

City of East Helena
2021 GROWTH POLICY UPDATE

Adopted May 4, 2021

Resolution No. 551



Prepared by:





CITY OF EAST HELENA
2021 GROWTH POLICY UPDATE
ADOPTED MAY 4, 2021 BY RESOLUTION NO. 551

Prepared for: City of East Helena
City of East Helena Planning Board
City of East Helena Council
306 East Main Street
P.O. Box 1170
East Helena MT 59635

Prepared by: WWC Engineering
Jeremy Fadness, P.E., AICP
1275 Maple Street, Suite F
Helena, MT 59601
(406) 443-3962



CITY OF EAST HELENA GROWTH POLICY UPDATE

ADOPTED MAY 4, 2021

Contributors

Citizens of the City of East Helena

James Schell, Mayor
Judy Leland, Council Member
Wesley Feist, Council Member
Kelly Harris, Council Member
Don Dahl, Council Member

Developed by

City of East Helena Planning Board

Gloria Soja, Chair
Don Dahl, Vice Chair and Council Representative
Terrie Casey, Member
Lynn Maness, Member
Jean Riley, Member
Ana Glueckert, Member

Prepared by



1275 Maple Street Suite F
Helena, MT 59601
(406) 443-3962

This page left blank intentionally.

TABLE OF CONTENTS

INTRODUCTION	1
EAST HELENA HISTORY	2
HOW THIS GROWTH POLICY WAS DEVELOPED	4
STATEMENT OF PURPOSE	5
VISION STATEMENT	5
JURISDICTION	6
PUBLIC INPUT	7
Features of East Helena	8
Rating East Helena.....	11
Regulating land use	11
Land Use and Other Issues	12
Spending on Municipal Facilities and Services.....	12
Planning Tools and Actions	13
Services and Facilities in East Helena.....	14
Results of Community Survey	14
Public Process.....	15
IMPLEMENTATION STRATEGY	15
Review Timetable	16
INTERAGENCY COORDINATION	17
CITY OF EAST HELENA GOALS, OBJECTIVES AND STRATEGIES	19
Land Use and Community Growth Goals	20
Housing Goals	23
Economic Development goals	25
Community Infrastructure and Services Goals	27
Environmental and Natural Resource Goals.....	31
PROGRESS ON GOALS & OBJECTIVES SINCE 2014	33
Land use and Community Growth Goals	33
Housing Goals	33

Economic Development Goals	34
Community Infrastructure and services goals.....	34
Environmental and Natural Resource Goals.....	34

INDEX OF TABLES

Table 1. Extremely Important Features of East Helena.....	8	
Table 2. Important Features of East Helena	Table 3. Non Important Features of East Helena.....	11
Table 4. Acceptability of Land Use Regulations	11	
Table 5. Land Use Questions.....	12	
Table 6. Spending on Muncpal Facilities and Services	13	
Table 7. Specific Planning Tools and Actions for East Helena.....	13	

INDEX OF FIGURES

Figure 1. Planning Area Boundary & City Limits.....	9
---	---

APPENDICES

Appendix A:	Public Input
Appendix B:	Demographics
Appendix C:	Housing
Appendix D:	Economics
Appendix E:	Land Use
Appendix F:	Facilities
Appendix G:	Services
Appendix H:	Environmental
Appendix I:	Fire & Wildland Fire Hazard
Appendix J:	Subdivision Review
Appendix K:	Institutional Controls
Appendix L:	Maps
Appendix M:	References

INTRODUCTION

The City of East Helena initiated a Growth Policy in 2009 “as a guide for future growth in the city based on the community’s vision and values”. This was the City of East Helena’s first comprehensive planning effort. In 2014 the City developed a new Growth Policy to address the needs of the City of East Helena. The 2014 Growth Policy was based on the 2009 Growth Policy. In 2020 the City of East Helena started the process of updating the 2014 Growth Policy to address changes that have occurred since 2014 within the City and Planning Area and evaluate the need for new or updated goals and objectives for the City of East Helena. This report is a reflection of that process.

The Policy begins with a brief history of The City of East Helena and the surrounding area, followed by a discussion of the process used to develop this updated policy. The general purposes and intent of the Policy is also discussed, and the jurisdictional area and planning area are defined. The Public Input section contains summaries of public meetings, as well as the results of a planning survey that achieved a 5.0% response rate from city residents.

The Policy then provides an inventory of existing characteristics such as demographics, public services and facilities, economic conditions, and natural resources. These sections also include trends for future population and economic conditions. The Policy will then discuss existing City facilities and services as well as environmental conditions within the planning area boundary. The evaluation of fire risks notes that East Helena has relatively few issues regarding the wildland urban interface because of its location on a floodplain surrounded by agricultural land.

The 2021 Policy will evaluate the current Goals and Objectives for progress made since the 2014 Policy. This information, together with the positive results from the planning survey, show that East Helena has been active in planning for growth and completing improvements, ranging from major capital improvements to implementing regulations designed to facilitate and accommodate additional growth. New goals and objectives will be identified or existing goals and objectives that were not implemented will be carried forward to this Growth Policy, as well as a general strategy for making capital improvements to infrastructure critical for supporting growth and maintaining existing levels of service. The Implementation Strategy discusses the various planning tools, such as the city subdivision regulations and zoning ordinances, used to guide growth in a manner that adheres to the guidelines provided in this document. The Implementation Strategy also defines when and under what conditions this Policy should be reviewed and updated. Planning requires input and cooperation between multiple governmental agencies and providers of public services, as explained in the Interagency Coordination section.

Finally, the subdivision review section outlines how the City will examine proposals for development to ensure compliance with the Montana Subdivision and Platting Act and the Sanitation in Subdivisions Act.

EAST HELENA HISTORY

The origins of East Helena can be traced back to the mid 1860's as pioneers were heading west through the Helena Valley. During the summer of 1864, a wagon train headed for the Oregon territory stopped along Prickly Pear Creek near the current site of East Helena—to rest and make wagon repairs before resuming their journey over the Continental Divide. Among the members of the wagon train was the Manlove family who decided to stay behind and make a home in this portion of the Helena Valley. The Manlove family's original cabin site was located northwest of the city and a portion of the family's agricultural fields and pasture (near John F. Kennedy Park) lie within present day East Helena. As an acknowledgement to these early settlers, the Manlove's original cabin has been relocated to a site near the junction of Montana Highway 518 and U.S. Highway 12 where it has been restored by the East Helena Kiwanis Club.

During the 1870s and the early 1880s, the stagecoach route between Helena and several gold camps in the Big Belt Mountains passed through East Helena. The Prickly Pear House was a way station that served as a changing point for drivers and horses. The Prickly Pear House was built on the northwest corner of the intersection of Montana Avenue and Main Street in East Helena to provide customers with food and lodging. East Helena's current business district was frequently used as a camping area for freight wagons. The Northern Pacific Railroad tracks reached East Helena in 1883. The original station, named Prickly Pear Junction, was built a few years before East Helena was founded and was located near the railroad's crossing of Prickly Pear Creek.



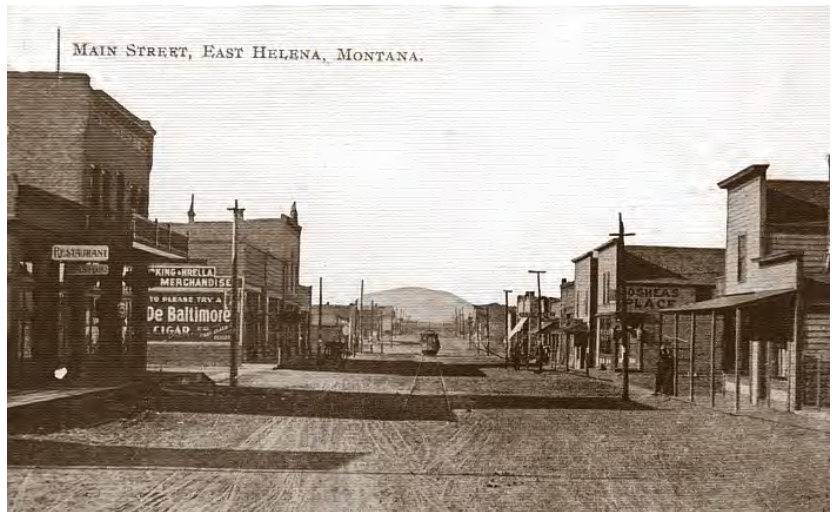
ASARCO Smelter Circa

The real impetus for the development of the community of East Helena came from the construction of the Helena and Livingston smelter in 1888. The new smelter was constructed to serve the mining industry of the Helena region. The blast furnaces started in 1889 and operated for one year. After a six-month closure, the plant reopened as the United Smelting and Refining Company. The American Smelting

and Refining Company (ASARCO) purchased the operation in 1899.

About the same time the smelter property was purchased, two families ranching in the East Helena area the, Clarks and the Riggs, subdivided part of their property into a townsite. Local newspapers touted the new community as the place to invest in real estate for quick returns. The town quickly became the homes of many of the plant employees. Many of the smelter's early employees came from the surrounding mining camps; later employees were recruited from the area's immigrant populations. The plant not only provided the primary payroll but also played a critical role in the social, recreational, cultural, and educational lives of the community. By 1899, the community had a population of about 1,250.

Streetcar tracks were extended from Helena during 1899 making Helena businesses more accessible to local residents. A streetcar ran to East Helena from Helena, twice a day, until streetcar service ended in 1927. However, even with this improved transportation link, East Helena's business remained predominantly independent and most smelter workers continued to



Main Street in East Helena circa 1900

live in the East Helena community. The City of East Helena incorporated on August 7, 1927.

East Helena has survived its share of disasters including: a devastating flood in 1908; a catastrophic fire in 1919, which destroyed the town's business district and many homes; and the earthquake of 1935 which caused significant damage in the Helena area.

The economy of the East Helena community has been closely linked with ASARCO since the smelter was built. As a result, the community has weathered mining strikes, wide fluctuations in metal prices, the Great Depression, changes in environmental laws, and other factors that threatened ASARCO's future at one time or another. In 1984, the Environmental Protection Agency named East Helena as a Superfund cleanup site and considerable work has been done since that time at the smelter site and within the community to remedy identified concerns due to environmental contaminants.

In the 1990s, ASARCO provided 55 percent of the town's tax base and was one of the largest employers not just in East Helena, but in all of Lewis and Clark County. However, the company's sale in November 1999 to an international conglomerate led to temporary closures and ultimately, a decision to close ASARCO's East Helena smelting operations in 2001, and ultimately led the company to bankruptcy. The demise of ASARCO was hard on the town, causing a notable loss in the city's tax base, some businesses to close and homes to be put up for sale.

Today, the City of East Helena remains a cohesive, independent community and residents have adapted since the ASARCO era ended. In recent years, the city has seen families moving into the area subdivisions and new business development in the community. Since ASARCO's bankruptcy the Montana Environmental Trust Group (METG) has taken over all of ASARCO's property and clean up responsibility. METG is responsible for the clean-up activities of the former ASARCO property and for the sale of the property for development.

Please note that much of the historical background discussed above is based on a narrative history of the community compiled by Dave Cole, a former East Helena resident and taken from the 2009 East Helena Growth Policy.

HOW THIS GROWTH POLICY WAS DEVELOPED

The 2009 East Helena Growth Policy, adopted by the city in October 2009, was produced by Robert Peccia & Associates under the direction of the Planning Board and with assistance from the City Council. In 2014, The City Council charged the Planning Board with the responsibility of preparing an updated Growth Policy. In 2020, the City Council again charged the Planning Board with preparation of an update to the 2014 Growth Policy. Community Development Block Grant (CBDG) funding was secured to assist with the cost for preparation of this Growth Policy update. The 2014 Growth Policy is used as the basis for the 2020 City of East Helena Growth Policy Update. The same format is used and only the information such as land use, census data, etc. has been updated as well as other portions of the document.

Montana State Statute requires reviewing the growth policy every five years and revising it if necessary. There have been many changes in the East Helena community since 2014 that signaled a need to update the 2014 Growth Policy. Some of those changes include population increases, economic changes, new subdivision approvals, new annexations, and land use concerns associated with development of the Montana Environmental Trust Group (METG) land. Further, Lewis and Clark County adopted zoning in the Helena Valley that affects land use within the Planning Area Boundary.

On July 1, 2020, City Staff held a scoping meeting with WWC Engineering to initiate the process of updating the Growth Policy. During the months of August and September a

community survey was undertaken to gather public input on a number of community issues and an open house was held in August 27, 2020 to gather public input on community issues.

The City received an excellent response to the community survey, with 105 of the 2,103 residents in East Helena returning surveys, for a response rate of 5.0%. Survey results are summarized in the Public Input section, and discussed throughout the Policy. Complete survey results are also included in Appendix A.

STATEMENT OF PURPOSE

In 1999, the Montana Legislature revised the city and county planning statutes to provide minimum standards for the content of growth policies. The 2014 Policy is intended to:

- 1) Update the City of East Helena 2009 Growth Policy to ensure compliance with the Growth Policy Statute, as outlined in 76-1-601, MCA;
- 2) Provide effective guidance on local decisions on growth, development, and conservation over the next five to ten years;
- 3) Provide a framework for reviewing and updating the City of East Helena Growth Policy, Subdivision and Zoning Regulations.

The overarching purpose of this Policy is to answer four basic questions (as derived from Montana's Growth Policy Resource Book) regarding the City's vision:

- **Where is the City of East Helena now?** What is the status of its population, infrastructure, and resources? What are its values, issues, and concerns?
- **Where is the City of East Helena headed?** Based on current trends and projections, what does the future hold if no major changes in direction are made?
- **Where does the City of East Helena want to be?** What could the community look like if course changes are made according to shared goals and objectives?
- **How does the City of East Helena get there?** What kind of strategies and actions can be implemented to achieve the shared vision, and on what sort of timetable?

VISION STATEMENT

The vision statement describes what the community wants for its future. It should be forward looking and is the foundation for guiding land use and other decisions. The goals, objectives and actions that follow this section are designed to support and advance the vision, as described by the residents. East Helena will realize its vision with

implementation of the goals, objectives and actions listed in the following sections of this report.

The vision statement is a result of discussions with the East Helena Planning Board, public input from meetings, community survey, and comments that were most commonly voiced during those meetings.

City of East Helena Vision Statement

“The City of East Helena will strive to maintain a strong sense of community and small-town atmosphere while providing opportunities for families to live, work, and play. The City of East Helena will support opportunities for economic development, improvements to infrastructure to support community needs, and provide emergency services to protect current and future residents and businesses.”

JURISDICTION

The East Helena Growth Policy addresses the entire jurisdictional area of the City of East Helena. This jurisdictional area encompasses the area within the existing city limits of East Helena. The planning area boundary encompasses the area within the existing city limits of East Helena as well as an area generally 1 mile in all directions outside the city limits. The planning area boundary does not extend into Jefferson County on the south. The jurisdictional area and planning area boundary are shown in Figure 1 on the following page.

A growth policy can address infrastructure planning outside of the jurisdictional area to discuss areas where projected growth may be guided, and discuss what impacts such as growth will have on existing and future public facilities. However, implementation tools such as subdivision and zoning regulations can only be enforced within the city limits. Any new areas annexed into the City of East Helena would fall under the jurisdiction of the City of East Helena including subdivision and zoning regulations. Cooperative planning efforts are addressed in the Interagency Cooperation section of this policy.

The primary focus area for this Growth Policy is the City of East Helena as defined by its incorporated city limits (see Figure 1). The city currently encompasses about 2,575 acres (4.02 square miles). The area within the City limits is used to discuss specific local issues and to clarify the analysis of existing conditions and trends for which the city is directly responsible.

The East Helena Planning Area encompasses:

- All of the incorporated city limits of East Helena;

- Major subdivisions in the East Helena area except for The Mountain View Meadows Subdivision which is being annexed into the City of Helena;
- The East Valley Citizen Initiated Zoning District and La Casa Grande Zoning District, and portions of the Helena Valley Zoning District; and
- Other potentially developable lands in the Lewis and Clark County (primarily agricultural or vacant lands) in close proximity to the community.

The Planning Area for the East Helena Growth Policy does not include any lands within the City of Helena, Helena Regional Airport property, or Jefferson County.

This Growth Policy offers general guidance about future growth and development issues in and around the City of East Helena. The Growth Policy is not a regulatory document and it serves only as the legal and rational basis for follow-up regulations or programs. While the document addresses the entire East Helena Planning Area, the City of East Helena only has the authority to control growth and land uses through zoning and subdivision regulations within its corporate limits. There is no guarantee that any or all of the land in the East Helena Planning Area will eventually become part of the city. The planning area represents areas of special interest where development could affect the operation of municipal facilities, community entrances, and properties already serviced by city infrastructure.

Montana law (see §76-2-310, MCA, et seq.) includes provisions for the extension of municipal zoning and subdivision regulations beyond municipal boundaries, except in locations where a county has already adopted zoning and subdivision regulations. The City of East Helena only has the authority to control land uses and growth within its corporate limits. County lands annexed into the City of East Helena in the future will be subject to zoning and land use controls established by the city.

The Montana Growth Policy Act promotes cooperative planning in urbanizing areas and encourages inter-jurisdictional cooperation. Montana law (§76-3-601(2)(b), MCA) requires Lewis and Clark County to submit any proposal for a subdivision within one mile of the city limits for “review and comment” by the city. Also, the Lewis and Clark County Subdivision Regulations (December 18, 2007) provide for subdivision review by the City of East Helena under Chapter I, General Provisions, D, Jurisdiction (page I-4).

PUBLIC INPUT

This document is intended to be a vision for the City as a whole rather than one individual, group or special interest. Therefore, it was the intent of the City Council Members, the Planning Board, the consultant, and all parties involved to provide a methodology to encourage and foster public input and participation.

A community survey was developed for East Helena residents to provide input on their community. Postcards with information on where to fill out the online survey or pickup and drop off paper copies were mailed to 800 households in early August 2020, and by the September 18, 2020 deadline only 35 surveys had been returned. An open house and 1st public meeting were conducted on August 27, 2020. The Planning Board decided to extend the survey to the end of September 2020 and by the end of September the City had received 105 responses. Survey responses are tabulated in Appendix A, and general survey results are discussed below.

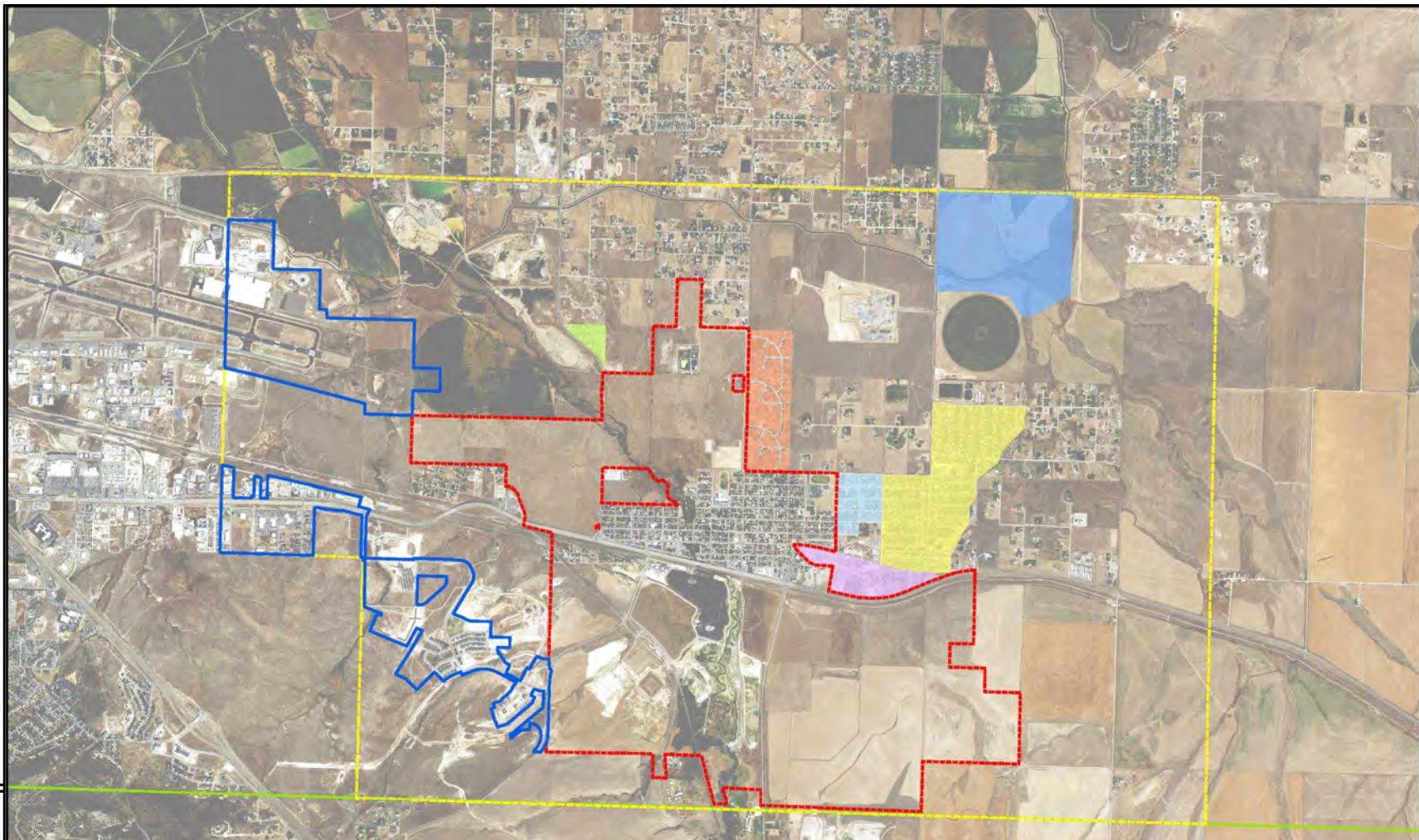
FEATURES OF EAST HELENA

As part of the survey East Helena residents were asked to identify what features were important to the City of East Helena. Residents were asked to rank 22 things from Extremely Important to Not at all Important. Below are the results of what residents felt were extremely important features of East Helena, and respondents identified nine priorities:

Table 1. Extremely Important Features of East Helena

Extremely Important	Percentage (%)
Quality of Schools	86
Availability of Emergency Services	70
Availability of Law Enforcement	68
Sense of Community	59
Sidewalks	47
Variety of Businesses	43
Affordable Housing	42
Access to Healthcare	40
Job Opportunities	36

Features that were important to residents, but not rated as highly are shown in Table 2 below. It should be noted that affordable housing is tied between Extremely Important and Important. East Helena Residents were Neutral on the features shown in Table 3. Only one item, airport facilities, was ranked as not important at all by East Helena Residents.



Legend EH City Limits Planning Area Boundary Helena City Limits C		County Boundary Clark Street Water and Sewer District East Gate Villages I & II		La Casa Grande Sunny Lane Estates Twilight Trails Court		 N S	EXHIBIT #1	CITY OF EAST HELENA GROWTH POLICY BOUNDARY MAP	CITY OF EAST HELENA 306 EAST MAIN STREET EAST HELENA, MT 59635	<table border="1"> <thead> <tr> <th colspan="2">REVISIONS</th> </tr> <tr> <th>Date</th> <th>By</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	REVISIONS		Date	By									 WWC ENGINEERING 1275 MAPLE STREET, SUITE F HELENA, MT 59601 (406) 443-3962 <small>File: East Helena Drawn By: MJS Checked By: JFI Date: 09/29/20 Scale: 1" = .5 mi</small>
REVISIONS																							
Date	By																						

This page left blank intentionally.

Table 2. Important Features of East Helena

Important	Percentage (%)
Recreation	44
Swimming Pool	40
Parkland	41
Rural Lifestyle	39

Table 3. Non Important Features of East Helena

Neutral	Percentage (%)
Civic Organizations	49
Railroad	47
Senior Housing	40
Tourism	37
Agriculture	35
Airport	33
Rodeo Grounds	33
Hunting	27

RATING EAST HELENA

The survey asked respondents to rate East Helena as a place to live. Respondents were asked to rate East Helena on a scale from 1 to 10 with 1 being poor and 10 being good. Most responses ranged from 8 to 10 with respondents indicating that East Helena is a good place to live. The question also asked why they felt that way and some of the responses were great schools, small town feel, community is friendly and helpful, and a safe community where neighbors look out for each other. Some respondents rated East Helena on the lower side with improvements identified as infrastructure such as roads, better police and fire protection, more business development, more recreation opportunities, and more opportunities for children outside of school.

