heron's Landing Phase W2 and E1 Agency Review

Tracy that is a good suggestion. I also know that work continues into the late hours of the day and would like to see something regarding that as a condition as well.

Mirtha

From: Tracy L. Campbell <CampbellTL@ci.missoula.mt.us>

Sent: Thursday, March 24, 2022 10:11 AM

To: Alex Eidam <EidamA@ci.missoula.mt.us>

Cc: Troy Monroe <MonroeT@ci.missoula.mt.us>; Andy Schultz <SchultzA@ci.missoula.mt.us>; Mirtha Becerra <BecerraM@ci.missoula.mt.us>; bschmidt@missoulacounty.us

Subject: RE: Phased Development Review - Heron's Landing Phase W2 and E1 Agency Review

Hi Alex,

As development progresses in the Suxtupqn area, we have learned that the standard construction practice of mass grading creates many challenges. When the entire site is cleared, the clay soils make for very dusty conditions and cranky neighbors, not to mention air quality and stormwater violations. We have had a lot of complaints about recent projects in the area when they open up the entire site, without stabilizing soils as they go. Would it be possible to apply a condition to the next phases that would require them to submit detailed construction sequencing plans? We need a condition to ensure that they do not disturb the entire site at one time.

Please let me know if you have questions and if I can help provide more details.

Best,

Tracy



Tracy Campbell, CFM | Superintendent
Department of Public Works & Mobility | Stormwater
(406) 830-5455 | CampbellTL@ci.missoula.mt.us

Promoting a safe, healthy Missoula through the development of transportation and mobility networks and the efficient delivery of high quality public infrastructure, utilities, and services.

From: Alex Eidam <EidamA@ci.missoula.mt.us>

Sent: Thursday, March 24, 2022 8:34 AM

To: Dax Fraser <FraserD@ci.missoula.mt.us>; Adam Sebastian <SebastianA@ci.missoula.mt.us>; Jaeson White <WhiteJ@ci.missoula.mt.us>; Richard Stepper <StepperR@ci.missoula.mt.us>; Jeremy Keene <KeeneJ@ci.missoula.mt.us>; Ross Mollenhauer <MollenhauerR@ci.missoula.mt.us>; Logan McInnis <McInnisL@ci.missoula.mt.us>; Tracy L. Campbell <CampbellTL@ci.missoula.mt.us>; Troy Monroe <MonroeT@ci.missoula.mt.us>; Aaron Wilson <wilsona@ci.missoula.mt.us>; Eran Pehan <PehanE@ci.missoula.mt.us>; Ben Schmidt <bschmidt@missoulacounty.us>; Elena Evans <eevans@missoulacounty.us>; Donna Gaukler <GauklerD@ci.missoula.mt.us>; Grant Carlton <CarltonG@ci.missoula.mt.us>; Nathan McLeod <McLeodN@ci.missoula.mt.us>; Marie Anderson <AndersonM@ci.missoula.mt.us>; David Selvage <SelvageD@ci.missoula.mt.us>; Jim Nugent <NugentJ@ci.missoula.mt.us>; Corey Aldridge <caldridge@mountainline.com>; jsweten@mountainline.com; cwoodrow@mountainline.com; Kelly Elam <ElamK@ci.missoula.mt.us>; Kalina Wickham <WickhamK@ci.missoula.mt.us>; Cameron, Glen <gcameron@mt.gov>; Grp. Fire Bureau <firebureau@ci.missoula.mt.us>; Grp. PD Administration <pdadmin@ci.missoula.mt.us>

Cc: Jordan Hess <HessJ@ci.missoula.mt.us>; Mirtha Becerra <BecerraM@ci.missoula.mt.us>; Neighborhood Council - Captain John Mullan <CaptMullan@ci.missoula.mt.us>

Subject: Phased Development Review - Heron's Landing Phase W2 and E1 Agency Review

Good Morning,

Attached is an agency memo requesting comment on the Phased Development Review for Heron's Landing Phase W2 and E1. Please have all comment submitted by April 18th.

Let me know if there are any questions.

Thanks,

Alex

Alexandra Eidam | Senior Planner
Community Planning, Development & Innovation
City of Missoula Development Services
(406) 552-6052 | eidama@ci.missoula.mt.us

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