REGULATING LAND USE

The next section of the survey asked East Helena residents about land use regulations within the City. Residents as a whole were open to the idea of regulations that would improve their community. When asked if they would be willing to accept more regulation of land use, a majority said yes. The most support was given to protecting water quality and protecting wildlife habitat, followed regulations that affect subdivision location. Only 15% of respondents said that they would not be willing to accept at least some regulation of land use.

Table 4. Acceptability of Land Use Regulations

If Regulations	Percentage (%)
Protect water quality	89
Protect wildlife habitat	76
Affected subdivision location	69
Separate incompatible land use	69
Promote economic development	68
Affect subdivision design	66

LAND USE AND OTHER ISSUES

The next section of the survey asked East Helena residents to agree or disagree with land use statements. A majority of respondents typically agreed with or were neutral about most of the statements on the questionnaire. The only exception was the statement, “People should be able to subdivide where and when they want.” In this case, a minority of respondent’s agreed with the statement, most remaining neutral or disagreeing.

Table 5. Land Use Questions

Land Use Questions	Percentage (%)		
	Agree	Neutral	Disagree
Parkland is a good way to preserve open space	81	16	2
The City should guide development of the Asarco property	64	20	4
The city should determine manageable development	69	18	6
Infringement on private property rights is a problem	49	30	13
Infrastructure needs improvement	82	13	2
The City needs to plan for growth and change	96	4	13
Population growth should be located near existing infrastructure	49	37	10
The City should provide tax incentives for lot redevelopment	73	18	6
People should be able to subdivide where and when they want	15	30	49

SPENDING ON MUNICIPAL FACILITIES AND SERVICES

The next section asked East Helena residents to identify whether they thought the City of East Helena was spending the appropriate amounts of money on different City services. A majority of respondents either didn’t know what the city was spending on services or thought that spending was about right. The only exception was on streets, where 60% of respondents believed the city should be spending more.

Table 6. Spending on Municipal Facilities and Services

City Service or Facility	Percentage (%)			
	About right	Too Much	Don't Know	Too Little
Solid waste collection	45	5	44	6
Parks and Recreation	39	2	37	21
City owned buildings	36	3	51	9
Streets	10	0	30	60
New street development	9	2	41	47
Airport	14	2	79	5
Sanitary sewer	33	5	53	9
Curb and gutter	17	5	39	39
New Water system	27	3	55	15
Police service	26	3	36	34
Fire Service	32	0	39	30

PLANNING TOOLS AND ACTIONS

The next section asked residents to rank 11 planning tools or actions that would help address development and infrastructure projects in East Helena. Respondents were less expressive in this section of the survey and in all cases a majority of respondents either agreed with the statements or were neutral.

Table 7. Specific Planning Tools and Actions for East Helena

Planning Tool or Action for East Helena	Percentage (%)		
	Agree	Neutral	Disagree
Effective Subdivision Regulations to guide development	73	18	3
Strengthen design standards for infrastructure (e.g., sidewalks in residential neighborhoods)	83	14	1
Amend zoning to be less restrictive	23	34	34
Amend zoning to be more restrictive	19	56	28
Focus on environmental projects (eco-system projects, open space, etc.)	49	32	18
Focus on equipment projects (machinery, vehicles, furniture for facilities, etc.)	11	49	27
Focus on facility building projects (fire hall reconstruction, community center, city facilities, etc.)	48	28	16
Focus on facility recreation projects (ball fields, sports complex, etc.)	62	21	14
Focus on infrastructure water/wastewater projects (water/sewer upgrades, repair, etc.)	60	30	6
Focus on infrastructure bicycle and pedestrian projects (sidewalks, paths, trails, etc.)	76	19	6
Focus on technology projects (radio, broadband service, etc.)	62	29	6

The statement that had the highest agreement from respondents was “East Helena should strengthen design standards for infrastructure”, with a total of 83% either

strongly agreeing or agreeing. Also 73% of residents strongly agreed or agreed that effective subdivision regulations should be adopted to guide development. Further, residents strongly agreed that the City should focus on pedestrian projects such as sidewalks, paths and trails, with 76% either strongly agreeing or agreeing.

SERVICES AND FACILITIES IN EAST HELENA

The final section of the survey asked residents how satisfied they were with existing City of East Helena services and facilities. Respondents were typically in the middle of the rankings. Public education rated the highest of all city services, with 47% of respondent's saying that it could not be improved upon. Other items respondents were completely satisfied with were solid waste collection (42%), water quality (37%), fire protection (33%), parks and recreation (33%), and sewer system (33%). 42% of residents felt streets and sidewalks were two areas that needed improvement.

When asked if residents were willing to pay more taxes to improve the services or facilities in this section of the residents who responded, 26% of respondents said they would be willing to pay more taxes to improve city streets and construct sidewalks. Also, 23% of these respondents said they would be willing to pay higher taxes to improve parks and recreation. Results of the survey can be found in Appendix A.

RESULTS OF COMMUNITY SURVEY

There were numerous themes repeated throughout the survey. Below is a list of common themes that came out of survey responses as well as written comments:

1. Many respondents requested an increase in the number of events and activities that are available in East Helena. These comments often included mention of youth activities and after school activities.
2. Improvement and maintenance of streets and sidewalks are a consistent theme throughout the survey with walkways, bike paths and recreational trails as a priority for many.
3. Major theme was providing and improving parks and recreational opportunities throughout the City including dog park, pool improvements, ballpark, trails, and sidewalks.
4. Many respondents identified improvements to the variety of businesses, clearly delineate a business district, attract more businesses, improve shopping, and link business improvements to community events.
5. Many residents indicated that police visibility is perceived as low. Drug use is an issue throughout the community. The City should improve traffic control and reduce speeding vehicles on city streets.

6. Many residents identified keeping the small town feel and sense of community for the future of East Helena while also improving businesses on Main Street and opportunities for residents.
7. Many residents identified several things that are vital to the long-term health of the community including good roads and sidewalks, family friendly community, schools, more businesses, employment opportunities, and affordable housing.

PUBLIC PROCESS

Montana Statute requires three public meetings be held during the process of adopting the Growth Policy. The Planning Board conducted the first of three public meetings on August 27, 2020 to garner public input on the citizen survey and other aspects of the growth in the City of East Helena. Public notice of the meeting was provided in the Independent Record for three weeks prior to the meeting. The meeting was led by Jeremy Fadness of WWC Engineering and Don Dahl the Planning Board Vice Chair and attended by five planning board members and the general public. Items discussed included:

- General procedures and guidelines for completing growth policies
- The need to update the 2014 policy to account for population increases, recent development, and regulation updates.
- Input needed from the Board, Council, and general public
- Results of the Citizen Survey

The Planning Board reviewed the Draft Growth Policy at a meeting on February 16, 2021 and decided to put the Draft Update to the East Helena Growth Policy out for 30 day public comment and set a public hearing for March 24, 2021. No written comments were received from the public. Public comments were received at the public hearing held on March 24, 2021. The Planning Board reviewed all written and verbal public comment and addressed each comment separately. The meeting minutes are provided in Appendix A. The Planning Board made some changes to the Growth Policy based on public comment and their review. At the March 24, 2021 meeting of the Planning Board made a recommendation that the Draft Update to the East Helena Growth Policy be adopted by the East Helena City Council.

IMPLEMENTATION STRATEGY

The City of East Helena has the following regulatory tools available for implementing the growth policy:

- Subdivision regulations (adopted and amended as necessary)

- City Ordinances, including Ordinances for Zoning, Floodplain, and Building Permits
- East Helena School District Facilities Plan
- Capital Improvements Plan
- Water Master Plan
- Wastewater Master Plan
- Institutional Controls

REVIEW TIMETABLE

The East Helena Growth Policy update was initiated by the planning board in 2020 to review all areas of the current growth policy and to address City needs and priorities for the City in the future. Once this update is complete, the Planning Board will review the Growth Policy at least once every five years and revise if necessary. The Board will initiate each review by examining the Policy for possible revisions and advertising for public input. Residents requesting review of the Growth Policy may contact the Planning Board or City Council or submit in writing a request for review.

Conditional Review

Certain specific events have been identified that may lead to an immediate need to revisit this Growth Policy.

CENSUS

Upon publication of data of a new Census, the City should review the information and determine the need, if any, for revisions to the Policy to reflect any new demographic and economic trends.

CITY CAPITAL IMPROVEMENTS PLAN (CIP)

This Policy should be reviewed following adoption of any significant changes or updates to the adopted CIP.

SUBDIVISION REGULATIONS

The Montana Local Planning Enabling Act (76-1-106, MCA) requires that subdivision regulations be in accordance with an adopted growth policy. In the future, if substantial changes are proposed for the City’s subdivision regulations, the Growth Policy should be consulted. It may be appropriate to consider revisions to the Growth Policy to facilitate needed changes to the subdivision regulations.

ZONING ORDINANCE

The Municipal Zoning Enabling Act (76-1-106, MCA) requires that zoning regulations be in accordance with an adopted growth policy. Zoning regulations must be consistent with the goals and objectives of this policy in order to be effective and legal. Substantial

changes proposed for the zoning ordinance may reflect a need to revisit the growth policy and evaluated the pertinent goals and objectives.

INTERAGENCY COORDINATION

Section 76-1-601(2)(g), MCA requires that a growth policy include a statement concerning how a local government will cooperate with other jurisdictional entities in implementing its growth policy. This section must describe how a city or town will work with the county in which it is located as well as other communities to address issues related to land use planning and community development. Or conversely, the statute requires that a county growth policy include a statement of how the county will work with cities and towns with respect to these issues.

The City of East Helena will work cooperatively with Lewis and Clark County and its neighbor to the west, the City of Helena, to advance the goals of the 2021 East Helena Growth Policy Update. More particularly the East Helena City Planning Board will work with the Helena/Lewis and Clark County Consolidated Planning and Zoning Commission to identify land use and community development issues of common concern including, but not limited to:

- The efficient development and maintenance of infrastructure to support thoughtful growth.
- The protection of the area's natural and cultural resources – its water, air and open space/agricultural character.
- The reduction of sprawl.
- The provision of public services that assure the health, safety, and welfare of our residents.

In order to facilitate cooperation, East Helena will communicate regularly with the Consolidated Planning and Zoning Commission and its staff, using the following methods:

- Copies of staff reports regarding items that come before the East Helena Planning Board will be provided to the Consolidated Planning and Zoning Commission for review and input.
- The City of East Helena will be asked to comment on agenda items that come before the Consolidated Planning and Zoning Commission if those items would affect or potentially affect East Helena.
- Members of the Consolidated Planning and Zoning Commission will be invited to attend the meetings of the East Helena Planning Board.

- Members of the East Helena Planning Board will attend meetings of the Consolidated Planning and Zoning Commission, as feasible, when items affecting East Helena are being considered.

In addition, the City of East Helena will work with other entities in implementing the Growth Policy. Those activities that will likely require cooperation between the City of East Helena and other entities such as state and federal agencies, school and conservation districts and volunteer fire departments include:

- Montana Environmental Trust Group (METG)
- Institutional Controls for the East Helena Superfund Area
- Fire management in the wildland urban interface
- East Helena School District
- Housing
- Economic Development, Montana Business Assistance Connection (MBAC)
- Lewis and Clark County Weed Board
- The development and/or maintenance of roads that are located adjacent to publicly owned lands
- Cooperative management of recreational sites
- The role of resources management in the local economy
- The effect of growth on natural, recreational, and cultural resources
- Emergency Services delivery

The City of East Helena will work cooperatively with all affected agencies or interests in addressing these and other issues related to the goals and objectives set forth in the Growth Policy.

CITY OF EAST HELENA GOALS, OBJECTIVES AND STRATEGIES

This chapter outlines the community development goals, objectives and implementation strategies that were formulated in cooperation with the City of East Helena's governing body and staff and input from citizens during the preparation of the growth policy. These goals, objectives and strategies establish the framework for the growth policy by providing a means to evaluate existing conditions, shape future plans, and set forth guidelines for the review of future development proposals.

Goals and objectives are meant to present the community's values and stem from the identification of planning issues. Goals and objectives present a desirable future condition and provide direction for community decisions over time. Implementation strategies represent specific actions that help us reach each goal; they are a means to a desirable end.

The following are some common definitions of Goals, Objectives, and Strategies:

Goals - are general statements of desired outcomes of the community. Goals are written as general statements and provide the broad framework for objectives and the identification of implementation strategies. Goals provide the overall vision of what subsequent planning activities seek to achieve.

Objectives - are more specific than goals and generally describe measurable outcomes or benchmarks that help determine the level of success. Objectives help achieve the goals.

Strategies - are the "operational" actions or policies that a community may undertake to meet the stated goals and objectives. Strategies are specific statements relating to planning objectives and are intended to help guide future decision-making in the community.

Planning goals, objectives, and suggested strategies for the growth policy are presented on the following pages. The goals, objectives and strategies relate to the following elements:

- Land Use and Community Growth
- Housing
- Economic Development
- Community Infrastructure and Services
- Environmental and Natural Resources

LAND USE AND COMMUNITY GROWTH GOALS

There are significant areas of developable land outside of the City of East Helena limits as well as large areas of developed residential land, such as La Casa Grande and Eastgate Subdivisions. It is important to balance the existing land uses with potential land uses in the planning area. Although the City of East Helena has no jurisdiction outside of the existing City Limits, it is important to plan for future land uses around the City. This will allow for better coordination with Lewis and Clark County during Growth Policy reviews, zoning implementation, and subdivision review within the planning area at the County level. Further, large areas of the former ASARCO land were annexed into the City of East Helena in 2009. Some of these lands have been sold for multiple uses including a new school construction, Prickly Pear Elementary and East Helena High School, residential development including Highland Meadows Subdivision, commercial development including Town Pump purchase of Lamping Field, and recreational and open spaces lands including the Prickly Pear Corridor to Prickly Pear Land Trust and Natural Resource Damage Program. It is important for the City of East Helena to continue to plan for the development of these areas to protect the character and identity of the community.

It will be important for the City of East Helena to continue to plan for the extension of City services and infrastructure to these areas. The City of East Helena has worked hard to implement tools to plan for future infrastructure needs including adoption of a Capital Improvements Plan update, Extension of Services Plan, Wastewater Master Plan, Water Master Plan, and Road PASER Evaluation. The City of East Helena should continue to implement planning tools and policies that will help to determine where new infrastructure should be placed and how much it will cost, as well as evaluate existing infrastructure to determine existing capacity, how much expansion existing infrastructure can handle, and the cost to improve existing infrastructure to handle additional service needs.

The City should continue to plan for the extension of services to existing developed subdivisions and properties adjacent to the City of East Helena. The La Casa Grande Subdivision's wastewater systems are failing and in dire need of major improvements or replacement. In the future the subdivision may request to connect to the City of East Helena services and may be annexed into the City. Further, the Sunny Lane Estates east of and adjacent to the City limits has experienced septic issues in recent years. It is likely that this area could request to annex and request to connect to City. A plan should be developed that identifies the locations of improvements, as well as the costs to run city services to and throughout these existing subdivisions should it be determined that the City should annex these areas and provide service.

Land Use and Community Growth Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#1 Provide for orderly development of the City of East Helena and the Planning Area.</p>	<ul style="list-style-type: none"> • Provide for compatible development in the rural-urban transition areas close to the City. • Work with the Consolidated City-County Planning Board, City of Helena and Lewis and Clark County to address growth issues outside the incorporated limits of the City of East Helena. • Promote planning and infrastructure design that reflects and supports neighborliness, pedestrian-oriented commercial and residential districts, and accessible public facilities. • Assure that new development is respectful of the character of the community including landscaping, lighting, sidewalks, street design and other related improvements. • Work with Lewis and Clark County to coordinate and comply with existing local land use regulations such as existing county zoning districts, County Subdivision Regulations, and Airport Regulations. 	<ul style="list-style-type: none"> • <i>Periodically review and update zoning regulations to maintain the character of the City of East Helena and guide future development to areas of greatest community benefit and least environmental impact.</i> • <i>Update, as necessary, local subdivision regulations and provide for timely review of subdivision proposals to ensure compliance with current State and Local laws.</i> • <i>Evaluate all private development proposals as they relate to public services and their compliance with the goals, objectives, and policies of the East Helena Growth Policy and other existing land use regulations within the planning area boundary.</i> • <i>Update and implement policies and regulations that incorporate compliance with the Institutional Controls.</i> • <i>Evaluate annexation proposals for compliance with the extension of services plan and the East Helena Growth Policy</i>

Land Use and Community Growth Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#2 Provide for the extension of services to undeveloped areas within the City of East Helena and the Planning Area.</p>	<ul style="list-style-type: none"> • Work with areas adjacent to the City of East Helena where infrastructure and public services may be needed in the future to start planning for those connections. • Encourage land use changes and development proposals that make most efficient use of land, infrastructure, energy, and other resources. • Work with landowners of large tracts of undeveloped land within the City limits to plan for future extension of City services and plan for capacity needs. 	<ul style="list-style-type: none"> • <i>Evaluate annexation proposals for compliance with the extension of services plan and the East Helena Growth Policy</i> • <i>Determine costs (of delivering services) and revenues (increased tax dollars) associated with annexation and conduct an engineering analysis to determine the feasibility of extending sewer and water services and establish a future service area boundary.</i> • <i>Review development proposals for compliance with the extension of services plan and require developers to provide on-site improvements and make fair contributions to the cost of off-site facilities impacted by their activities either by direct financial contribution for infrastructure or alternative means of finance that minimizes costs to existing taxpayers.</i> • <i>Evaluate setting up financial alternatives for construction of infrastructure to incentivize commercial and industrial development, like Tax Increment Financing (TIF/TED), BID/SID, or other financing that is allocated/allotted by place or boundary.</i>

HOUSING GOALS

With the annexation of the ASARCO lands in 2009, the area within the City of East Helena grew from 550 acres to 2,575 acres. With the annexation there was approximately 2,000 acres of vacant developable land within the City of East Helena, or 75% of the land area of East Helena is vacant developable land. Some of this land has been or is in the process of being developed. Most of the land being developed is north of the City proper and includes a new elementary school and high school as well as a residential subdivision with 310 planned residential lots. A 20-acre tract north of Plant Road was also annexed and is proposed to have 75 residential lots. These lots will be built out over the next 5 to 7 years.

The housing stock in East Helena is characterized by a predominance of single family detached units. Single-family homes comprised 81.2 percent of the community’s housing stock compared with 67.5 percent for the nation and 73 percent for Montana. From 2009 to 2014 there was a trend toward multi-family housing in East Helena. Since 2014 the trend has been more toward single-family detached housing. With the approval of additional development single-family detached housing is anticipated to be the trend for the foreseeable future. Affordable housing for low income residents and senior citizens are a concern and will continue to be a concern into the future.

Housing Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#1 Create, improve, and maintain the quality of the residential environment in the Planning Area.</p>	<ul style="list-style-type: none"> • Encourage the provision of an adequate supply of housing to meet the needs of all segments of the population. • Promote planning and infrastructure design that reflects and supports neighborliness, pedestrian-oriented residential districts, and accessible public facilities. • Retain a residential buffer around the schools. • Periodically review regulatory tools (zoning; annexation; and subdivision ordinances) to assure that new development is consistent with community goals and objectives. 	<ul style="list-style-type: none"> • <i>Review existing ordinances and/or implement additional regulations to ensure they provide for the orderly development of vacant land to preserve the community character.</i> • <i>Review existing ordinances and/or implement additional regulations to ensure regulations are addressing accessibility in relation to housing and infrastructure.</i> • <i>Review existing ordinances to ensure a wide variety of housing types can be accommodated to provide a variety of housing options.</i>

Housing Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#2 Work to achieve a balance with respect to housing in East Helena that strives to achieve diversity in type, accessibility, affordability and location through new construction and the redevelopment of existing properties.</p>	<ul style="list-style-type: none"> • Identify and promote available building sites in and around the City of East Helena which have access to services and utilities, and which can be annexed to the City. • Ensure new residential development does not excessively burden the local government and is adequately served by public facilities and services. • Encourage an appropriate level of low and moderate cost housing. • Encourage the provision of a wide range of housing opportunities by type and density. Encourage the upgrading and rehabilitation of existing substandard housing. • Identify resources that can be used to assist property owners in rehabilitation and housing preservation while keeping the cost of housing reasonable. 	<ul style="list-style-type: none"> • <i>The City should support residential development that does not increase the cost of development as to cause housing to become unaffordable while balancing the need to protect existing property owner rights, preserve community character, and provide for adequate public services.</i> • <i>Work with property owners, development corporations, non-profit organizations, builders, and realtors to develop and market residential lots.</i> • <i>Prepare a housing plan for that addresses:</i> <ul style="list-style-type: none"> ➤ <i>Neighborhood Revitalization</i> ➤ <i>Housing for Seniors and Special Needs Groups</i> ➤ <i>Affordability and Availability</i> ➤ <i>Necessary or Desirable Supportive Services</i>
<p>#3 Provide housing and accommodations for all persons, regardless of need, including seniors and those with disabilities and other special requirements.</p>	<ul style="list-style-type: none"> • Seek to develop housing for seniors and special needs groups living in the East Helena area. • Seek to develop a variety of accessible housing to meet the current and future needs of an aging population. 	<ul style="list-style-type: none"> • <i>Support efforts by agencies to pursue nursing home and assisted care facility construction in the community.</i> • <i>Support efforts by the community to develop accessible and affordable housing to accommodate all persons including seniors and those with disabilities.</i>

ECONOMIC DEVELOPMENT GOALS

Although East Helena has characteristics of a commuter town, its citizens have a strong sense of place and identity not commonly found in commuter towns. Approximately 63% of the population who are in the labor force are employed outside of East Helena mainly in the City of Helena which has provided a stable supply of jobs in the government, education, construction and service sectors. The undeveloped land within the City of East Helena provides an excellent opportunity to plan for future land uses and expansion within its boundaries.

Median household income in East Helena was \$51,831 according to the 2019 ACS. The figure represents a 12% increase over the 2010 ACS. Forty-six percent of households were in the below \$50,000 category and a significant number of family households (with two or more members) were considered “low-income” according to standards set forth by the U.S. Department of Housing and Urban Development (HUD). An approximate 30 percent of family households had incomes that were at 80 percent or less of the area median income, thereby qualifying them for assistance through HUD programs. The poverty rate for East Helena is listed as 9.1%, which is a decrease from 11% in 2010 ACS.

Tax Increment Financing (TIF) is a technique that allows a local government or redevelopment authority to generate revenues for a group of blighted properties targeted for improvement, known as a TIF district. As improvements are made within the district, and as property values increase, the incremental increases in property tax revenue are earmarked for a fund that is used for improvements within the district.

Expenditures of TIF generated revenues are subject to certain restrictions and must be spent within the district. The funds generated from a new TIF district could be used to finance projects such as street and parking improvements, tree planting, installation of new bike racks, trash containers and benches, and other streetscape beautification projects within the designated area.

In Montana, TIF districts were authorized in 1974 and are assessed through property taxes. Financing options include private activity revenue bonds, pay as you go, loans, special assessments, and tax increment bonds.

Economic Development Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#1 Provide for development and improvement of business and industrial districts in the Planning Area.</p>	<ul style="list-style-type: none"> • Encourage commercial and industrial development characterized by proper location with safe access, sufficient off-street parking, and attractive design. • Encourage redevelopment of existing commercial uses along the Main Street corridor. • Promote the use of landscaping to create attractive commercial and industrial zones by incorporating site design standards in land use controls. • Foster diversification of the economic base by encouraging and supporting all efforts to bring economic development to the community. • Explore a variety of economic development projects for the community including creation of Tax Increment Financing Districts (TIF) in areas of future Commercial and Industrial development. • Support existing businesses to maintain local jobs. • Promote and encourage those agencies, businesses, and entities that have been and who are presently encouraging economic improvement in the community. • Promote East Helena as a destination and separate from the City of Helena. 	<ul style="list-style-type: none"> • <i>Work with the Montana Business Assistance Connection (MBAC) to encourage economic development.</i> • <i>Promote a mix of uses within commercial and industrial districts while balancing the need to protect existing property owner rights, preserve community character, and provide for adequate public services.</i> • <i>Continue economic efforts to attract companies and industries to the East Helena area that support well-paying jobs.</i> • <i>Work to create a Tax Increment Financing District (TIF) that covers proposed future commercial and industrial land use areas to incentives development in these areas.</i> • <i>Pursue funding for Brownfields cleanup and redevelopment for blighted properties.</i> • <i>Support businesses that capture more customers from the market of commuters that travel through East Helena each day.</i> • <i>Seek to develop facilities to accommodate large gatherings and that encourage new visitation to the community.</i>

COMMUNITY INFRASTRUCTURE AND SERVICES GOALS

The City's existing water and wastewater systems have excess capacity and the City has the ability to accommodate new connections. The available capacity of the wastewater treatment plant has been reduced over the last two years with the construction of two new schools and the connection of the Clark Street Water and Sewer District, Red Fox Meadows Subdivision, and 2 new residential subdivisions within the City. It is likely that the City will receive requests to connect to the facility in the future as there are areas adjacent to the City with old and failing septic systems. The La Casa Grande Subdivision and Sunny Lanes Estates may request city sewer service due to failing septic systems within these developments.

It will be critical for the City of East Helena to plan for development within the undeveloped land within the City limits as well as connection of existing developed areas outside the City. Planning for this development will help to identify critical needs in the area of infrastructure and services and trigger points for system and service upgrades.

The City Police Department has increased the number of officers to five full time officers and equipment and vehicle upgrades have been completed since the 2014 Growth Policy. In the future, the Police Department would like to add one more additional full-time officer as well as a school resources officer. The Police Department also needs upgraded office space and would like a cover constructed over their parking area at City Hall. The Fire Department has identified several areas that would assist them in servicing the community. The Fire Department is dealing with aging equipment and facilities that will need to be upgraded and improved in order to continue providing quality service to City of East Helena residents. The Fire Department also needs recruit new members. They have remained at a steady 15 volunteers over the last decade and need about 25 volunteers to adequately serve the community. The Fire Department also needs one more certified truck and would like to pursue getting a ladder truck.

The East Helena School District serves the residents of East Helena as well as residents surrounding the City within the planning area. The East Helena School District has developed a facilities plan that has identified its needs for the future based on enrollment numbers. The School District has made a lot of improvements since the 2014 Growth Policy including construction of Prickly Pear Elementary School, expansion of East Valley Middle School, and construction of East Helena High School. The District is looking at an expansion of the high school in 2021 as well as construction of new Small Fry football and soccer fields. The District is also taking the lead on construction of new sidewalks and trails throughout the community.

Community Infrastructure and Services Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#1 Provide for adequate infrastructure within the City of East Helena and the Planning Area.</p>	<ul style="list-style-type: none"> • Continue to evaluate, Identify, and address infrastructure needs associated with existing water, sewer, storm drain, and road systems within the City of East Helena. • Continue to evaluate, Identify, and address future infrastructure needs associated with water, sewer, storm drain, and road systems to serve existing undeveloped land within the City limits. • Evaluate future infrastructure needs to accommodate connections of existing development within the planning area. • Continue to provide necessary maintenance of existing water, sewer, storm drain, and road systems within the City of East Helena in order to continue to provide quality services to City residents. • Evaluate development as it relates to accessibility for all modes of transportation including transit, pedestrians, bicyclists, as well as motorists. • Incorporate accessibility for all modes of transportation including transit, pedestrians, bicyclists, as well as motorists into maintenance or reconstruction projects on existing City streets. 	<ul style="list-style-type: none"> • <i>Review and update the City's Capital Improvements Plan to evaluate infrastructure and service priorities.</i> • <i>Review and update the City's Capital Improvements Plan to include recommendations and priorities from the Wastewater Master Plan, Water Master Plan, and Road PASER Evaluation Report.</i> • <i>Evaluate all private development proposals as they relate to public services and their compliance with the goals, objectives, and policies of the City of East Helena.</i> • <i>Continue economic efforts to attract companies and industries to the East Helena area that support well-paying jobs.</i> • <i>Continue to coordinate with existing development within the planning area regarding water and wastewater problems and potential service needs.</i> • <i>Encourage new development contiguous to existing development in order to avoid the long-term cost to taxpayers of providing services to an inefficient development pattern.</i> • <i>Continue with wastewater and water system maintenance programs on order to provide the most reliable service to City residents and businesses.</i>

Community Infrastructure and Services Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#1 Provide for adequate infrastructure within the City of East Helena and the Planning Area.</p>		<ul style="list-style-type: none"> • <i>Prepare a city-wide storm drainage plan that will identify critical storm water needs throughout the City of East Helena that will provide the most benefit to the community. Seek funding for storm water system improvements.</i> • <i>Continue membership in and coordination with the Transportation Coordinating Committee (TCC) that oversees the Helena Urban Area to allow East Helena to add roads to the State of Montana’s Urban Highway System and seek funding to improve those roads through MDT’s Surface Transportation Program – Urban (STPU).</i> • <i>Develop and implement a yearly street maintenance program based on the Road PASER Evaluation report.</i> • <i>Continually look for and seek funding sources that will help in the implementation of capital improvements projects and maintenance activities.</i> • <i>Promote recycling for more efficient waste management, potential cost savings to residents, and potential economic development.</i> • <i>Promote a collaborative effort to make the rail-based businesses and the rail infrastructure more efficient and conducive to the community.</i>

Community Infrastructure and Services Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#2 Provide for adequate services within the City of East Helena and the Planning Area.</p>	<ul style="list-style-type: none"> • Evaluate and improve the condition, as appropriate, of emergency services infrastructure and equipment to ensure the provision of adequate fire and police protection within the City of East Helena. • Maintain existing park facilities while identifying needs for new and/or expanded facilities. • Support the efforts of East Helena School District to provide high quality education services and facilities. • Support projects in the community that improve accessibility with construction of new sidewalks and trails as well as maintenance of existing sidewalks and trails. 	<ul style="list-style-type: none"> • <i>Pursue adequate emergency services personnel, facilities, and equipment to provide levels of service in compliance with local, state, and national standards.</i> • <i>Identify funding sources to support additional staff and equipment for the police and fire departments.</i> • <i>Explore the feasibility and identify potential funding strategies to enable East Helena to build a new fire station or new emergency services building for both fire and police departments.</i> • <i>Continue to partner with the school district to continue expansion and improvements to pedestrian facilities throughout the city.</i> • <i>Prepare a Parks and Trails Master Plan for the City of East Helena that will identify locations for pedestrian and non-motorized facility improvements that will best benefit the community and identify new and existing park needs.</i> • <i>Support the efforts of the Helena Area Transportation Service to continue providing transit service to the East Helena area.</i>

ENVIRONMENTAL AND NATURAL RESOURCE GOALS

Prickly Pear Creek has been evaluated by the Montana Department of Environmental Quality (MDEQ) and is included on the state’s 303(d) list of impaired waters. Total Maximum Daily Loads (TMDLs) for Prickly Pear Creek addressing impairments caused by arsenic, cadmium, copper, lead, nitrates/nitrites, phosphorus, sediments/siltation, and zinc were completed in September 2006.

Within the greater Helena Valley, groundwater contamination from on-site wastewater disposal systems is an ongoing concern. Potential groundwater contamination concerns exist in the La Casa Grande Subdivision just north of the City and Sunny Lane Estates to the east of the City due to failing septic systems.

The City of East Helena and other portions of the East Helena Planning Area are located within 100-year and 500-year floodplains associated with Prickly Pear Creek and its overflow branches. There are areas of isolated wetlands that exist along Prickly Pear Creek corridor and in the gravel pit excavations within the planning area.

Environmental and Natural Resource Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#1 Encourage development that is compatible with or enhances natural resource values including air, water, soil, and vegetation.</p>	<ul style="list-style-type: none"> Recognize the importance of natural resources, including soil, water, air, scenic values, and fragile ecosystems and ensure that growth and development in the East Helena area minimizes environmental degradation. Encourage development in areas that are relatively free of environmental problems (e.g., soil limitations, high water tables, wetlands, floodplains, etc.) or where constraints can be properly mitigated. Protect ground water and surface water quality in the Helena area watersheds. Prevent and reduce infestations of noxious weeds. 	<ul style="list-style-type: none"> <i>Require evaluation of environmental impacts and either deny permission or require mitigation for proposed activities with potentially significant adverse environmental impacts.</i> <i>Evaluate existing regulations to ensure development has minimal adverse impacts to the human and natural environment.</i> <i>Encourage infill, clustering, and other compact development patterns to lessen impacts on sensitive lands.</i> <i>Participating and supporting cooperative efforts for the protection of the watersheds in the East Helena area.</i>

Environmental and Natural Resource Goals

GOALS	OBJECTIVES	STRATEGIES
<p>#2 Maintain and promote the environmental quality of East Helena with respect to its natural resources and the health of its citizens.</p>	<ul style="list-style-type: none"> • Protect the general health and welfare of residents of the City of East Helena. • Encourage development of new sidewalks and trails to improve the health of the City’s residents. 	<ul style="list-style-type: none"> • <i>Continue to advocate for and help to implement the Institutional Controls for developed and undeveloped lands in the East Helena area to ensure environmental risks are minimized to residents.</i> • <i>Continue to support the efforts of the East Helena Lead Education and Abatement Program.</i> • <i>Require infrastructure, such as sidewalks, to enable movement of pedestrians and non-motorized vehicles through and within all new developments and encourage similar infrastructure in all existing areas.</i> • <i>Promote the concept of a multi-jurisdictional trail system along Prickly Pear Creek to link natural, cultural, and scenic resources in the area and provide recreational opportunities for area residents.</i> • <i>Seek funding opportunities for improvements to existing sidewalks and trails and construction of new sidewalks and trails throughout the community.</i> • <i>Evaluate development proposals to ensure the adequate provision of sidewalks and trails to facilitate accessibility and health of the community.</i>

PROGRESS ON GOALS & OBJECTIVES SINCE 2014

Comprehensive planning relies not only on setting future goals, but also on measuring past progress. Documenting progress provides feedback on the effectiveness of planning and implementation tools, and provides the community a necessary sense of accomplishment. The 2014 East Helena Growth Policy emphasized several community needs, ranging from infrastructure improvements to planning tools. The goals and objectives that were met and strategies that were implemented are summarized below.

LAND USE AND COMMUNITY GROWTH GOALS

The 2014 Growth Policy identified creation and adoption of an annexation policy to assist the City in review of annexation proposals into the City of East Helena. In 2017 the City developed and adopted an Extension of Services Plan that includes an annexation policy for the City of East Helena. The plan addresses how the City will handle extension of services for development and annexation proposals within the City and outside the City.

The 2014 Growth Policy identified creation and adoption of subdivision regulations to provide regulations for the development of lands within the City. The City adopted subdivision regulations in 2014 and has evaluated and amended the subdivision regulations periodically since 2014.

The 2014 Growth Policy identified continued review and updates to the zoning regulations. The zoning commission undertook a complete zoning regulation review in 2014 and adopted updated zoning regulations in 2014. The zoning commission periodically reviews the zoning regulations for updates and needs and most recently updated the zoning regulations in 2020 to include language for the regulation of temporary signs.

HOUSING GOALS

The East Helena Zoning Commission has worked hard over the last 7 years to ensure development of the former ASARCO properties is consistent with the Cities goals and objectives. The Zoning Commission has updated the zoning map to incorporate future land use goals for the ASARCO properties.

The East Helena Planning Board has developed Subdivision Regulations that will promote growth but preserve the identity and character of the City. The Subdivision Regulations promote a mix of uses. Further, zoning regulations allow for multiple uses and multiple types of housing in order to promote continued development of housing within the community.

ECONOMIC DEVELOPMENT GOALS

The City of East Helena has worked closely with local economic development corporations to develop regulations that support increased economic development. This includes updates to the zoning regulations by the Zoning Commission to create a Downtown Commercial District and remove off-street parking requirements within the district. Off-street parking in downtowns often creates a barrier to reuse and redevelopment. By removing this requirement businesses can more easily relocate or develop new businesses within the City's downtown.

The City of East Helena has worked closely with local economic development corporations to develop regulations that support increased economic development. These groups have also worked closely with the City to plan for development of annexed ASARCO properties.

COMMUNITY INFRASTRUCTURE AND SERVICES GOALS

The City of East Helena has continued to work on upgrading existing infrastructure to facilitate future growth and better serve existing residents. The City has worked hard on road and storm water upgrades throughout the City on a yearly basis. Roads are repaired and maintained as needed within the limits of yearly budget allocations.

East Helena has improved Police and Fire Services within the last 5 years by purchasing additional and better equipment, and by adding additional personnel.

The City has assisted the school district with improvements and expansion of school facilities. This includes lobbying the legislature to fund a new high school and writing letters of support as well as sponsoring applications for grants and funding to construct critical pedestrian facilities throughout the City.

The City updated the Capital Improvements Plan in 2017 and developed an Extension of Services Plan that outlines requirements for servicing future development within and outside the City. The City also prepared several reports specific to individual systems that outline priority projects including a City of East Helena Wastewater Plan, City of Helena Water Plan, and City of East Helena PASER Evaluation for roads. The City continues to work with METG and the NRD on construction of a new water supply well north of the City to accommodate current and future needs of the City.

ENVIRONMENTAL AND NATURAL RESOURCE GOALS

The City of East Helena has developed Subdivision Regulations that require developments to address impacts to the environment and natural resources. Further, the adopted zoning regulations also strive to protect the environment and natural resources by regulating certain development on individual lots.

The City partnered with Lewis and Clark County to implement institutional controls within the East Helena area to ensure environmental risks are minimized to residents. The City has also continued to support the East Helena Lead Education and Abatement Program.

The City has developed Subdivision Regulations that address and promote pedestrian and non-motorized activities in new developments. The City has worked with the School District for funding to improve existing pedestrian facilities as well as construct new facilities throughout the City.

This page left blank intentionally.

APPENDIX A

Public Input

This page left blank intentionally.

Public Comments

This page left blank intentionally.

November 20, 2020

RECEIVED

NOV 20 2020

**CITY OF
EAST HELENA, MT**

To: City of East Helena Growth Policy Reviewers

From: Bill Anderson, 706 East Main

RE: City of East Helena Growth Policy suggestions for consideration

I have seen the posting outside the Fire Hall asking for comments on the East Helena Growth policy for months. I had not seen a deadline for comments and therefore delayed beyond the submission date. I apologize for the tardiness of these comments.

I have lived in this location near the intersection of Lane Street and Main Street since May 1993. When I moved here, this was the "new" section of East Helena. Since then, the Middle School has gone in, the field where my kids played is apartment complexes and houses, Kalispell Street was paved, and the valley was increasingly developed. Correspondingly, there has been an exponential increase in volume and decibel level of traffic during that ensuing period. I retired seven years ago, spent more time at home, and witnessed significant changes.

I have three observations which may or may not have a corresponding impact on your considerations:

- 1) With the growth of the valley, there has been a corresponding increase in the use of Lane and Main by heavy equipment to come off U.S. 12 to access Lake Helena Drive. The decibel level from this heavy equipment, increased traffic, and modified muffler systems has risen to the point where, at certain times of the day, we can't hold a conversation in the front yard. Although this area of old East Helena is primarily zoned residential, the noise level from this traffic increasingly diminishes the realism of that designation.
- 2) The noise from the train whistles also detracts substantially from the residential character of East Helena. I realize there are pre-existing requirements, but is there anything that can be done to mitigate that noise factor also?
- 3) I live at the edge of the 25 mile per hour zone on Main Street. Although law enforcement frequently parks across the street from my house and in other locations, I witness numerous occasions daily of speeders and fishtailing from rapid acceleration from the stop sign at Lane and Main. Law enforcement presence does have a substantial impact on this behavior, but when they aren't there, the speeding and erratic driving continues. (It is interesting when there are icy road conditions to sit at my front window and watch the intersection for fender benders, drivers berating each other, and speeders out of control on the icy road.)

I realize that it may be the original characteristics of my property (ideal for its proximity to hiking, the lake, Helena, East Helena's small-town atmosphere) have been changed forever by "progress". But if there were a way to mitigate the negative impacts of noise and traffic on this side of town, it would be appreciated. Thank you for your consideration.

Attn: East Helena Planning Board
City of East Helena
306 East Main St, PO Box #1170
East Helena, MT 59635

To Whom it may concern,

My name is Richard Wilson and my wife, Deanne, and I own a property located at 114 E. Dudley.

As the East Helena Planning Board is working on the Growth Policy we would like to urge you to update current infrastructure before growth and development consumes all of your resources.

Specifically, we would recommend paving E. Dudley Street. It has been left as a gravel road and there are several multi-family units on this street.

Please consider this repaving as a priority as you work on the Growth Policy.

We can be reached at:

rgwmusic@comcast.net

206-723-9018

206-769-2919

Best regards,

Richard Wilson

RECEIVED
SEP 14 2020
CITY OF
EAST HELENA, MT

Community Survey

This page left blank intentionally.

**REQUEST FOR PUBLIC INPUT
FOR THE UPDATE TO THE EAST HELENA GROWTH POLICY**

The City of East Helena Planning Board is preparing an update to the East Helena Growth Policy and we invite you to help shape it's future by providing comments on the future growth and needs of the City of East Helena. Your opinions are important to this process to identify needs for the City. The City is conducting a Community Needs Survey. Hard copies can be obtained from the East Helena City Hall or a link to the web survey can be found on the City of East Helena website at <https://www.easthelenamt.us/>. Surveys must be completed and returned to the City by September 18, 2020.

The East Helena Planning Board will be holding a public meeting on August 27, 2020 at 6:00 p.m. to gather public input on the future needs of the City of East Helena. The meeting will be held at the East Helena Fireman's Hall at 2 East Pacific Street, East Helena, MT. Due to COVID-19 restrictions masks and social distancing will be required during the meeting.

For additional information, contact Jeremy Fadness, WWC Engineering, 1275 Maple Street Suite F, Helena, MT 59601, 406-443-3962. Hard copies of the survey should be returned to the City Clerk, 306 East Main or mail to P.O. Box 1170, East Helena, Montana 59635.

Publish in the Independent Record on August 16 and August 23 of 2020.



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA

The Planning Board **NEEDS YOUR HELP** with the development of the East Helena Growth Policy update.

The City of East Helena is seeing increased growth and development in and around the City. The East Helena Planning Board has started the process of updating the 2014 East Helena Growth Policy.

The Planning Board is preparing an update to the 2014 City of East Helena Growth Policy and we invite you to help shape its future by providing comments on the future growth and needs of the City of East Helena. An online citizen survey has been created to gather public input on how you feel about your community and what direction you would like to see it go. The link to the Growth Policy survey can be found on the City of East Helena website <http://www.easthelenamt.us/> or pick up a hard copy at City Hall. You may also submit your comments in writing to City of East Helena, 306 East Main Street, PO Box 1170, East Helena, Montana, 59635. Responses must be received by the City no later than September 18, 2020 at 5:00 p.m. If you have any questions regarding these documents please contact Jeremy Fadness with WWC Engineering at 443-3962.

The Planning Board will also host an open house on August 27, 2020 at 6:00 p.m. at the East Helena Fireman's Hall, 2 East Pacific Street, East Helena, to gather public comment for the Growth Policy update. Due to COVID-19, all attendees are required to wear a mask and social distancing will be required. Your attendance will assure that your ideas on the future of East Helena are heard and considered as part of the East Helena Growth Policy Update.



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA

The Planning Board **NEEDS YOUR HELP** with the development of the East Helena Growth Policy update.

The City of East Helena is seeing increased growth and development in and around the City. The East Helena Planning Board has started the process of updating the 2014 East Helena Growth Policy.

The Planning Board is preparing an update to the 2014 City of East Helena Growth Policy and we invite you to help shape its future by providing comments on the future growth and needs of the City of East Helena. An online citizen survey has been created to gather public input on how you feel about your community and what direction you would like to see it go. The link to the Growth Policy survey can be found on the City of East Helena website <http://www.easthelenamt.us/> or pick up a hard copy at City Hall. You may also submit your comments in writing to City of East Helena, 306 East Main Street, PO Box 1170, East Helena, Montana, 59635. Responses must be received by the City no later than September 18, 2020 at 5:00 p.m. If you have any questions regarding these documents please contact Jeremy Fadness with WWC Engineering at 443-3962.

The Planning Board will also host an open house on August 27, 2020 at 6:00 p.m. at the East Helena Fireman's Hall, 2 East Pacific Street, East Helena, to gather public comment for the Growth Policy update. Due to COVID-19, all attendees are required to wear a mask and social distancing will be required. Your attendance will assure that your ideas on the future of East Helena are heard and considered as part of the East Helena Growth Policy Update.



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA

The Planning Board **NEEDS YOUR HELP** with the development of the East Helena Growth Policy update.

The City of East Helena is seeing increased growth and development in and around the City. The East Helena Planning Board has started the process of updating the 2014 East Helena Growth Policy.

The Planning Board is preparing an update to the 2014 City of East Helena Growth Policy and we invite you to help shape its future by providing comments on the future growth and needs of the City of East Helena. An online citizen survey has been created to gather public input on how you feel about your community and what direction you would like to see it go. The link to the Growth Policy survey can be found on the City of East Helena website <http://www.easthelenamt.us/> or pick up a hard copy at City Hall. You may also submit your comments in writing to City of East Helena, 306 East Main Street, PO Box 1170, East Helena, Montana, 59635. Responses must be received by the City no later than September 18, 2020 at 5:00 p.m. If you have any questions regarding these documents please contact Jeremy Fadness with WWC Engineering at 443-3962.

The Planning Board will also host an open house on August 27, 2020 at 6:00 p.m. at the East Helena Fireman's Hall, 2 East Pacific Street, East Helena, to gather public comment for the Growth Policy update. Due to COVID-19, all attendees are required to wear a mask and social distancing will be required. Your attendance will assure that your ideas on the future of East Helena are heard and considered as part of the East Helena Growth Policy Update.



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA

The Planning Board **NEEDS YOUR HELP** with the development of the East Helena Growth Policy update.

The City of East Helena is seeing increased growth and development in and around the City. The East Helena Planning Board has started the process of updating the 2014 East Helena Growth Policy.

The Planning Board is preparing an update to the 2014 City of East Helena Growth Policy and we invite you to help shape its future by providing comments on the future growth and needs of the City of East Helena. An online citizen survey has been created to gather public input on how you feel about your community and what direction you would like to see it go. The link to the Growth Policy survey can be found on the City of East Helena website <http://www.easthelenamt.us/> or pick up a hard copy at City Hall. You may also submit your comments in writing to City of East Helena, 306 East Main Street, PO Box 1170, East Helena, Montana, 59635. Responses must be received by the City no later than September 18, 2020 at 5:00 p.m. If you have any questions regarding these documents please contact Jeremy Fadness with WWC Engineering at 443-3962.

The Planning Board will also host an open house on August 27, 2020 at 6:00 p.m. at the East Helena Fireman's Hall, 2 East Pacific Street, East Helena, to gather public comment for the Growth Policy update. Due to COVID-19, all attendees are required to wear a mask and social distancing will be required. Your attendance will assure that your ideas on the future of East Helena are heard and considered as part of the East Helena Growth Policy Update.

THE CITY OF EAST HELENA
306 East Main
P.O. Box 1170
East Helena, MT 59635

PLEASE
PLACE
STAMP
HERE

THE CITY OF EAST HELENA
306 East Main
P.O. Box 1170
East Helena, MT 59635

PLEASE
PLACE
STAMP
HERE

Type address here or use Mail Merge
to automatically address this
publication to multiple recipients.

Type address here or use Mail Merge
to automatically address this
publication to multiple recipients.



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA

THE CITY OF EAST HELENA
306 East Main
P.O. Box 1170
East Helena, MT 59635

PLEASE
PLACE
STAMP
HERE

THE CITY OF EAST HELENA
306 East Main
P.O. Box 1170
East Helena, MT 59635

PLEASE
PLACE
STAMP
HERE

Type address here or use Mail Merge
to automatically address this
publication to multiple recipients.

Type address here or use Mail Merge
to automatically address this
publication to multiple recipients.



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA



IMPORTANT INFORMATION FROM THE CITY OF EAST HELENA

East Helena Growth Planning Survey

Return to the City of East Helena at 306 East Main St., P.O. Box 1170, East Helena, MT 59635

Thank you for taking a few minutes to answer this survey. Your answers will help the City Council and Planning Board better understand how you feel about the future of our community. The City has decided to revise and update its growth policy to be more specific on the City's goals and objectives. Community input is a key component to developing the Growth Policy and your answers will help in forming a Policy that meets the goals of the community. **Please return the survey by September 18, 2020** to the City of East Helena or give it to any Planning Board member or City Council Member and ask them to deliver it to us. There will also be a public meeting/open house to gather public input on **August 27, 2020 at 6:00 p.m.** at the City of East Helena Fireman's Hall located at 2 East Pacific Street, East Helena. Call Jeremy Fadness at (406) 443-3962 if you have any questions, and please, only one response per adult. You may make copies of this survey if you wish.

Features of the City of East Helena

Please tell us how important each feature is to you.

	<u>Extremely</u> <u>Important</u>		<u>Neutral</u>		<u>Not at all</u> <u>Important</u>	<u>No Opinion</u>
Parkland	1	2	3	4	5	X
Senior Housing	1	2	3	4	5	X
Access to Healthcare	1	2	3	4	5	X
Variety of Businesses	1	2	3	4	5	X
Affordable Housing	1	2	3	4	5	X
Quality of Schools	1	2	3	4	5	X
Rural Lifestyle	1	2	3	4	5	X
Sense of Community	1	2	3	4	5	X
Availability of Emergency Services	1	2	3	4	5	X
Availability of Law Enforcement	1	2	3	4	5	X
Job Opportunities	1	2	3	4	5	X
Railroad	1	2	3	4	5	X
Rodeo Grounds	1	2	3	4	5	X
Tourism	1	2	3	4	5	X
Recreation	1	2	3	4	5	X
Hunting	1	2	3	4	5	X
Swimming Pool	1	2	3	4	5	X
Sidewalks	1	2	3	4	5	X
Airport	1	2	3	4	5	X
Other	1	2	3	4	5	X
Civic Organizations	1	2	3	4	5	X
Agriculture	1	2	3	4	5	X

Please Specify _____

Viewpoints

On a scale of 1 to 10, how would you rate the City of East Helena as a place to live?

(1 being a poor quality of life, 10 being a good quality of life) _____

Why? _____

Under what conditions would you be willing to accept more regulation of land use?

Yes No

- If regulations protected water quality
- If regulations helped separate incompatible land uses
- If regulations promoted economic development
- If regulations protected wildlife habitat
- If regulations affected subdivision design
- If regulations affected subdivision location
- I would not be willing to accept such regulation under any conditions

Land Use and Other Issues

Please indicate the extent to which you agree or disagree with each of the following statements as they apply East Helena

	<u>Strongly Agree</u>		<u>Neutral</u>		<u>Strongly Disagree</u>	<u>Don't Know/ No Opinion</u>
Parkland is a good way to preserve open space.	1	2	3	4	5	X
The City's planning effort should guide the development of the ASARCO property by the Montana Environmental Trust Group.	1	2	3	4	5	X
The City's planning effort should determine the amount of manageable development.	1	2	3	4	5	X
Infringement on private property rights is a problem	1	2	3	4	5	X
Infrastructure (roads, schools, water, sewer, etc.) needs to be improved.	1	2	3	4	5	X
The City of East Helena needs to plan for growth and change.	1	2	3	4	5	X
Population growth should be located near existing infrastructure	1	2	3	4	5	X
The City of East Helena should provide tax incentives to residents for tearing down abandoned or dilapidated buildings and redeveloping the lot.	1	2	3	4	5	X
People should be able to subdivide where and when they want.	1	2	3	4	5	X

Municipal Facilities and Services

When thinking about Municipal facilities and services that exist or are needed do you think spending is:

	<u>Don't Know</u>	<u>Too Much</u>	<u>Too Little</u>	<u>About Right</u>
Solid Waste Collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Owned Buildings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Streets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Street Development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Airport	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curb & Gutter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Planning Tools and Actions

Please indicate the extent to which you agree or disagree with each of the following statements as they apply to East Helena.

	<u>Strongly Agree</u>		<u>Neutral</u>		<u>Strongly Disagree</u>	<u>Don't Know/ No Opinion</u>
East Helena needs effective Subdivision Regulations to guide development.	1	2	3	4	5	X
East Helena should strengthen design standards for infrastructure e.g., sidewalks in residential areas.	1	2	3	4	5	X
East Helena should consider amending the adopted zoning regulations to be less restrictive.	1	2	3	4	5	X
East Helena should consider amending the adopted zoning regulations to be more restrictive.	1	2	3	4	5	X
East Helena should focus on Environmental projects (eco-system restoration, open space).	1	2	3	4	5	X
East Helena should focus on Equipment projects (machinery, vehicles, furniture for facilities).	1	2	3	4	5	X
East Helena should focus on Facility-Building projects (fire hall reconstruction, community center, city-facilities, etc.).	1	2	3	4	5	X
East Helena should focus on Facility-Recreation projects (ball fields, sports complexes, etc.).	1	2	3	4	5	X
East Helena should focus on Infrastructure-Water/Wastewater projects (water/sewer upgrades, repair, etc.).	1	2	3	4	5	X
East Helena should focus on Infrastructure-Bicycle and Pedestrian projects (sidewalks, paths, trails, etc.).	1	2	3	4	5	X
East Helena should focus on Technology Projects (radio, fiber, broadband service etc.).	1	2	3	4	5	X

Services in the City of East Helena

Listed below are services provided in the City of East Helena. Please indicate your satisfaction with these services.

	<u>Completely Satisfied</u>			<u>Not at all Satisfied</u>		<u>No</u>	<u>Are you willing to pay more taxes for improved services?</u>	
	<u>Couldn't be improved</u>			<u>In need of improvement</u>		<u>Opinion</u>		
Solid Waste Collection	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Swimming Pool	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Library	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Parks & Recreation	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
City Facilities Rental	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Snowplowing	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
City Street Conditions	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sidewalks/Curbs/Gutters	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Water Quality	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sewer System	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Law Enforcement	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Fire Protection	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Ambulance/Emergency	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Medical Service	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Public Education	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Senior Citizen Facilities	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Weed Control	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Rodeo Grounds	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Mosquito Control	1	2	3	4	5	X	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Making the Future Better

List two things you would like to see change in the City of East Helena.

- 1. _____
- 2. _____

List two things that you would like to see the City of East Helena improve/add/eliminate that would make the community a better place to live in.

- 1. _____
- 2. _____

What would you like to see for the future of the East Helena?

What is most important to the long-term health and vitality of the City of East Helena?

What changes would you like to see be incorporated into the existing East Helena Land Use Regulations?

What is your vision for the future development of the City of East Helena?

Other Comments?

For the Growth Policy process, what public outreach or communication methods would you prefer to stay informed?

- E-mail notification of program activities
- Website
- Newsletters or mailings
- Posters or notices at public facilities
- Other ideas? _____

General Information about You (Optional)

How long have you lived in the City of East Helena? _____ years

How old are you? _____ years

Do you live in the City of East Helena

_____ years

_____ years

___Yes ___No ___Don't Know

Please describe your occupation. Check the one that best applies.

- | | |
|---|---|
| <input type="checkbox"/> farmer/rancher | <input type="checkbox"/> government employee |
| <input type="checkbox"/> public school employee | <input type="checkbox"/> employee of commercial or retail establishment |
| <input type="checkbox"/> construction | <input type="checkbox"/> retired |
| <input type="checkbox"/> self-employed businessperson or business owner
(other than farming or ranching) | <input type="checkbox"/> not employed outside the home |
| <input type="checkbox"/> other _____ | <input type="checkbox"/> health care |

Community Survey Results

This page left blank intentionally.



City of East Helena

2020 Survey Results

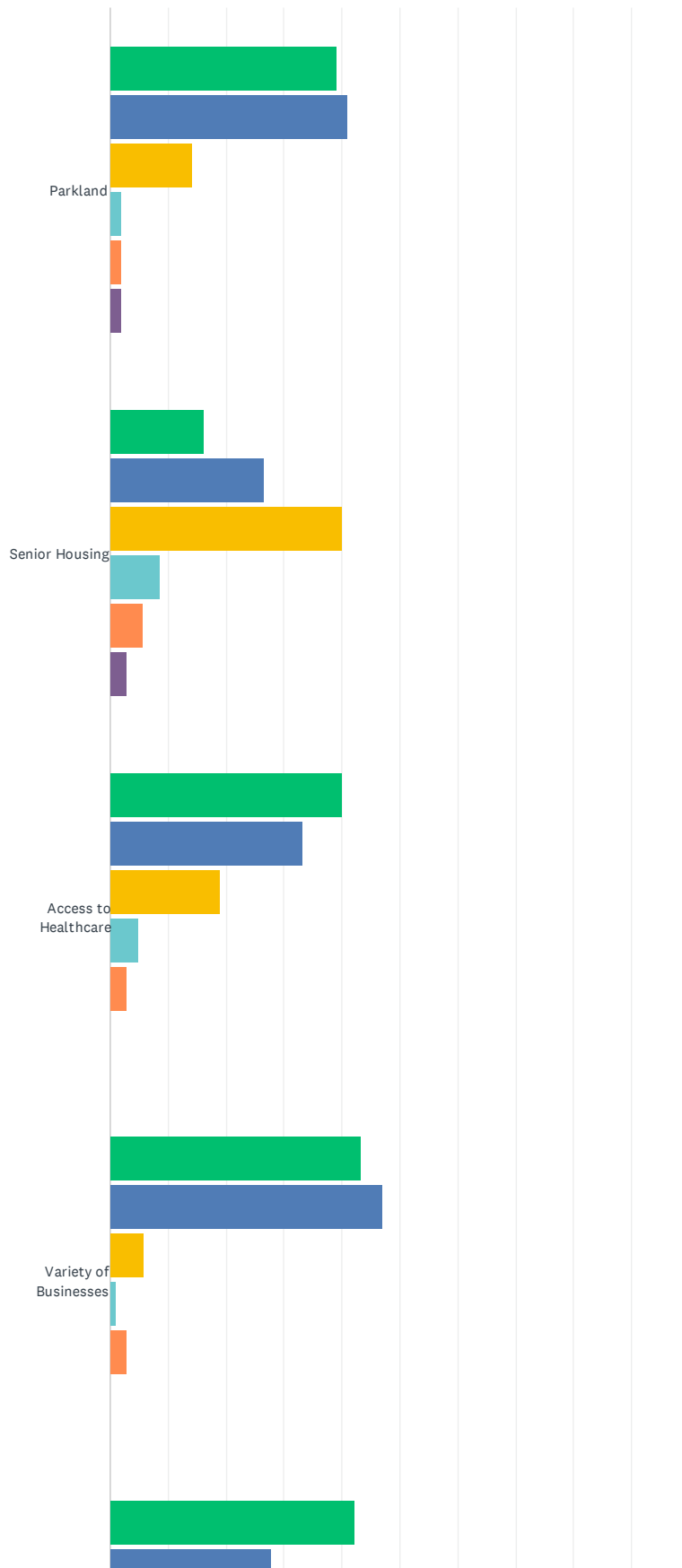
Results are a combination of the following:

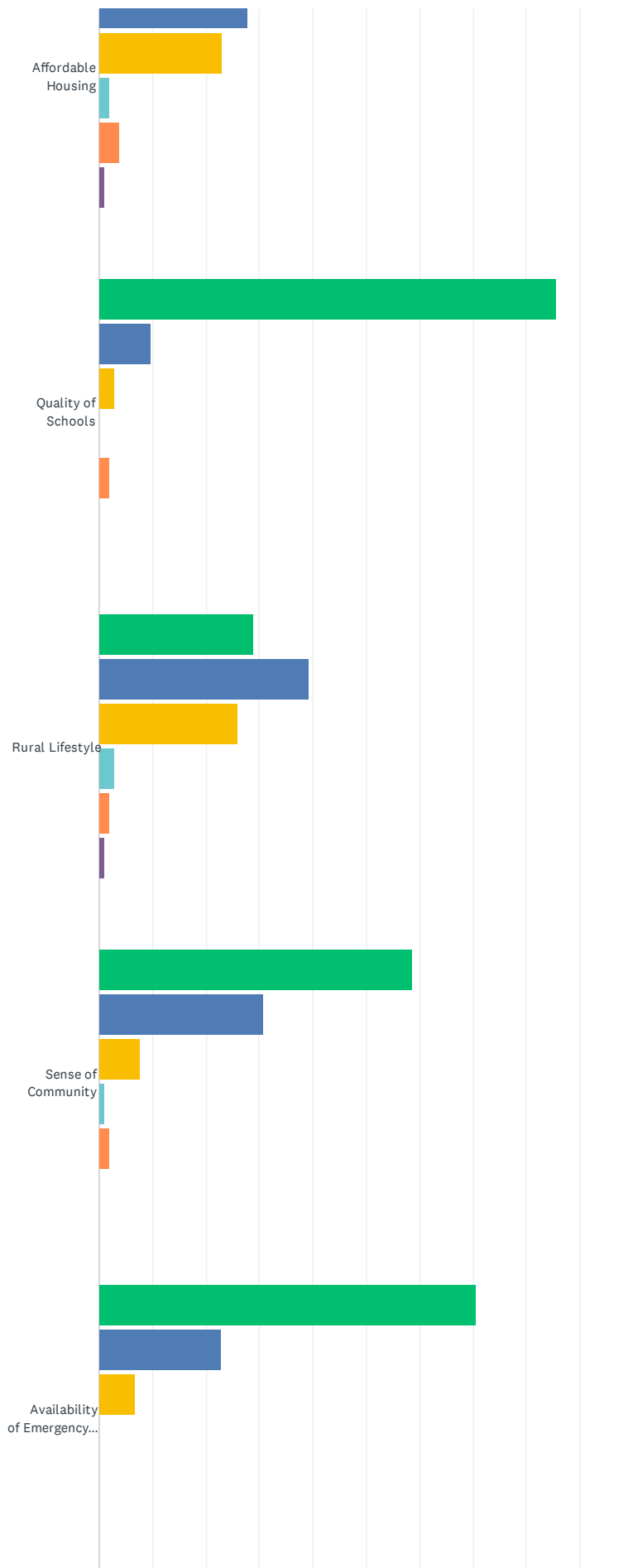
SurveyMonkey.Com

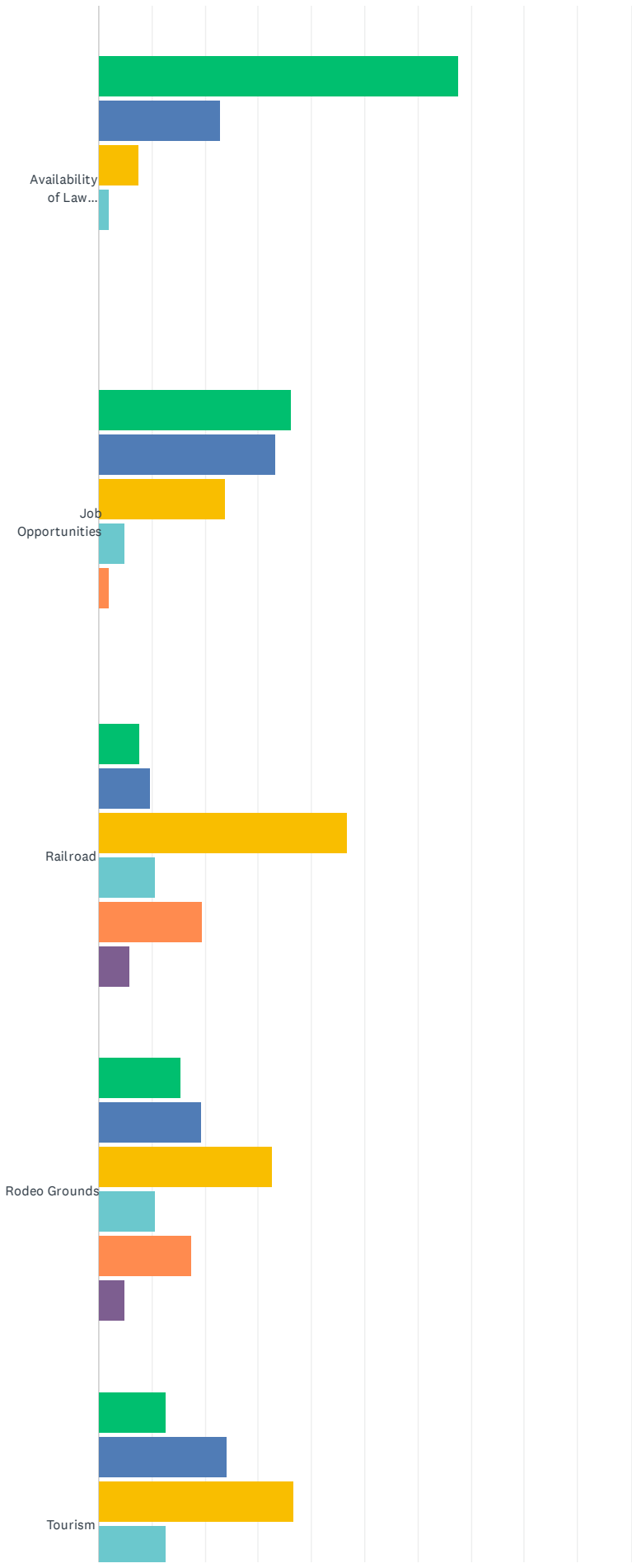
This page is intentionally left blank

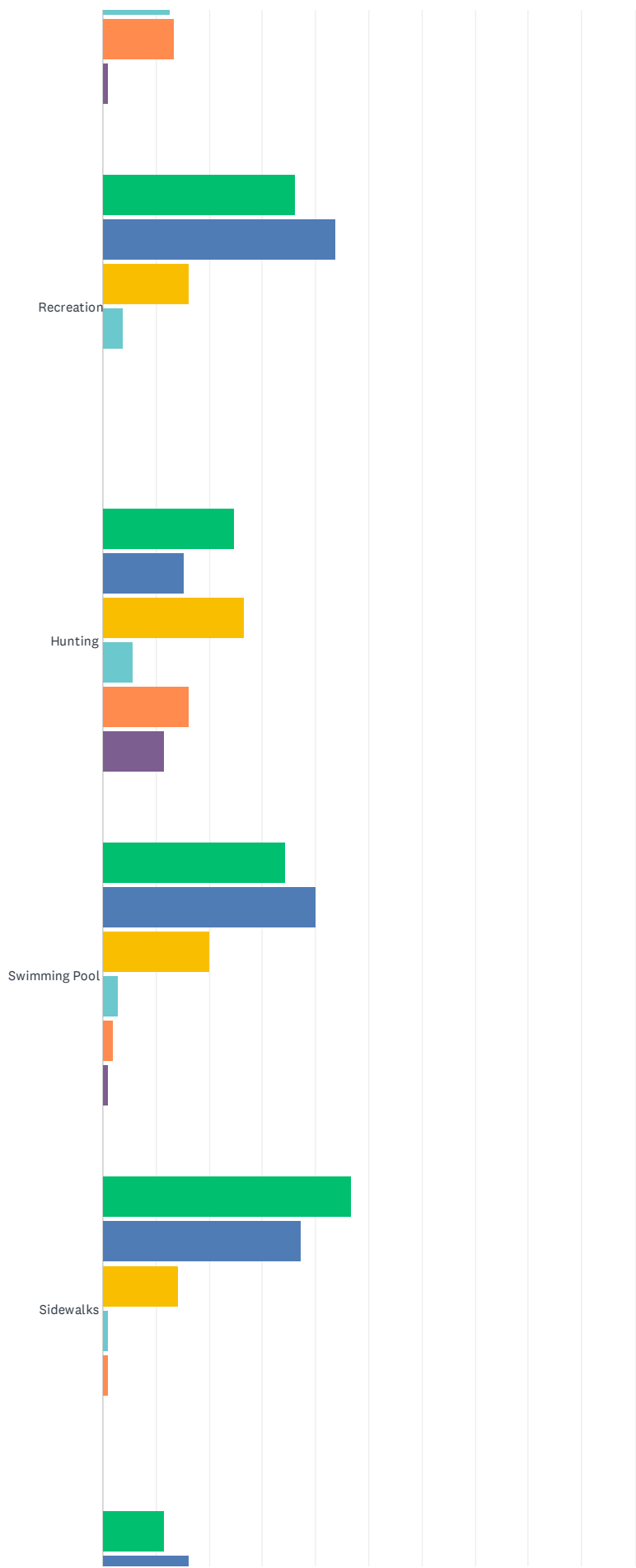
Q1 Please tell us how important each feature is to you?

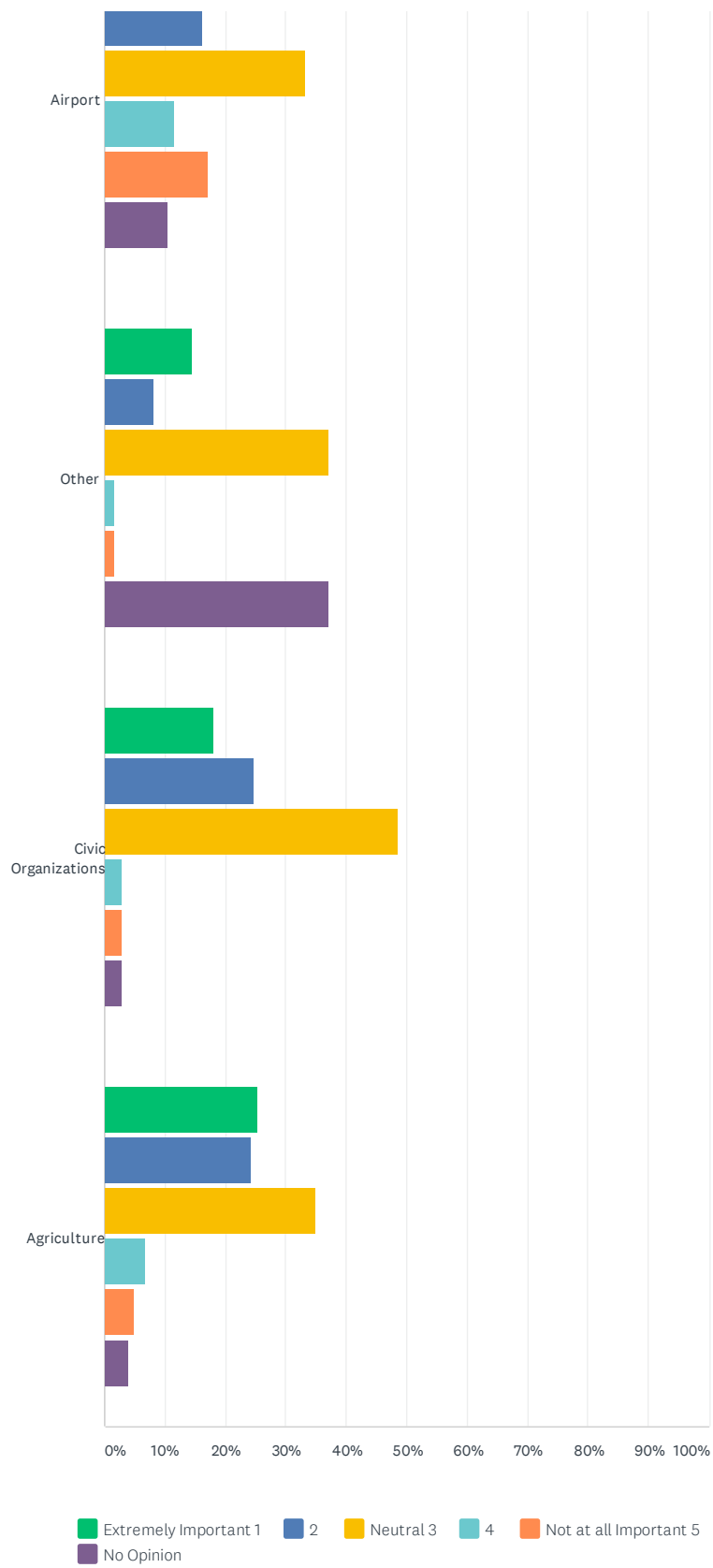
Answered: 106 Skipped: 0











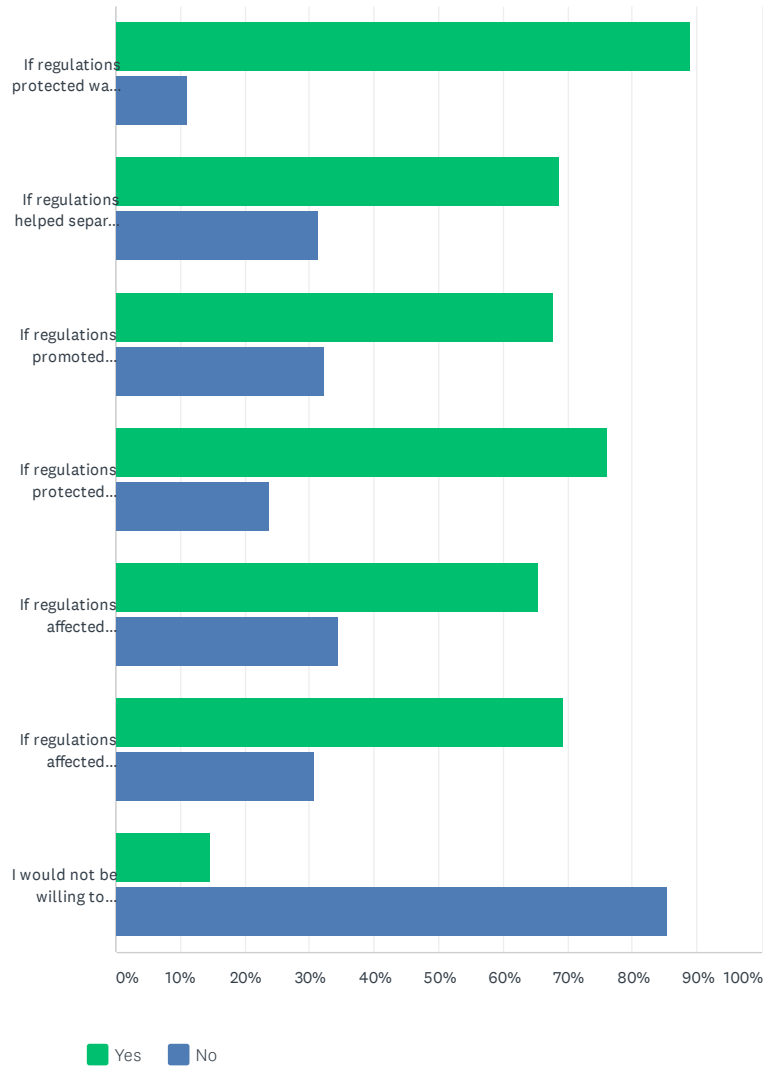
	EXTREMELY IMPORTANT 1	2	NEUTRAL 3	4	NOT AT ALL IMPORTANT 5	NO OPINION	TOTAL
Parkland	39.05% 41	40.95% 43	14.29% 15	1.90% 2	1.90% 2	1.90% 2	105
Senior Housing	16.19% 17	26.67% 28	40.00% 42	8.57% 9	5.71% 6	2.86% 3	105
Access to Healthcare	40.00% 42	33.33% 35	19.05% 20	4.76% 5	2.86% 3	0.00% 0	105
Variety of Businesses	43.27% 45	47.12% 49	5.77% 6	0.96% 1	2.88% 3	0.00% 0	104
Affordable Housing	42.31% 44	27.88% 29	23.08% 24	1.92% 2	3.85% 4	0.96% 1	104
Quality of Schools	85.58% 89	9.62% 10	2.88% 3	0.00% 0	1.92% 2	0.00% 0	104
Rural Lifestyle	28.85% 30	39.42% 41	25.96% 27	2.88% 3	1.92% 2	0.96% 1	104
Sense of Community	58.65% 61	30.77% 32	7.69% 8	0.96% 1	1.92% 2	0.00% 0	104
Availability of Emergency Services	70.48% 74	22.86% 24	6.67% 7	0.00% 0	0.00% 0	0.00% 0	105
Availability of Law Enforcement	67.62% 71	22.86% 24	7.62% 8	1.90% 2	0.00% 0	0.00% 0	105
Job Opportunities	36.19% 38	33.33% 35	23.81% 25	4.76% 5	1.90% 2	0.00% 0	105
Railroad	7.77% 8	9.71% 10	46.60% 48	10.68% 11	19.42% 20	5.83% 6	103
Rodeo Grounds	15.38% 16	19.23% 20	32.69% 34	10.58% 11	17.31% 18	4.81% 5	104
Tourism	12.50% 13	24.04% 25	36.54% 38	12.50% 13	13.46% 14	0.96% 1	104
Recreation	36.19% 38	43.81% 46	16.19% 17	3.81% 4	0.00% 0	0.00% 0	105
Hunting	24.76% 26	15.24% 16	26.67% 28	5.71% 6	16.19% 17	11.43% 12	105
Swimming Pool	34.29% 36	40.00% 42	20.00% 21	2.86% 3	1.90% 2	0.95% 1	105
Sidewalks	46.67% 49	37.14% 39	14.29% 15	0.95% 1	0.95% 1	0.00% 0	105
Airport	11.43% 12	16.19% 17	33.33% 35	11.43% 12	17.14% 18	10.48% 11	105
Other	14.52% 9	8.06% 5	37.10% 23	1.61% 1	1.61% 1	37.10% 23	62
Civic Organizations	18.10% 19	24.76% 26	48.57% 51	2.86% 3	2.86% 3	2.86% 3	105
Agriculture	25.24% 26	24.27% 25	34.95% 36	6.80% 7	4.85% 5	3.88% 4	103

Q2 On a scale of 1 to 10, how would you rate the City of East Helena as a place to live? (1 being a poor quality of life, 10 being a good quality of life)
Why?

Answered: 91 Skipped: 15

Q3 Under what conditions would you be willing to accept regulation of land use?

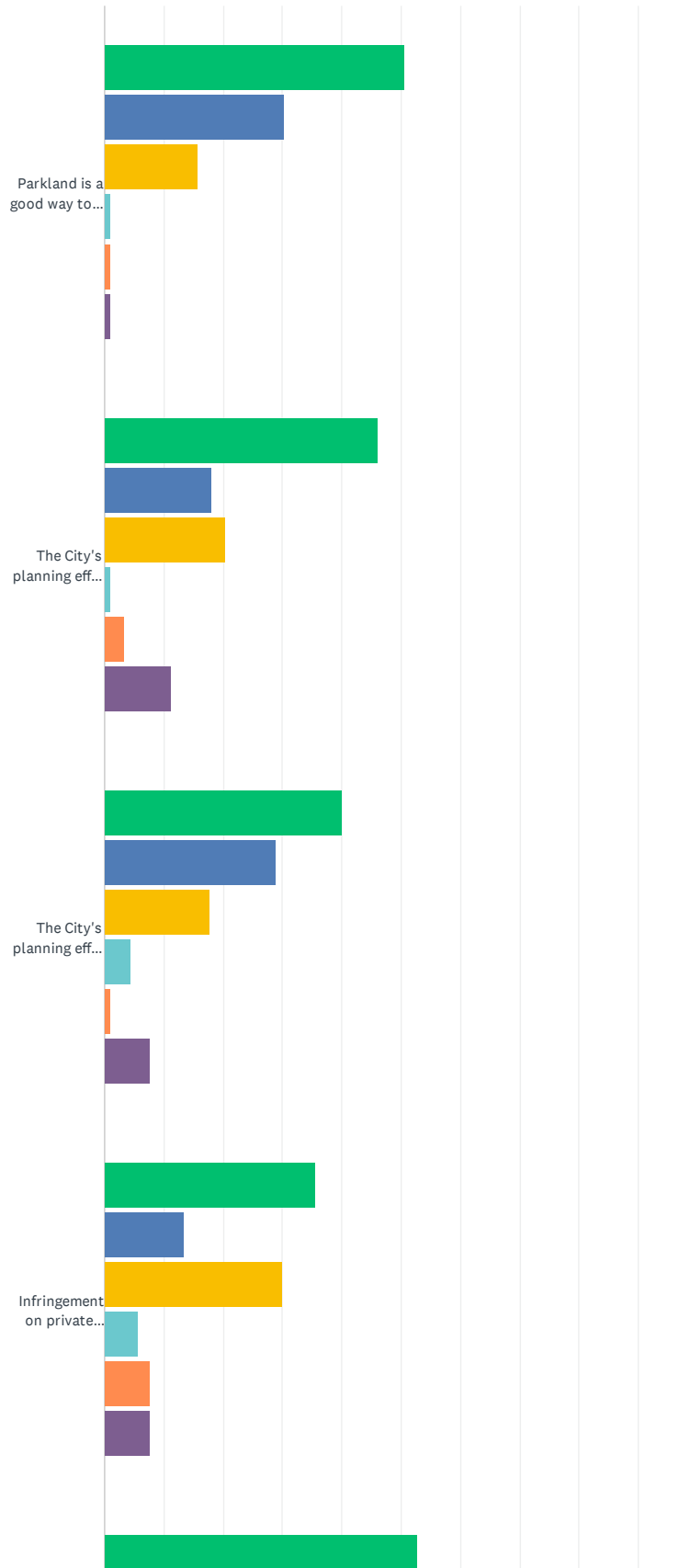
Answered: 94 Skipped: 12



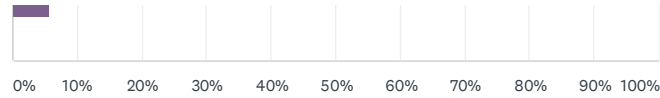
	YES	NO	TOTAL	WEIGHTED AVERAGE
If regulations protected water quality	89.01% 81	10.99% 10	91	1.11
If regulations helped separate incompatible land use	68.54% 61	31.46% 28	89	1.31
If regulations promoted economic development	67.82% 59	32.18% 28	87	1.32
If regulations protected wildlife habitat	76.09% 70	23.91% 22	92	1.24
If regulations affected subdivision design	65.52% 57	34.48% 30	87	1.34
If regulations affected subdivision location	69.32% 61	30.68% 27	88	1.31
I would not be willing to accept such regulation under any condition	14.67% 11	85.33% 64	75	1.85

Q4 Please indicate the extent to which you agree with each of the following statements as they apply to East Helena.

Answered: 91 Skipped: 15





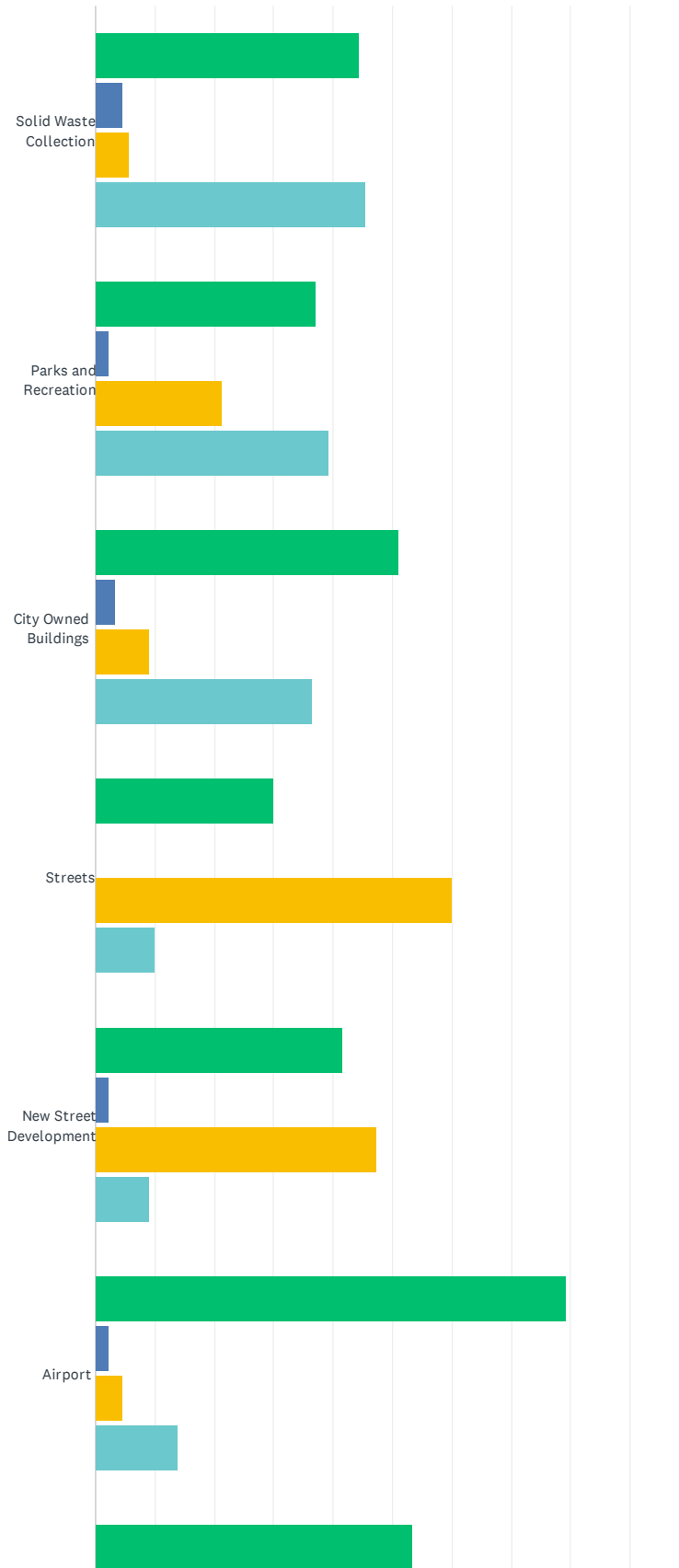


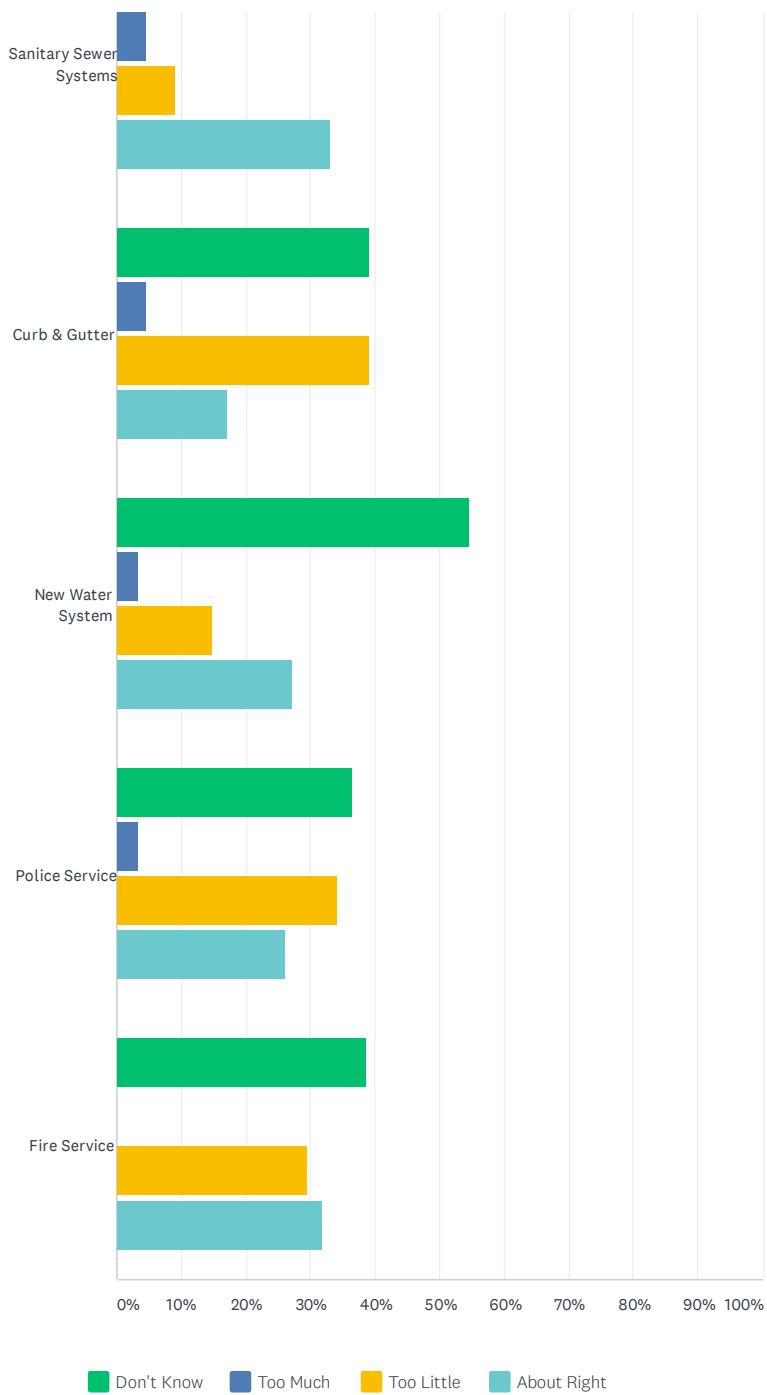
■ Strongly Agree 1
 ■ 2
 ■ Neutral 3
 ■ 4
 ■ Strongly Disagree 5
■ Don't Know/No Opinion

	STRONGLY AGREE 1	2	NEUTRAL 3	4	STRONGLY DISAGREE 5	DON'T KNOW/NO OPINION	TOTAL
Parkland is a good way to preserve open space.	50.56% 45	30.34% 27	15.73% 14	1.12% 1	1.12% 1	1.12% 1	89
The City's planning effort should guide the development of the ASARCO property by the Montana Environmental Trust Group.	46.07% 41	17.98% 16	20.22% 18	1.12% 1	3.37% 3	11.24% 10	89
The City's planning effort should determine the amount of manageable development.	40.00% 36	28.89% 26	17.78% 16	4.44% 4	1.11% 1	7.78% 7	90
Infringement on private property rights is a problem.	35.56% 32	13.33% 12	30.00% 27	5.56% 5	7.78% 7	7.78% 7	90
Infrastructure (roads, schools, water, sewer, etc.) needs to be improved.	52.75% 48	29.67% 27	13.19% 12	2.20% 2	0.00% 0	2.20% 2	91
The City of East Helena needs to plan for growth and change.	68.89% 62	26.67% 24	4.44% 4	0.00% 0	0.00% 0	0.00% 0	90
Population growth should be located near existing infrastructure.	26.97% 24	22.47% 20	37.08% 33	10.11% 9	1.12% 1	2.25% 2	89
The City of East Helena should provide tax incentives to residents for tearing down abandoned or dilapidated buildings and redeveloping the lot.	40.45% 36	32.58% 29	17.98% 16	4.49% 4	1.12% 1	3.37% 3	89
People should be able to subdivide where and when they want.	7.87% 7	6.74% 6	30.34% 27	13.48% 12	35.96% 32	5.62% 5	89

Q5 When thinking about Municipal facilities and services that exist or are needed do you think spending is:

Answered: 90 Skipped: 16

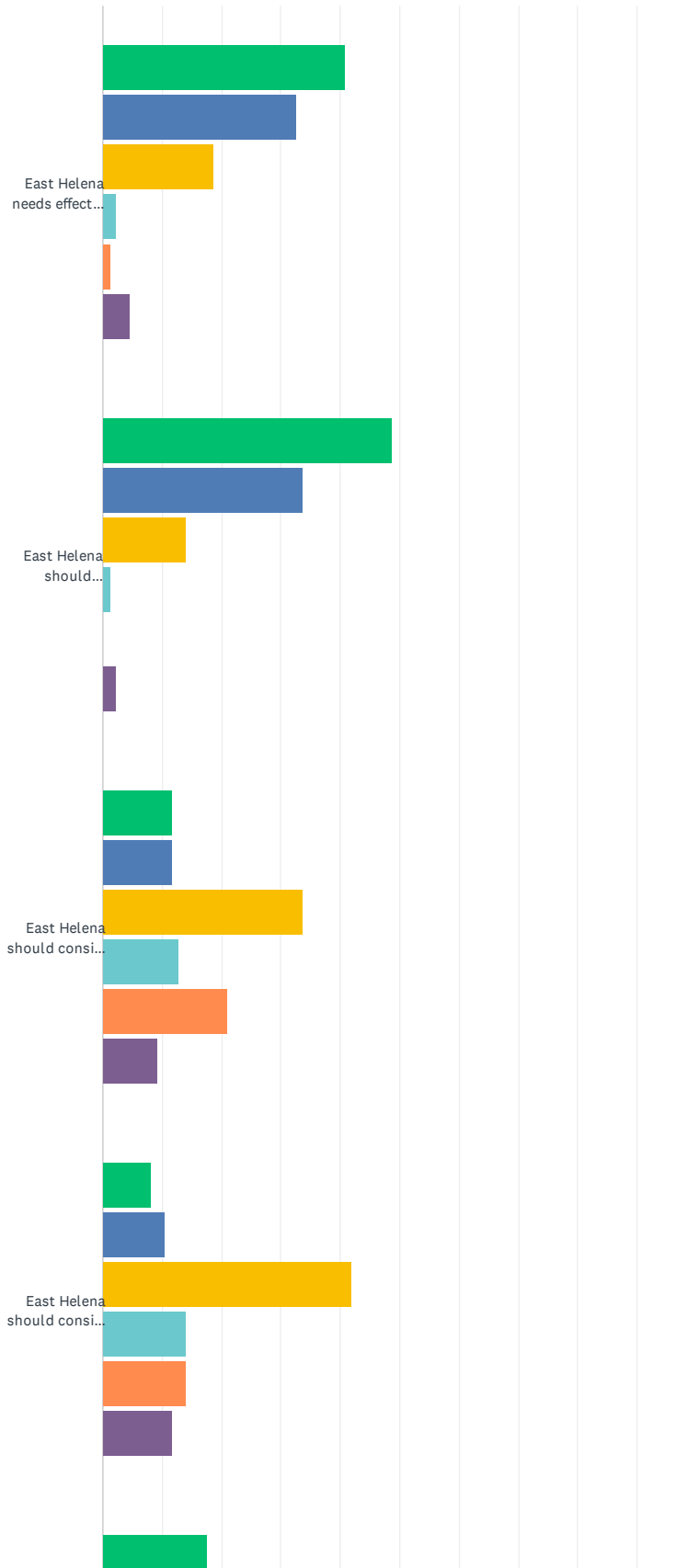


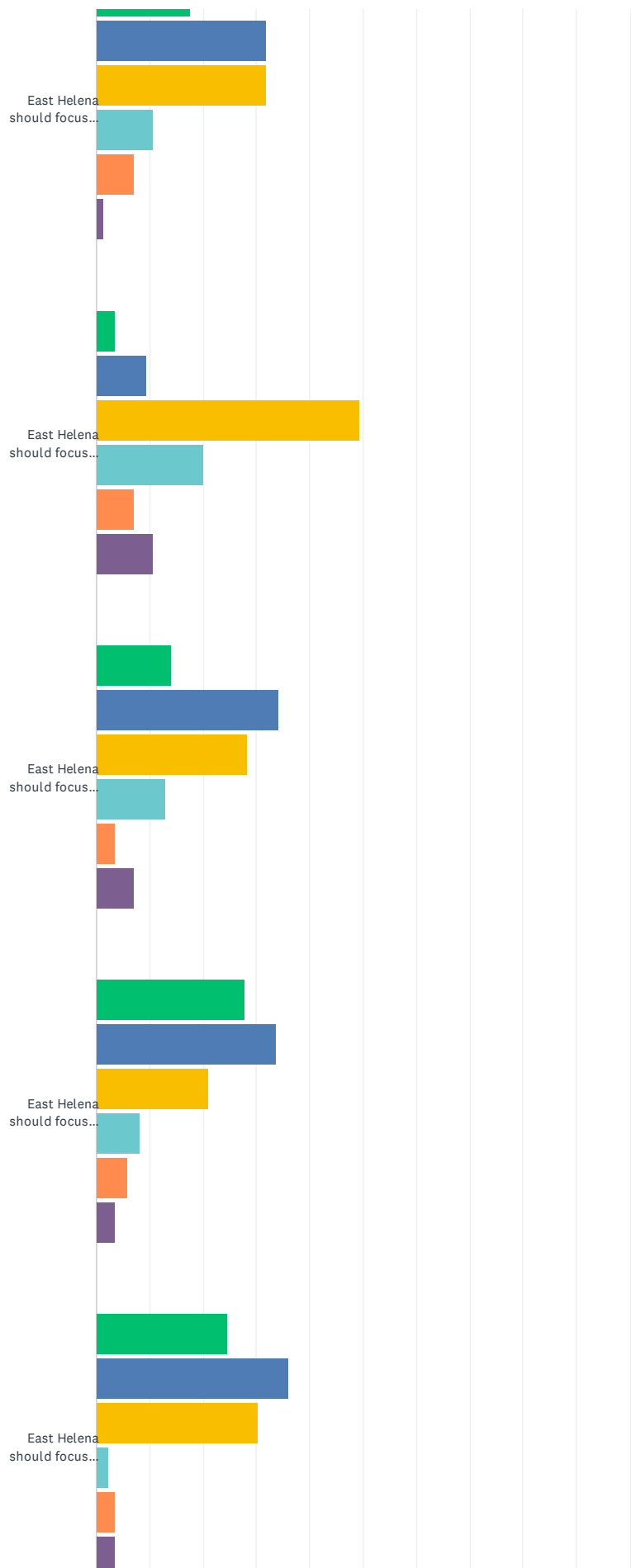


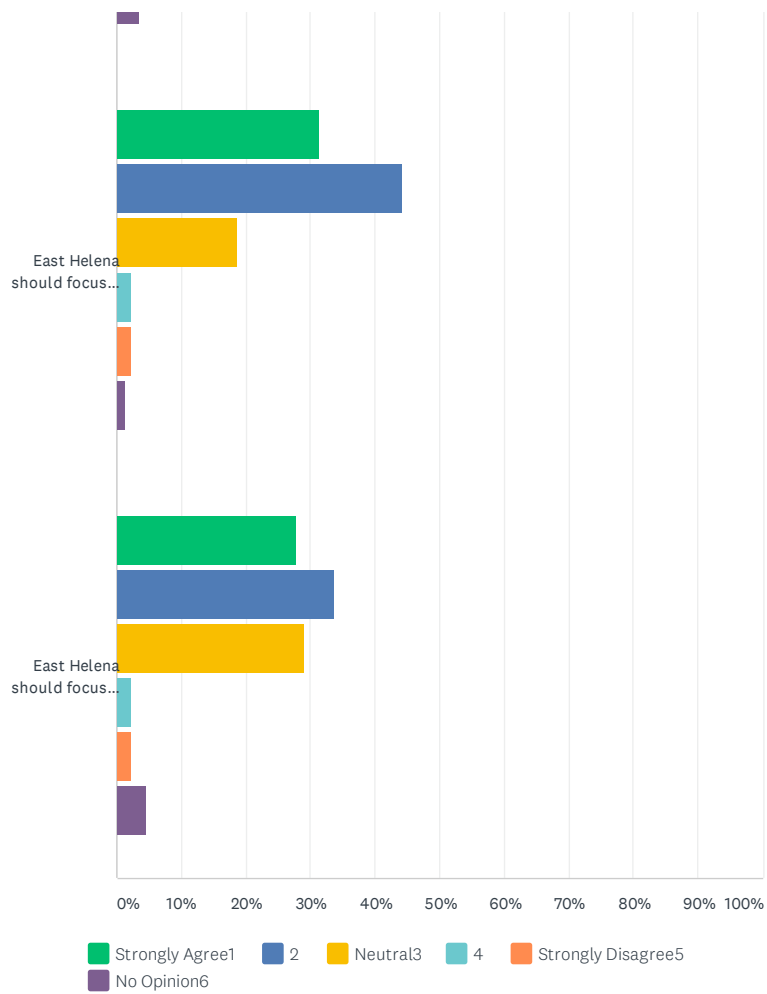
	DON'T KNOW	TOO MUCH	TOO LITTLE	ABOUT RIGHT	TOTAL	WEIGHTED AVERAGE
Solid Waste Collection	44.32% 39	4.55% 4	5.68% 5	45.45% 40	88	2.52
Parks and Recreation	37.08% 33	2.25% 2	21.35% 19	39.33% 35	89	2.63
City Owned Buildings	51.14% 45	3.41% 3	9.09% 8	36.36% 32	88	2.31
Streets	30.00% 27	0.00% 0	60.00% 54	10.00% 9	90	2.50
New Street Development	41.57% 37	2.25% 2	47.19% 42	8.99% 8	89	2.24
Airport	79.31% 69	2.30% 2	4.60% 4	13.79% 12	87	1.53
Sanitary Sewer Systems	53.41% 47	4.55% 4	9.09% 8	32.95% 29	88	2.22
Curb & Gutter	39.08% 34	4.60% 4	39.08% 34	17.24% 15	87	2.34
New Water System	54.55% 48	3.41% 3	14.77% 13	27.27% 24	88	2.15
Police Service	36.36% 32	3.41% 3	34.09% 30	26.14% 23	88	2.50
Fire Service	38.64% 34	0.00% 0	29.55% 26	31.82% 28	88	2.55

Q6 Please indicate the extent to which you agree or disagree with each of the following statements as they apply to East Helena.

Answered: 86 Skipped: 20



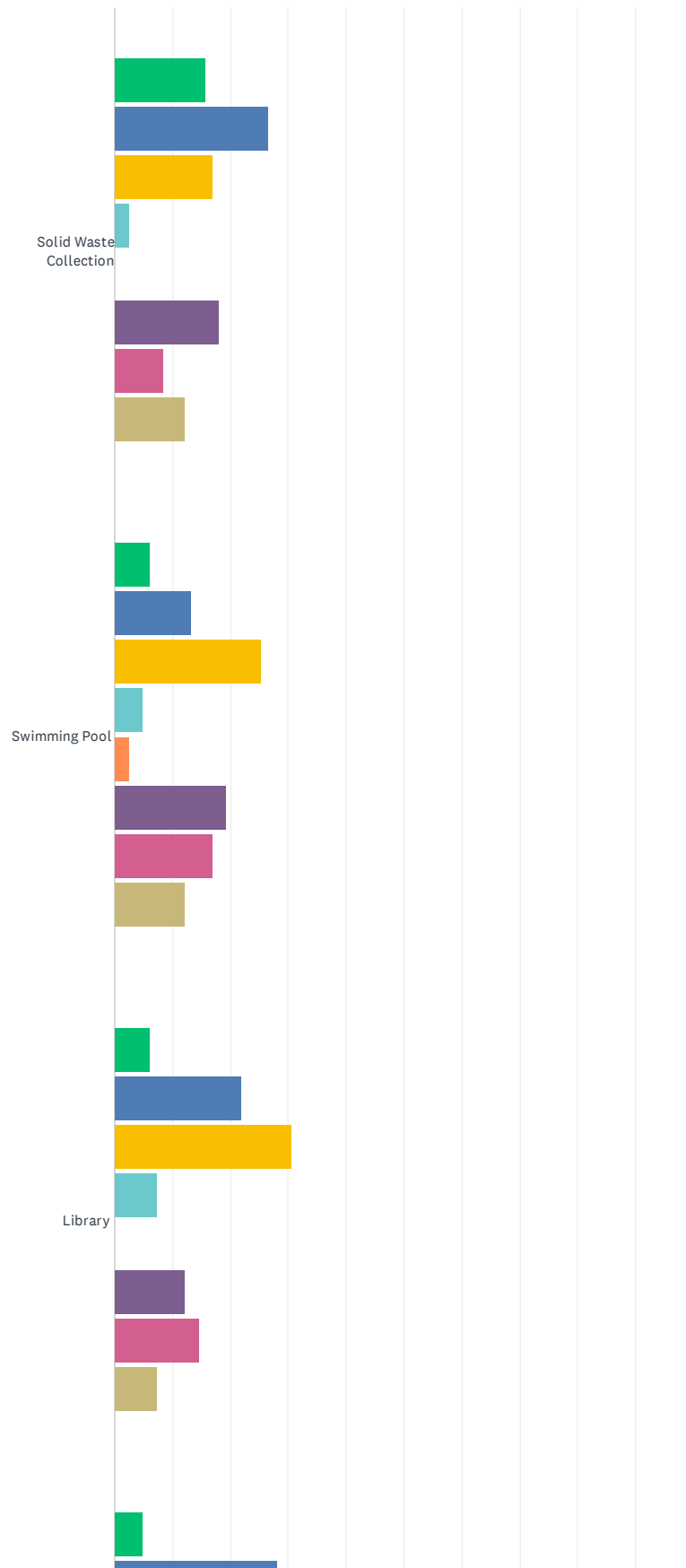


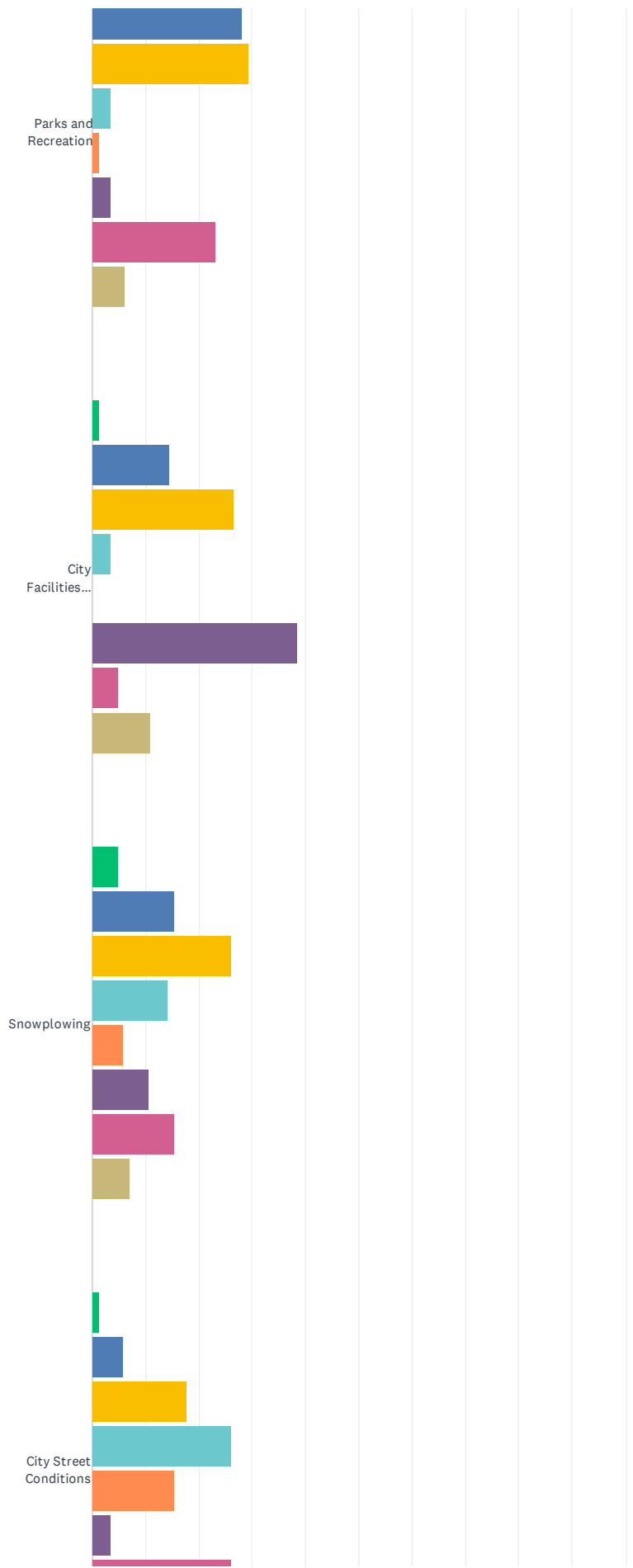


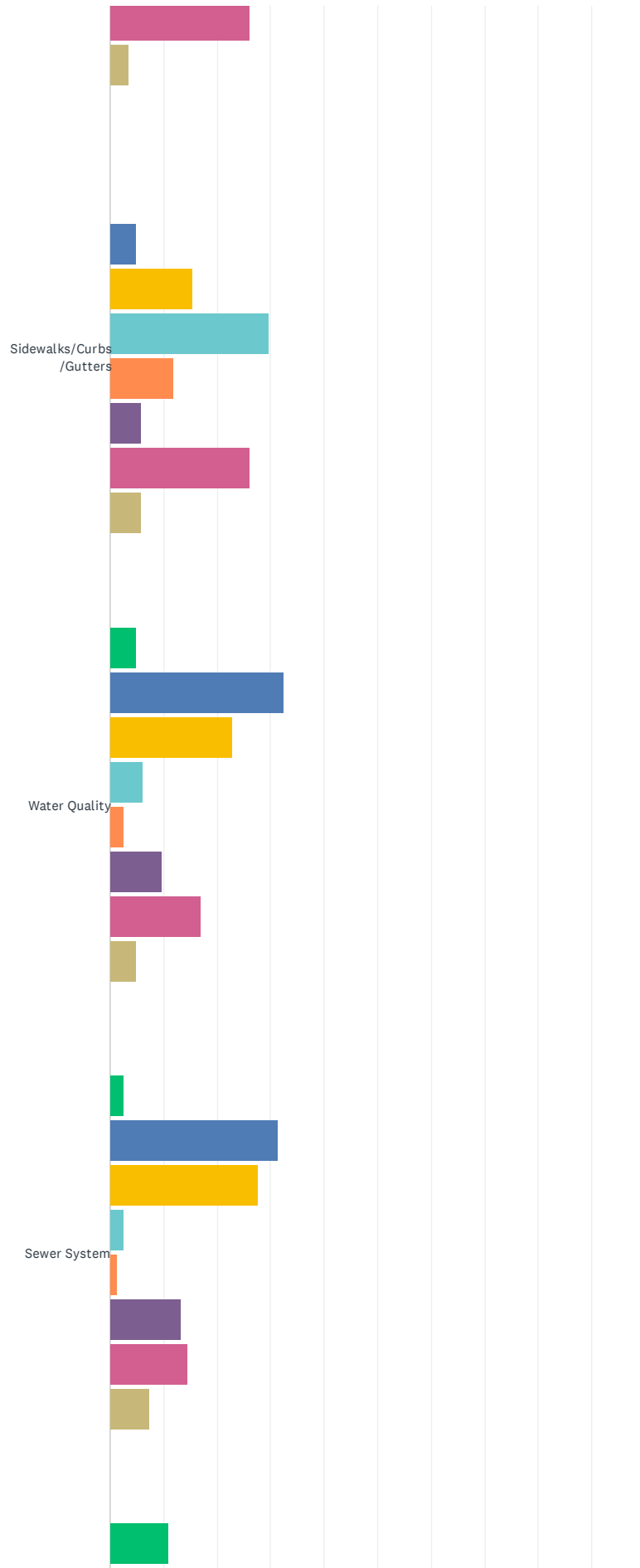
	STRONGLY AGREE1	2	NEUTRAL3	4	STRONGLY DISAGREE5	NO OPINION6	TOTAL
East Helena needs effective Subdivision Regulations to guide development.	40.70% 35	32.56% 28	18.60% 16	2.33% 2	1.16% 1	4.65% 4	86
East Helena should strengthen design standards for infrastructure, e.g., sidewalks in residential areas.	48.84% 42	33.72% 29	13.95% 12	1.16% 1	0.00% 0	2.33% 2	86
East Helena should consider amending the adopted zoning regulations to be less restrictive.	11.63% 10	11.63% 10	33.72% 29	12.79% 11	20.93% 18	9.30% 8	86
East Helena should consider amending the adopted zoning regulations to be more restrictive.	8.14% 7	10.47% 9	41.86% 36	13.95% 12	13.95% 12	11.63% 10	86
East Helena should focus on Environmental projects (Eco-system restoration, open space).	17.65% 15	31.76% 27	31.76% 27	10.59% 9	7.06% 6	1.18% 1	85
East Helena should focus on Equipment projects (machinery, vehicles, furniture for facilities).	3.53% 3	9.41% 8	49.41% 42	20.00% 17	7.06% 6	10.59% 9	85
East Helena should focus on Facility-Building projects (fire hall reconstruction, community center, city-facilities, etc.).	14.12% 12	34.12% 29	28.24% 24	12.94% 11	3.53% 3	7.06% 6	85
East Helena should focus on Facility-Recreation projects (ball fields, sports complex, etc.).	27.91% 24	33.72% 29	20.93% 18	8.14% 7	5.81% 5	3.49% 3	86
East Helena should focus on Infrastructure-Water/Wastewater projects (water/sewer upgrades, repair, etc.).	24.42% 21	36.05% 31	30.23% 26	2.33% 2	3.49% 3	3.49% 3	86
East Helena should focus on Infrastructure-Bicycle and Pedestrian projects (sidewalks, paths, trails, etc.).	31.40% 27	44.19% 38	18.60% 16	2.33% 2	2.33% 2	1.16% 1	86
East Helena should focus on Technology projects (radio, fiber, broadband services, etc.).	27.91% 24	33.72% 29	29.07% 25	2.33% 2	2.33% 2	4.65% 4	86

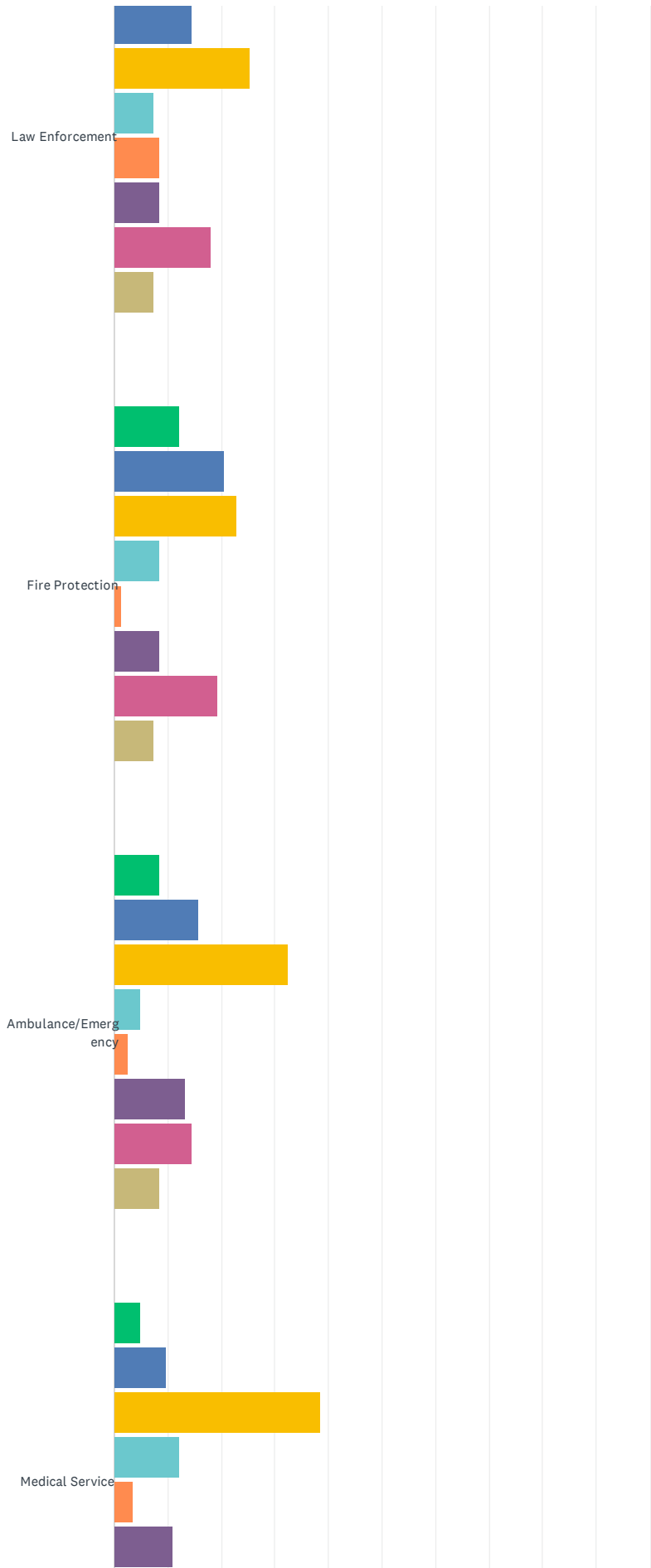
Q7 Please indicate your satisfaction with these services.

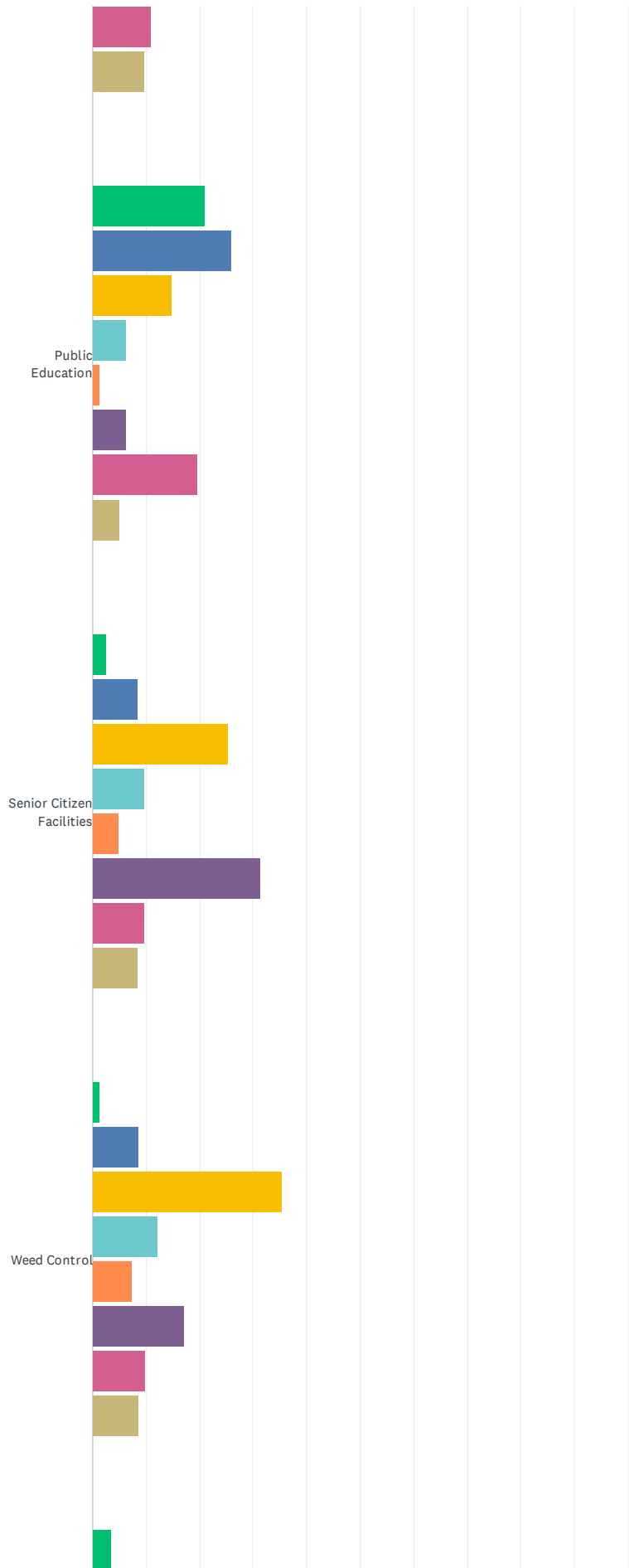
Answered: 84 Skipped: 22

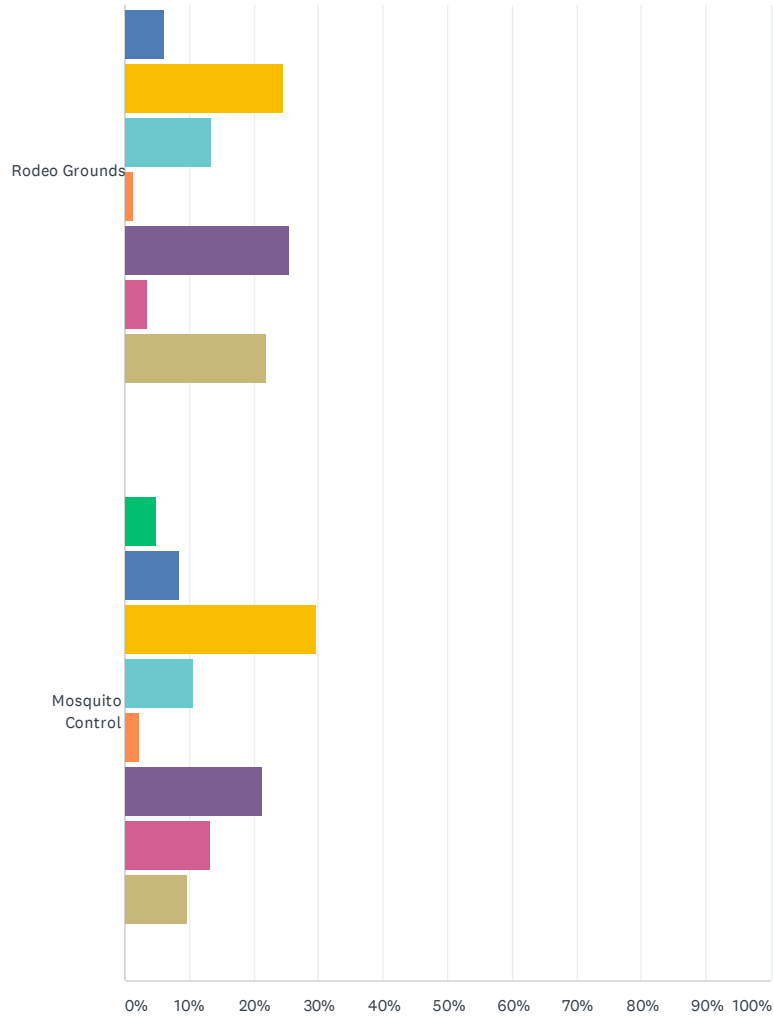












- Completely Satisfied/Could not be Improved1
- Completely Satisfied/Could not be Improved2
- Not at all Satisfied/In need of Improvement4
- Not at all Satisfied/In need of Improvement5
- No Opinion
- Are you willing to pay more taxes for improved Services?Yes
- Are you willing to pay more taxes for improved Services?No

	COMPLETELY SATISFIED COULD NOT BE IMPROVED1	COMPLETELY SATISFIED COULD NOT BE IMPROVED2	3	NOT AT ALL SATISFIED IN NEED OF IMPROVEMENT4	NOT AT ALL SATISFIED IN NEED OF IMPROVEMENT5	NO OPINION	ARE YOU WILLING TO PAY MORE TAXES FOR IMPROVED SERVICESYES	A V T M T I S N
Solid Waste Collection	15.66% 13	26.51% 22	16.87% 14	2.41% 2	0.00% 0	18.07% 15	8.43% 7	
Swimming Pool	6.02% 5	13.25% 11	25.30% 21	4.82% 4	2.41% 2	19.28% 16	16.87% 14	
Library	6.10% 5	21.95% 18	30.49% 25	7.32% 6	0.00% 0	12.20% 10	14.63% 12	
Parks and Recreation	4.88% 4	28.05% 23	29.27% 24	3.66% 3	1.22% 1	3.66% 3	23.17% 19	
City Facilities Rental	1.20% 1	14.46% 12	26.51% 22	3.61% 3	0.00% 0	38.55% 32	4.82% 4	
Snowplowing	4.76% 4	15.48% 13	26.19% 22	14.29% 12	5.95% 5	10.71% 9	15.48% 13	
City Street Conditions	1.19% 1	5.95% 5	17.86% 15	26.19% 22	15.48% 13	3.57% 3	26.19% 22	
Sidewalks/Curbs/Gutters	0.00% 0	4.76% 4	15.48% 13	29.76% 25	11.90% 10	5.95% 5	26.19% 22	
Water Quality	4.82% 4	32.53% 27	22.89% 19	6.02% 5	2.41% 2	9.64% 8	16.87% 14	
Sewer System	2.41% 2	31.33% 26	27.71% 23	2.41% 2	1.20% 1	13.25% 11	14.46% 12	
Law Enforcement	10.84% 9	14.46% 12	25.30% 21	7.23% 6	8.43% 7	8.43% 7	18.07% 15	
Fire Protection	12.05% 10	20.48% 17	22.89% 19	8.43% 7	1.20% 1	8.43% 7	19.28% 16	
Ambulance/Emergency	8.43% 7	15.66% 13	32.53% 27	4.82% 4	2.41% 2	13.25% 11	14.46% 12	
Medical Service	4.82% 4	9.64% 8	38.55% 32	12.05% 10	3.61% 3	10.84% 9	10.84% 9	
Public Education	20.99% 17	25.93% 21	14.81% 12	6.17% 5	1.23% 1	6.17% 5	19.75% 16	
Senior Citizen Facilities	2.41% 2	8.43% 7	25.30% 21	9.64% 8	4.82% 4	31.33% 26	9.64% 8	
Weed Control	1.22% 1	8.54% 7	35.37% 29	12.20% 10	7.32% 6	17.07% 14	9.76% 8	
Rodeo Grounds	3.66% 3	6.10% 5	24.39% 20	13.41% 11	1.22% 1	25.61% 21	3.66% 3	
Mosquito Control	4.76% 4	8.33% 7	29.76% 25	10.71% 9	2.38% 2	21.43% 18	13.10% 11	

Q8 List two things you would like to see change in the City of East Helena.

Answered: 51 Skipped: 55

Q9 List two things that you would like to see the City of East Helena improve/add/eliminate that would make the community a better place to live.

Answered: 45 Skipped: 61

Q10 What would you like to see for the future of East Helena?

Answered: 43 Skipped: 63

Q11 What is most important to the long-term health and vitality of the City of East Helena?

Answered: 39 Skipped: 67

Q12 What changes would you like to see be incorporated into the existing East Helena Land Use Regulations?

Answered: 30 Skipped: 76

Q13 What is your vision for the future development of the City of East Helena?

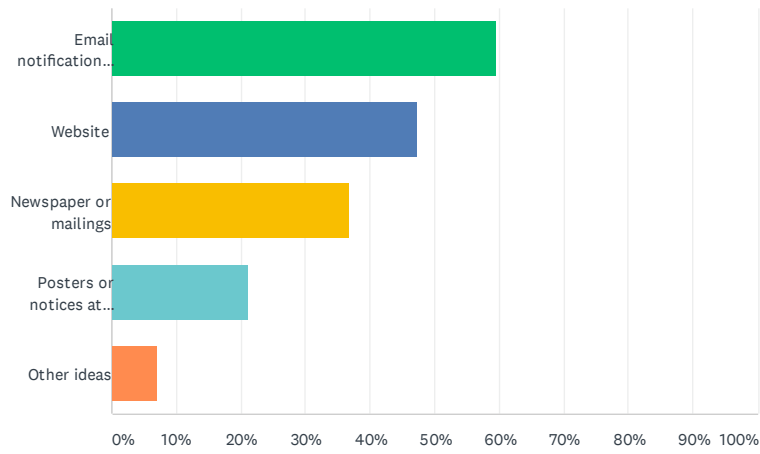
Answered: 29 Skipped: 77

Q14 Other comments?

Answered: 16 Skipped: 90

Q15 For the Growth Policy process, what public outreach or communication methods would you prefer to stay informed?

Answered: 57 Skipped: 49



ANSWER CHOICES	RESPONSES	
Email notification of program activities	59.65%	34
Website	47.37%	27
Newspaper or mailings	36.84%	21
Posters or notices at public facilities	21.05%	12
Other ideas	7.02%	4
Total Respondents: 57		

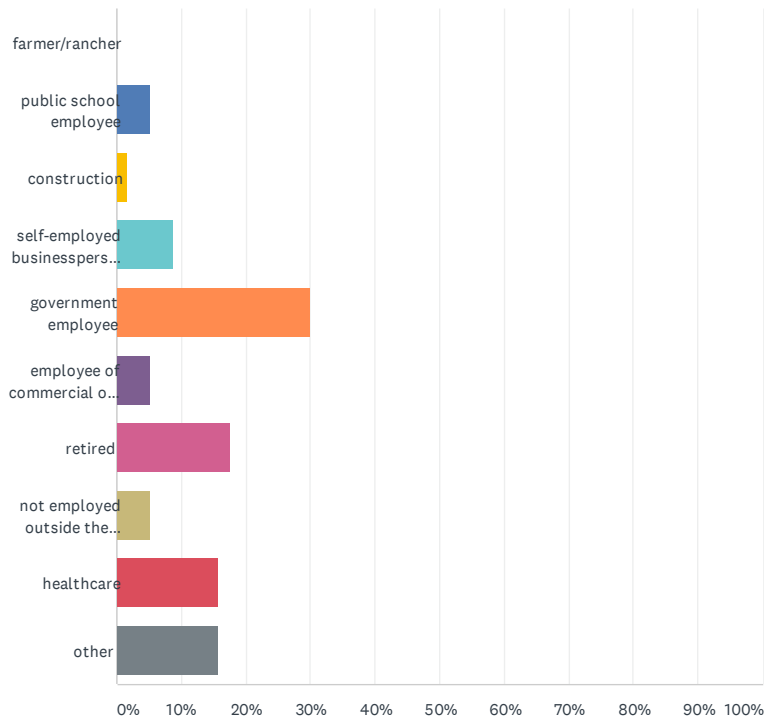
Q16 General Information about You (Optional)

Answered: 48 Skipped: 58

ANSWER CHOICES	RESPONSES	
How long have you lived in the City of East Helena?	93.75%	45
How old are you?	93.75%	45
Do you live in the City of East Helena	95.83%	46

Q17 Please describe your occupation. Check the one that best applies

Answered: 57 Skipped: 49



ANSWER CHOICES	RESPONSES	
farmer/rancher	0.00%	0
public school employee	5.26%	3
construction	1.75%	1
self-employed businessperson or business owner (other than farming or ranching)	8.77%	5
government employee	29.82%	17
employee of commercial or retail establishment	5.26%	3
retired	17.54%	10
not employed outside the home	5.26%	3
healthcare	15.79%	9
other	15.79%	9
Total Respondents: 57		

This page left blank intentionally.

Effective & Consistent Enforcement of City Ordinances
10/16/2020 8:49 AM

Safety for vulnerable communities like LGBTQIA and minorities
10/1/2020 9:10 AM

Trails for exercise are critical.
9/21/2020 8:19 AM

Safe quality neighborhood with conservative values and maintaining our Constitutional freedoms
9/18/2020 12:26 PM

Maintained Roads
9/17/2020 2:57 PM

Supportive of Entrepreneurship through financing, guidance on community resources, and cooperative alliances
9/7/2020 11:13 AM

Repair of city streets
9/3/2020 10:33 AM

Another fire station. Convert to PAID department!
9/2/2020 6:52 PM

More open spaces and less traffic
9/1/2020 7:11 AM

Bike paths
8/26/2020 6:46 PM

Air quality
8/26/2020 11:30 AM

Question 2 –On a scale of 1 to 10, how would you rate the City of East Helena as a place to live?
(1 being a poor quality of life, 10 being a good quality of life)

Why?

8 we have a little bit of everything here in town, and have managed to make a friendly community. Small enough that I know my neighbors and yet close to bigger shopping opportunities. I think it's a good balance, but I'm almost retired so my needs are not the same as a young family, and those are the folks moving in around me. I'm glad we have good schools in close proximity for them :) I'm sure we could use more daycares here though.

8 great schools, sense of community, the only draw backs are affordable housing and lack of businesses

7

9

10. I love the small feel but still close to medical, shopping, etc.

10

7

6, I think the condition of the streets of East Helena needs to be addressed before spending \$\$\$ on frivolous projects.

9 I think it is a very good community, has that small town feel, feels safe for old and young alike

8

6 worry about air quality and slag piles

7

6

7.58

5. It's kind of a dumpy town. Run down buildings, no curb and gutter, patch work streets, and very few retail options all contribute to the lack luster of the town.

10: The sense of community.

10 I have lived here all my life and raised my family here.

6 Not much to do, traffic is horrible, and groceries are expensive.

9

8 increased traffic and noise levels over the last year have lowered our happiness with our location.

6

9, our community provides an excellent school system for our children. The community is a true blue collar atmosphere.

8

10

8 small community atmosphere

8

Question 2 –On a scale of 1 to 10, how would you rate the City of East Helena as a place to live?
(1 being a poor quality of life, 10 being a good quality of life)

Why?

4 Police being depleted and the fire department thinly staffed with volunteers hurts the community

10-quiet, good people, great schools, wonderful parks and swimming pool, city and community leaders are always trying to improve quality of life.

5

10 - I enjoying knowing each other while being close enough to a larger community.

(NR) for the most part very good. my one complaint is foliage blockage on sidewalks. I walk a lot and must travel in the street in some areas

9, need more growth such as restaurants and shopping.

5. Its ok. Too far from Helena, where there are some things to do. Nothing for kids to do here. Nothing for adults to do here unless you want to get drunk. This town needs more.

7

5

8

9

10, small and friendly

8

7, The community is friendly and helpful. The schools are great!

5. There are areas of improvement.

8, I love the sense of community but would like to see more businesses.

8 ... this is a little big town. Just the right size!

8. Nice neighborhood and excellent schools.

4, not a lot of choices in East helena.

3. East Helena used to be the best place to live, and we sacrificed so much because this was something we believed in almost above anything else. We are finding that many support our stance that the Mayor is corrupt, unqualified and without skills - investigate the Mayor's support of one of the most corrupt LE Officer's in the State. The Mayor is looking to force the citizens of East Helena to pay his unprecedented salary while ignoring his corrupt and unethical behavior.

7 - As with a lot of Montana cities, drug use and crimes involved with drugs is a huge issue in our area. East Helena has a small town feel and the schools are great so far.

9-I feel neighbors and police are concerned and watch out for one another (and overall friendly). Our businesses are community minded and welcoming. The City personnel seem to be open to hearing from the community, yet want to maintain an overall conservative community. I hope that continues so we keep our support and respect members of this community (good neighbors).

Question 2 –On a scale of 1 to 10, how would you rate the City of East Helena as a place to live?
(1 being a poor quality of life, 10 being a good quality of life)

Why?

8. Great town, terrible infrastructure (roads) but amazing schools.

8 - It is a nice community and it is not far from larger towns

8, with the influx of people the sense of community has decreased, but it still beats Helena

3

8

8

8 - Better than Helena and other options but EH needs to develop it's identity as it's own community and not an extension or afterthought of Helena.

5 within city limits, due to law enforcement issues. Eastgate subdivision a 9

10. The small town and sense of community. Great schools!

7, Such great people and community. There is a need for stronger emergency services and variety of businesses to keep people in East Helena.

8

10

7 - I love the community and the school but really hate the lack of businesses --- specifically food options. We're always driving into town.

7. So far you have good schools and nice small community feel... not sure how this will be after the new communities of red fox and the one next to the high school get built... but can't change that now.... but we may want to consider how many more homes are allowed in East Helena. Maybe redevelop the in-town area to revitalize it... vs putting up new subdivisoons.

7 or 8. My family really enjoys East Helena. We'd love to see it grow a little while also keeping the small town feeling we enjoy so much.

8

9

8 - Quiet town, good community. Close to Helena. Great schools.

8-I love living in East Helena. I fear the small town feel has become to decrease. I really enjoy having a small town feel and that is why I chose East Helena rather than Helena. I've been disappointed in the superintendent's response to COVID. It saddens me that he seems more concerned with a minority of parent wishes than he does the well being of students and staff.

10! We love it. It has a small town vibe with access to big city amenities. The schools are fantastic and the parks are lovely. The pool was wonderful.

Question 2 –On a scale of 1 to 10, how would you rate the City of East Helena as a place to live?
(1 being a poor quality of life, 10 being a good quality of life)

Why?

9 I love the small town feel - walking downtown with my kids and such. Am worried about what the large subdivision housing developments will do to this town.

6

9, I love the small town community

7. I wish there were more places for kids, like a Boys and Girls Club.

8

9

10

9 The small town feel. We just need to work on cleaning up and renovating to make it a 10

7

8. It feels safe and there is a sense of community.

9. Good schools, good neighborhood, good community

8

8 I enjoy the East Helena area. Mountain View Meadows subdivision is very community oriented.

9

9 - Love my little community, happy with our schools. Would like more civic engagement, and more businesses in EH.

10

(NR) We live outside of East Helena but chose East Helena as our school district/community we want to be involved with because it has the small town feel.

7. . . It's a great community to live in but I would like it to have more businesses that would make EH more independent of Helena.

8. Our family chose East Helena almost 5 years ago after moving to the Helena area due to job. We love the small community feel and the schools. We love that the town feels connected and is overall a very safe environment for my family. We have been extremely happy and while we would love to see this place grow we would love for it to also continue to be a tight knit community with the same values.

7+ Small, friendly community

7+ Most people seem to be very friendly and courteous

10 Small town

Q8 List two things you would like to see change in the City of East Helena.

Answered: 51 Skipped: 55

#	RESPONSES	DATE
1	Number of recreational vehicles parked long term on streets. Enforcement of caring for boulevards and alleys.	10/16/2020 8:58 AM
2	Growth planning-looking at roads. How to make interconnection with roads.	10/2/2020 10:41 AM
3	Inform residents of news at least twice a year. Council members more active on city issues.	10/2/2020 10:37 AM
4	Enforcement of current rules and regulations. Traffic control	10/2/2020 10:23 AM
5	More restaurants, sports facilities	10/1/2020 7:15 PM
6	Traffic around P.Pear and radley it just plain crazy!!! And SO UNSAFE!!! Get traffic control under control on Thurman!!	10/1/2020 4:20 PM
7	More trails, recreation	10/1/2020 10:43 AM
8	I would like to see a dog park. Safer crossing of valley dr to the new schools.	10/1/2020 10:42 AM
9	Small cosmetic improvements to old buildings while preserving historical significance, Businesses willing to grow and not just survive	10/1/2020 9:48 AM
10	streets redone	10/1/2020 9:40 AM
11	water supply- with new housing going in our water pressure is very low	10/1/2020 9:37 AM
12	Law Enforcement Economic Growth Incentive (Business Incentive)	10/1/2020 9:28 AM
13	I would like to see spaces for LGBTQIA people and enforcement of bicycle laws (helmets)	10/1/2020 9:22 AM
14	Roads, sidewalks	10/1/2020 9:19 AM
15	Road conditions, sidewalks	10/1/2020 9:00 AM
16	Road improvements & sidewalks	10/1/2020 8:32 AM
17	I'm disappointed that the brand new high school was built too small. I would like to see our police officers and firefighters supported better.	10/1/2020 8:21 AM
18	More restaurants and better streets.	10/1/2020 8:18 AM
19	Better development of Main Street. Increase older buildings getting remodeled repurposed and houses being redone	10/1/2020 7:51 AM
20	More businesses - restaurants	10/1/2020 7:49 AM
21	Widened/paved streets and added sidewalks near schools	9/21/2020 11:18 AM
22	A focus on improving the community and less on imposing regulations.	9/21/2020 8:39 AM
23	1- Attract/Develop/Encourage EH unique businesses that are not just a branch of a Helena business. NO "dollar" dive stores! 2- Foster EH community events bringing the greater EH community (ie the school district lines) together as a strong community. 3- Support and encourage our schools. They present a large reputation of our community.	9/19/2020 4:02 PM
24	Better streets, new subdivisions should contribute to street Maintenance.	9/19/2020 1:52 PM
25	improve streets	9/19/2020 10:34 AM
26	improve the city police, often unfair, usually not seen much	9/18/2020 6:18 PM
27	Road conditions, signage.	9/18/2020 1:51 PM
28	Find businesses to locate in the main downtown area in the unoccupied buildings.	9/18/2020 12:49 PM
29	Drug use prevention; roads/sidewalks worked on.	9/18/2020 9:33 AM
30	1. remove the Mayor 2. Remove the Chief of Police - known criminal	9/18/2020 2:22 AM
31	Roads, bike paths	9/17/2020 10:20 PM
32	Fast food restaurant Adult evening dining	9/17/2020 9:35 PM

33	Larger or another Grocery Store. Revamp of Main Street to attract more business. (More revenue, more tax collected)	9/17/2020 3:56 PM
34	I would like to see more things to do. Community center, teen center, theater, anything really. I would like to see less crime	9/17/2020 3:10 PM
35	Main Street freed of weeds side walks cleared of foliage	9/8/2020 2:34 PM
36	1) annexation towards Canyon Ferry Road 2) more public awareness - i.e. social media page or something along those lines that tells us what is happening in real-time	9/7/2020 11:29 AM
37	Fix streets that need it. Fix sidewalks, and add where needed.	9/3/2020 11:09 AM
38	New fire dept Better police	9/2/2020 7:01 PM
39	Do not add subdivisions sewer into our system esp those miles away and then ask us to pay for improvements. 2. sidewalks so we don't have to walk in the streets	9/1/2020 8:53 AM
40	Less apartment complexes	8/31/2020 1:55 PM
41	Law Enforcement provided by our own city An actual city manager instead of the Mayor being the city manager.	8/30/2020 3:31 PM
42	Widening Valley Drive/Montana and School Board Members who represent the voices of the community.	8/28/2020 7:00 PM
43	The traffic around the schools. Dog park	8/28/2020 10:06 AM
44	Paid Administration for the Fire Department to guarantee a response Retention of Police Officers	8/28/2020 10:04 AM
45	Roads Curb and Gutter	8/27/2020 10:52 AM
46	More trails along creek and BiKE paths/ Sidewalks	8/26/2020 7:04 PM
47	slag piles removed and more money spent on fire department	8/26/2020 11:41 AM
48	road upgrades and people taking care of and being proud of there neighborhoods	8/24/2020 2:50 PM
49	(1) Parks! More space dedicated and improvements to pool and playgrounds. (2) Roads need attention. You need a plan to fix them.	8/18/2020 9:00 AM
50	Mail Delivery within city limits Main Street parking changed to angled parking	8/17/2020 5:56 PM
51	More sidewalks/trails. More days cares	8/16/2020 8:06 PM

Q9 List two things that you would like to see the City of East Helena improve/add/eliminate that would make the community a better place to live.

Answered: 45 Skipped: 61

#	RESPONSES	DATE
1	Fair and consistent enforcement of City ordinances.	10/16/2020 8:58 AM
2	Better sidewalks Better roads	10/2/2020 10:41 AM
3	More weed control. Residents are not pro-active. Community decay addressed.	10/2/2020 10:37 AM
4	Sidewalks, curbs and gutters. Alleys graded, leveled and road mix.	10/2/2020 10:23 AM
5	Improve city pool to be more suitable for younger kids, more extracurricular activities for kids	10/1/2020 7:15 PM
6	The drug dealers/ makers gotta go!! I live right next door to one and of this coming November I've lived here for 2 years and I've been reporting stuff that whole time!	10/1/2020 4:20 PM
7	Pool improvements, better traffic management near high school, PPE, Radley	10/1/2020 10:43 AM
8	Sidewalks would be nice. Closer access to health services maybe	10/1/2020 9:48 AM
9	streets	10/1/2020 9:40 AM
10	water/splash pad for kids during summer	10/1/2020 9:37 AM
11	Law Enforcement Economic Growth Incentive (Main Street and Business Incentive)	10/1/2020 9:28 AM
12	Sidewalks! Please add new and fix the sidewalks we have. They are not accessible.	10/1/2020 9:22 AM
13	Stop lights near schools, especially on major roads in front of Prickly Pear Elementary and the High School. A gym that allows kids to workout	10/1/2020 9:19 AM
14	Street lights	10/1/2020 9:00 AM
15	More businesses/restaurants, Regulations for property in city limits (clean up junk, landscape), pave Road behind middle school and to Eastgate	10/1/2020 8:32 AM
16	I would like to see improved snow plowing (maybe more workers?) on rural streets. I would also like to see better health care-away from St. Pete's.	10/1/2020 8:21 AM
17	Improve kids areas like pool, park wtc	10/1/2020 7:51 AM
18	Sidewalks! So many kids walking in the road. Lights! Streets are very dark.	10/1/2020 7:49 AM
19	Dilapidated homes provided with incentives/repercussions to clean up as a public health concern. Incentives for business to move into East Helena for additional opportunities for employment and not needing to leave community.	9/21/2020 11:18 AM
20	More sidewalks and accent lighting in the downtown area.	9/21/2020 8:39 AM
21	1- Better sidewalks and safe walking ways to make a pedestrian safe community 2- Better inviting entryway streets to the main street area.	9/19/2020 4:02 PM
22	parks, ball park. Make people clean up their crap	9/18/2020 6:18 PM
23	Keep open spaces	9/18/2020 12:49 PM
24	More residential sidewalks, especially high traffic areas for school children. Better cooperation with drug task forces to get high risk drugs out of our area.	9/18/2020 9:33 AM
25	1. remove the Mayor 2. Remove the Chief of Police - known criminal	9/18/2020 2:22 AM
26	bike path, roads	9/17/2020 10:20 PM
27	Cleanup of old East Main between Lane and Eastgate. Downtown parking.	9/17/2020 9:35 PM
28	Again, Main Street via low interest loans or grants in a beautification effort to make businesses more inviting. We do not need another casino/bar. Youth Community Center	9/17/2020 3:56 PM
29	same as above.	9/17/2020 3:10 PM
30	more frequent observation of police	9/8/2020 2:34 PM
31	1) signage to shopping or food businesses 2) tourism development	9/7/2020 11:29 AM
32	More open space. Quit letting "the big shots" subdivide everything everywhere & regulate them	9/5/2020 6:19 PM

	& all that truck traffic better. Get rid of the train.	
33	Attention to properties that are in disrepair or that look like junkyards; they look bad and decrease property values. Stop signs on West Gail and West Groschell - many speeding vehicles on both streets.	9/3/2020 11:09 AM
34	Paid fire dept	9/2/2020 7:01 PM
35	Can we put back the big swings at Main Street Park? The equipment now is not very good for kids.. No more low income housing--seems to bring in more crime.	9/1/2020 8:53 AM
36	Repair replace the streets. Build a new fire station on the East side of town where the growth is located.	8/30/2020 3:31 PM
37	Add more businesses and sports facilities, a workout gym would be ideal.	8/28/2020 7:00 PM
38	Sports for young kids like soccer or baseball fields	8/28/2020 10:06 AM
39	Senior Citizen amenities Youth programs/activities	8/28/2020 10:04 AM
40	Run down buildings Roads	8/27/2020 10:52 AM
41	dilapidated buildings and slag pile	8/26/2020 11:41 AM
42	street repair, move motor homes and campers off the street	8/24/2020 2:50 PM
43	Parks and Streets.... its not hard.	8/18/2020 9:00 AM
44	more dining options,	8/18/2020 8:36 AM
45	Medical Facilities Mail Delivery within city limits	8/17/2020 5:56 PM

Q10 What would you like to see for the future of East Helena?

Answered: 43 Skipped: 63

#	RESPONSES	DATE
1	Sense of community-keeping small town	10/2/2020 10:41 AM
2	Need better traffic control. Need to enforce city rules and regulations. Cluttered areas in front of residents.	10/2/2020 10:37 AM
3	Senior Citizens meeting or bingo, etc. More traffic control, to much speeding.	10/2/2020 10:23 AM
4	Keep the small town feel!	10/1/2020 4:20 PM
5	Family friendly	10/1/2020 10:43 AM
6	Retain a tight knit community	10/1/2020 10:42 AM
7	Responsible growth without corrupting the feel of the town	10/1/2020 9:48 AM
8	more small businesses, better sidewalks	10/1/2020 9:37 AM
9	Multi Use Building	10/1/2020 9:28 AM
10	A diverse community which tolerates all people	10/1/2020 9:22 AM
11	Keep this town a small community	10/1/2020 9:19 AM
12	More community events- farmers markets, summer festivals	10/1/2020 8:32 AM
13	A community Arts center where performances could be held.	10/1/2020 8:21 AM
14	Winter ice rink	10/1/2020 7:51 AM
15	Restaurants	10/1/2020 7:49 AM
16	Additional Community Pride and not just a bedroom community to Helena.	9/21/2020 11:18 AM
17	Additional restaurants and businesses.	9/21/2020 8:39 AM
18	More businesses / to be less dependent upon Helena	9/19/2020 4:02 PM
19	improvement in sense of community	9/18/2020 6:18 PM
20	Continued focus on education and community services.	9/18/2020 1:51 PM
21	Maintain the small town environment that allows people to maintain community. Do not become a Helena (that leans strongly to liberalism), e.g. reducing the police force SRO and personal interests rather than community values.	9/18/2020 12:49 PM
22	Growth in at a steady pace and infrastructure kept inline with that growth.	9/18/2020 9:33 AM
23	Return to the days when public safety and trust mattered	9/18/2020 2:22 AM
24	better roads, bike path	9/17/2020 10:20 PM
25	Cheaper housing	9/17/2020 9:35 PM
26	A small destination town. A nice safe place to live with services.	9/17/2020 3:56 PM
27	I would like to see a vibrant community with a night life and some culture.	9/17/2020 3:10 PM
28	slower growth with stronger guidelines	9/8/2020 2:34 PM
29	I think there are a lot of people living right on the edge of the city line that can't participate so I would like to see the city limits grow, if possible.	9/7/2020 11:29 AM
30	Less sprawl, more open space, some beautification projects around town.	9/5/2020 6:19 PM
31	#1 Improved streets and sidewalks. #2 People taking better care of their property. #3 more businesses.	9/3/2020 11:09 AM
32	Better business to support high school	9/2/2020 7:01 PM
33	Keep it small. Get a fast food like Chick filet	9/1/2020 8:53 AM
34	Expand our community to help share costs	8/30/2020 3:31 PM

35	Continued support of the schools.	8/28/2020 7:00 PM
36	More for the kids to do. Parks with folf baskets and dog parks.	8/28/2020 10:06 AM
37	Steady growth and sustainability	8/28/2020 10:04 AM
38	Better roads	8/27/2020 10:52 AM
39	Stores	8/26/2020 7:04 PM
40	improved air quality. Should be as good as Helena's airshed.	8/26/2020 11:41 AM
41	more businesses	8/24/2020 2:50 PM
42	Parks and neighborhoods we can be proud of.	8/18/2020 9:00 AM
43	For the Mayor to be fired.	8/17/2020 5:56 PM

Q11 What is most important to the long-term health and vitality of the City of East Helena?

Answered: 39 Skipped: 67

#	RESPONSES	DATE
1	Good roads and sidewalks	10/2/2020 10:41 AM
2	I think the park and the extended area or walking area beyond the park is very important to all ages.	10/2/2020 10:23 AM
3	Employment and safety	10/1/2020 4:20 PM
4	Geared towards families, recreation	10/1/2020 10:43 AM
5	Protecting wild land, investing in economic opportunity (outside of gas stations and casinos), support for at risk families	10/1/2020 9:48 AM
6	covid in schools- implementing safety protocols	10/1/2020 9:37 AM
7	Infrastructure Planning.	10/1/2020 9:28 AM
8	Affordable housing	10/1/2020 9:22 AM
9	Small positive community feeling	10/1/2020 9:19 AM
10	Business success, new developments	10/1/2020 8:32 AM
11	I would like to see continued support to our firefighters and police officers.	10/1/2020 8:21 AM
12	Limit new subdivisions	10/1/2020 7:51 AM
13	Strong tax base that is varied for the strongest school district in the area and ability to responsibly manage city necessities.	9/21/2020 11:18 AM
14	A positive vision of the future and embracing growth.	9/21/2020 8:39 AM
15	Do not let subdivision and growth pull everyone/everything out of the core of EH. Don't fall behind. Don't let EH become a doughnut with nothing in the center.	9/19/2020 4:02 PM
16	sense of community	9/18/2020 6:18 PM
17	See above.	9/18/2020 1:51 PM
18	Again: Maintain the small town environment that allows people to maintain community. Do not become a Helena (that leans strongly to liberalism), e.g. reducing the police force SRO and personal interests rather than community values.	9/18/2020 12:49 PM
19	Schools.	9/18/2020 9:33 AM
20	Planned , intelligent growth. Elimination of Public corruption as displayed by the Mayor and Chief of Police - seriously. The Chief of Police is a known stalker and pervert. He blackmails females using database access he should be banned from having.	9/18/2020 2:22 AM
21	Business	9/17/2020 10:20 PM
22	Asarco	9/17/2020 9:35 PM
23	A wholesome vibrant small town with services that is attractive to families as well as visitors.	9/17/2020 3:56 PM
24	1. Keep the meth out. 2.Continue to encourage business on main st.	9/17/2020 3:10 PM
25	maintaining and encouraging new and existing business	9/8/2020 2:34 PM
26	Annexation to increase the tax base and participation	9/7/2020 11:29 AM
27	Managing all the growth coming from out of state.	9/5/2020 6:19 PM
28	Continued good leadership-I think it's very good now. Improve streets and sidewalks	9/3/2020 11:09 AM
29	Emergency services	9/2/2020 7:01 PM
30	We function as a community, keep the farmers market, make sure we keep up our infrastructure, make Asarco area into a Park NOT housing	9/1/2020 8:53 AM
31	Be proactive instead of reactive. Do not wait until something happens to fix the problem. Plan for the future and make the investment now.	8/30/2020 3:31 PM

32	Schools!	8/28/2020 7:00 PM
33	Stuff to do.	8/28/2020 10:06 AM
34	Having leadership that believes in growth and is willing to work with businesses and public that want to invest in the community	8/28/2020 10:04 AM
35	Having viable businesses.	8/27/2020 10:52 AM
36	Clean up Superfund site	8/26/2020 11:41 AM
37	school system, clean water and sewer	8/24/2020 2:50 PM
38	Parks. Make these developers dedicate and develop nice parks. Our kids and families deserve better.	8/18/2020 9:00 AM
39	Local business growth.	8/17/2020 5:56 PM

Q12 What changes would you like to see be incorporated into the existing East Helena Land Use Regulations?

Answered: 30 Skipped: 76

#	RESPONSES	DATE
1	Where would I find the current land use regulations for East Helena.	10/2/2020 10:37 AM
2	I don't know	10/1/2020 4:20 PM
3	I'm not familiar enough to say	10/1/2020 9:48 AM
4	zoning for housing	10/1/2020 9:37 AM
5	Infrastructure Planning (sidewalks, trail systems and trees.) This may be unpopular, but planning these in advance can make a huge difference in the way the city looks and feels with growth.	10/1/2020 9:28 AM
6	NA	10/1/2020 9:19 AM
7	Unknown	10/1/2020 8:32 AM
8	Don't know	10/1/2020 7:51 AM
9	side walk and road widening in budgets.	9/21/2020 11:18 AM
10	The regulations are becoming heavy handed. Look at encouraging good service businesses and light industrial businesses.	9/21/2020 8:39 AM
11	What are the current regulations?(SERIOUS) - Helena and the county have made land use regulations have a bad reputation. Maybe call ours a Land Use Acceptability Program, taking a twist toward positive word wordsmithing.	9/19/2020 4:02 PM
12	avoid unregulated growth. There is a limited amount of water	9/18/2020 6:18 PM
13	Keep open spaces and small town environment.	9/18/2020 12:49 PM
14	No opinion.	9/18/2020 9:33 AM
15	None	9/18/2020 2:22 AM
16	none	9/17/2020 10:20 PM
17	Fishing access for kids on Prickly Pear Creek	9/17/2020 9:35 PM
18	Well, I would have to exit the survey to look up the existing EH Land Use Regulations.(Maybe put in a link) I have a general idea, but no comment at this time.	9/17/2020 3:56 PM
19	I have no idea what is in there now so cannot answer.	9/17/2020 3:10 PM
20	strong emphasis on recreation. walkways and trails	9/8/2020 2:34 PM
21	Seems they need to be stricter so more than the rich & aggressive get to benefit.	9/5/2020 6:19 PM
22	I'm not familiar with the exact regulations, but the properties that owners allow to deteriorate and need clean up, decrease quality of life as well as property values.	9/3/2020 11:09 AM
23	Subdivide it	9/2/2020 7:01 PM
24	not sure what those regulations are but fewer apartment buildings when they tear down houses to make room for those	9/1/2020 8:53 AM
25	no comment at this time	8/30/2020 3:31 PM
26	I would like the Trust Group to not have so much say in what is happening to the ASARCO properties. I think it should be more in the hands of the City.	8/28/2020 10:04 AM
27	I don't know what the current regulations are. Hard to comment	8/27/2020 10:52 AM
28	don't know of any	8/24/2020 2:50 PM
29	Open space / parks / trails required to connect our neighborhoods.	8/18/2020 9:00 AM
30	I don't know the regulations.	8/17/2020 5:56 PM

Q13 What is your vision for the future development of the City of East Helena?

Answered: 29 Skipped: 77

#	RESPONSES	DATE
1	The city needs to be beautiful to look at and enjoy so beautician work would be really nice!	10/1/2020 4:20 PM
2	A separate but compatible (and competitive) town from Helena, with relevant job and industry growth, and pretty/ welcoming/ inviting enough not to just drive past	10/1/2020 9:48 AM
3	more sidewalks/parks= sense of community	10/1/2020 9:37 AM
4	Increase Main Street business opportunities with economic incentives.	10/1/2020 9:28 AM
5	Modernize east Helena	10/1/2020 9:19 AM
6	A thriving small town with a strong sense of community	10/1/2020 8:32 AM
7	Keep the small town feel but not too much growth.	10/1/2020 7:51 AM
8	More businesses of variety to keep people and money in the community.	9/21/2020 11:18 AM
9	Find ways to improve infrastructure and services.	9/21/2020 8:39 AM
10	Define and develop the DOWNTOWN business area.	9/19/2020 4:02 PM
11	clean up city. Have people clean up their properties	9/18/2020 6:18 PM
12	Keep open spaces and small town environment and values.	9/18/2020 12:49 PM
13	A well maintained community.	9/18/2020 9:33 AM
14	Big development, total turnover for Mayor, Chief if Police, City Attorney. Remove them before the lawsuits begin, and they ARE underway.	9/18/2020 2:22 AM
15	bigger better	9/17/2020 10:20 PM
16	A well planned, serviced, clean, safe place to live as well as a small destination town for travelers and the greater Helena area residents.	9/17/2020 3:56 PM
17	What is the difference between this question and question 10? I would like to see a vibrant community with a night life and some culture.	9/17/2020 3:10 PM
18	growth with the mind set of preserving out small town feel	9/8/2020 2:34 PM
19	Would like to see some beautification projects all over town & private citizens encouraged to do the same. You can't go wrong with more trails & community open space.	9/5/2020 6:19 PM
20	Better streets and sidewalks, continued involvement of residents to promote community spirit and quality of life.	9/3/2020 11:09 AM
21	Go big	9/2/2020 7:01 PM
22	vibrant downtown houses kept up and not allowed to have trash all over the lot ex. duplex on Porter keep the historical places-buildings, cemetery	9/1/2020 8:53 AM
23	East Helena needs to be proactive and annex properties into the city when requested. We must continue to grow in order to ensure it is a place people want to raise their families.	8/30/2020 3:31 PM
24	I would like to see continued growth in residential and well as retail. I hope that the Mayor and Counsel will be open minded and allow it to continue.	8/28/2020 10:04 AM
25	I would like to see normal subdivisions put in (similar to mountain meadows) and more business brought in to the city.	8/27/2020 10:52 AM
26	no slag piles, clean air and more businesses	8/26/2020 11:41 AM
27	a small town with businesses that attract families and a sense of community	8/24/2020 2:50 PM
28	Growth	8/18/2020 9:00 AM
29	More and better businesses and restaurants.	8/17/2020 5:56 PM

Q14 Other comments?

Answered: 16 Skipped: 90

#	RESPONSES	DATE
1	Recreational vehicles and trailers (large) being brought in and parked on streets for weeks-not parked in front of owners property. Trailers of garbage or other vehicles make it difficult to maintain boulevards.	10/16/2020 8:58 AM
2	East Helena is a nice small town. Let's try to keep it that way.	10/2/2020 10:37 AM
3	Would it be feasible for a skate park?	10/2/2020 10:23 AM
4	None	10/1/2020 4:20 PM
5	Thanks for asking	10/1/2020 9:48 AM
6	It is very unsafe for kids leaving the high school and prickly pear schools, there needs to be actual sidewalks and crossing guards to protect children.	10/1/2020 9:37 AM
7	Keep up the good work with good schools!	10/1/2020 7:51 AM
8	Support a local newspaper (or web site) for communicating EH. Communication is highly important. The IR is irrelevant. Look at other small town papers that just carry the good news.	9/19/2020 4:02 PM
9	Again maintain our small town values based on our Constitutional rights of Life, Liberty and the Pursuit of Happieness.	9/18/2020 12:49 PM
10	We picked East Helena for the schools. It may have it's issues in the community, but we feel is doing better than our larger neighbor. Keep doing good work!	9/18/2020 9:33 AM
11	None	9/17/2020 3:56 PM
12	Thank you to our leaders. There are a lot of things that community leaders promote to improve our community spirit-keep it up! Parades, Easter egg hunt, memorials at parks, painting of murals on Fire Hall, Christmas Stroll, Halloween trick or treating, etc	9/3/2020 11:09 AM
13	None	8/30/2020 3:31 PM
14	Fire Jamie Schell	8/27/2020 10:52 AM
15	worry about air quality, future traffic congestion and too many people using jfk Park with all the subdivisions going in	8/26/2020 11:41 AM
16	Please keep working hard. We know you its a lot but we trust you to do the right thing whether politically popular or not.	8/18/2020 9:00 AM

Public Meeting #1

This page left blank intentionally.

Planning Board Meeting August 27, 2020

6:00 pm

1st Public Meeting Growth Policy update

<u>Name</u>	<u>Phone</u>	<u>Email</u>
Jean Riley	431-1734 cell	jriley@mt.gov
Don Dahl	227-6876	DAHL863@BRESNAN.NET
Emily Ewart	2313920	emily.ewart@gmail.com
Terria Casco	455-1629	TKC1000@TOL.COM
Lynn Ingrassia	439-7183	ehresq@bresnan.net
Troy Maness	439-3292	ehresq2@bresnan.net

This page left blank intentionally.

What do we like about East Helena

- Small town Atmosphere
- Pool
- Good school's
- Sense of Community
- Neighbor's watching out for each other
- affordability
 - housing
 - more affordable than Helena
- Parks
 - well maintained
 - Good facilities
 - Good Trails
- Great location
 - Outdoor recreation
 - Lakes
 - creeks
 - mountains
- Businesses
 - Candy and Ice Cream
 - Food

Economic Development

- Tax abatement - tool

What do we want to Improve

- Streets - traffic
 - Stormwater Management
 - Sidewalks
 - more of them
 - connectivity
 - Fire Services
 - ~~for~~ New equipment
 - more volunteers
 - Police Service
 - ~~to~~ Completely served by East Helena,
Not L&C or Helena.
 - More businesses
 - retail
 - food
 - manufacturing
- Economic Development
- Community Decay
 - Home Ownership
 - Remediation of Slag pile
 - More Youth Activities
 - Public Transportation

Vision for East Helena

- Downtown Revitalization
- Sense of community
- Small town Atmosphere
- A place to grow up in and to stay and raise a family
- Traffic and pedestrian Connectivity and reliability
 - Walkable Neighborhoods
 - Public Transportation
- Reliable Emergency Services

Economic Development

- Tax abatement - tool
- Tiff District - tool
- Promote and encourage small businesses
 - MBAC

Housing

- Fire station improvements
 - addition

- New Fire station

Infrastructure

- ^{Ongoing} Maintenance of existing City buildings/property

Engineering Standards

- Enforce use of standards for New Development

- Streets - Maintenance program
 - funding - SID

- Water - pretty good

- Sewer - pretty good

- Parks
 - Upgrade Playgrounds - water slide
 - Pool Improvements - splash park

Land use - Housing

Regulations

- ~~Access~~

- Transportation Planning

- Historic Structures

- promote and encourage preservation

Types

- Residential

- Currently lacking

- New subdivisions will help

- townhome & single family

- No Highrise residential

- Affordable housing

- Senior housing

Parks

- New Development needs
Park space

- Cemetery?

- Prickly Pear land trust Open space

- Don't want!
- can't afford



Services

- Garbage - ongoing upkeep and replacement for continued service
- More Youth activities
- Community Center/Senior Center
 - Funding
 - Support

Natural Resources and Environmental

- Open Space for preservation
- Trails for recreation
- No Gravel pits

Public Meeting #2

This page left blank intentionally.

**REQUEST FOR PUBLIC INPUT
FOR THE UPDATE TO THE EAST HELENA GROWTH POLICY**

The City of East Helena Planning Board has prepared a draft update to the East Helena Growth Policy and we invite you to help shape the City's future by providing comments on the future growth and needs of the City of East Helena. Your opinions are important to this process to identify needs for the City. An electronic copy of the draft Growth Policy can be found on the East Helena website at <https://easthelenamt.us/coeh/> and a hard copy can be viewed at East Helena City Hall. The East Helena Planning Board will be holding a public hearing on March 24, 2021 at 6:00 p.m. in Room 108 (Gymnasium) at City Hall, 306 East Main Street in East Helena, to gather public input on the future needs of the City of East Helena. Due to COVID-19 restrictions masks and social distancing will be required during the meeting.

Requests for information and questions on the draft Growth Policy may be directed to the East Helena Contract Planner Jeremy Fadness, WWC Engineering, 1275 Maple Street Suite F, Helena, MT 59601, (406)-443-3962. Written comments may be directed to the City Clerk, Amy Thorngren, 306 East Main Street in East Helena or mailed to P.O. Box 1170, East Helena, Montana 59635.

ADA Notice: The City of East Helena is committed to providing access to persons with disabilities for its meetings in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The City will not exclude persons with disabilities from participation at its meetings or otherwise deny them the City's services, programs, or activities. Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs or activities should contact the City Clerk as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

(406) 227-5321
TTY Relay Service 1-800-253-4091 or 711
cityclerk@easthelenamt.us
306 East Main Street, P.O. Box 1170, East Helena, MT 59635

Publish: February 28 & March 14, 2021

This page left blank intentionally.

City of East Helena Planning Board
March 24, 2021
Minutes

Call to order: Meeting was called to order by Chair Gloria Soja at 7:02 p.m.

Planning Board Members: Gloria Soja, Chair – present
Don Dahl, Vice Chair – present
Terrie Casey – present
Jean Riley – present
Lynn Maness - present
Ana Glueckert – present
Ryan Loomis - present

Others Present: WWC Contract Planner Jeremy Fadness, Mayor Jamie Schell, Councilmember Wes Feist, Councilmember Kelly Harris, Public Works Director Kevin Ore, Kelsen Young, and Scott Walter.

Meeting Minutes and Approval of Agenda

Minutes from February 18, 2021 and agenda for March 24, 2021, were approved.

New Business:

- a. Public Hearing on the Draft 2021 East Helena Growth Policy Update:
WCC Contract Planner Jeremy Fadness presented an overview of the draft Growth Policy, highlighting updated goals and objectives, progress updates since 2014, and updated appendices and maps.

Public comment received:

Kelsen Young stated that she had read the growth policy and appreciated the work that went into it. Kelsen Young asked about plans for sidewalks and trails, cleanup along fences by schools, volunteer opportunities, and the City's preparation for expansion. Jeremy Fadness shared that the City was working with the school district on TAP grants for sidewalks and that the new subdivisions required sidewalks.

Scott Walter asked about the school district information included in the draft Growth Policy. Jeremy Fadness indicated that this information, highlighted in yellow, would be update prior to the final Growth Policy approval.

Councilmember Kelly Harris stated that he appreciated the addition of a vision statement.

Mayor Schell stated that the City was working on obtaining funding for road, streets, and TA grants to upgrade sidewalks/walking paths. Current City policy requires sidewalk repairs by owner, though the City backed off enforcement of this.

Old Business:

- a. East Helena Growth Policy Update: The Planning Board discussed minor edits to the draft Growth Policy and requested that information be included about the City's recycling efforts. Ana Glueckert suggested that the City increase communication on 10-year vision and growth policy.

Lynn Maness made the motion that the draft 2021 Growth Policy, with updates, be submitted to the City Council with the Planning Board recommending approval. Second by Terrie Casey.
Motion carried.

- b. Legislative Updates: Jeremy Fadness reviewed the MT Association of Planners legislative update and reviewed bills currently in progress. SB174, as written, may be difficult to comply with and the Board may need to seek guidance on amending the subdivision regulations and implementing the policy, if passed.

Public Comment:

No further public comment was received.

Agenda for Next Meeting:

Legislative updates, impact on subdivision regulations, and next meeting tentatively scheduled for Tuesday, June 22, 2021, at 6:00 p.m.

Adjournment: Meeting adjourned at 8:00 p.m.

Resolution

This page left blank intentionally.

RESOLUTION NO. 551
A RESOLUTION TO ADOPT THE 2021
CITY OF EAST HELENA GROWTH POLICY

WHEREAS, on October 19, 2009, the East Helena City Council passed Resolution 405 adopting the East Helena Growth Policy as the City's first Growth Policy; and

WHEREAS, on October 7, 2014, the East Helena City Council passed Resolution 466 adopting the 2014 East Helena Growth Policy Update; and

WHEREAS, §76-1-601(3)(f)(iii), MCA, requires that the East Helena Growth Policy be reviewed at least once every five years and revised if necessary; and

WHEREAS, the City Council retained WWC Engineering to assist the City of East Helena Planning Board in its review and update of the East Helena Growth Policy; and

WHEREAS, in August 2020, The City of East Helena Planning Board started the review and update of the 2014 East Helena Growth Policy Update; and

WHEREAS, the East Helena Planning Board undertook a variety of public outreach meetings and practices to encourage public input and participation in the review and subsequent updating of the 2014 East Helena Growth Policy; and

WHEREAS, the East Helena Planning Board held a public meeting on August 27, 2020 at the East Helena Fireman's Hall to gather public input on the goals, objectives, and vision for the City of East Helena; and

WHEREAS, the East Helena Planning Board and WWC Engineering prepared a draft Growth Policy for public review and held a public hearing on March 24, 2021, at the East Helena City Hall to gather public input on gather public input on goals, objectives, and vision for the City of East Helena; and

WHEREAS, on March 24, 2021, the East Helena Planning Board voted to recommend adoption of the 2021 East Helena Growth Policy Update to the East Helena City Council; and

WHEREAS, the East Helena City Council held a public hearing on May 4, 2021, to gather public input on the draft 2021 East Helena Growth Policy Update and the goals, objectives, and vision for the City of East Helena.

NOW, THEREFORE BE IT RESOLVED that the East Helena City Council, after accepting public comment at a public hearing noticed in accordance with State law, hereby adopts the 2021 East Helena Growth Policy as submitted by East Helena Planning Board.

Passed and effective by the City Council of the City of East Helena, Montana, and approved by the Mayor this 4th day of May, 2021.

ATTEST:



Amy Thorngren, Clerk/Treasurer



This page left blank intentionally.

APPENDIX B

Demographics

This page left blank intentionally.

KEY FINDINGS

- The 2019 population of East Helena is estimated to be 2,103. That is an increase in population of 119 since the 2010 census value of 1,984 residents.
- The 2019 estimate for population in Lewis and Clark County is 69,432, of which East Helena comprises 3.0 percent.
- At a growth rate of 0.66 percent annual growth, the City of East Helena would reach a population of 2,261 by the year 2030.
- East Helena's urban area consists of 4.08 square miles and the city has a population density of 515 people per square mile.
- East Helena's median age has increased to 46.4, higher than the state and the nation.
- The percentage of adults 25 years of age and older attaining a high school diploma or higher in East Helena is lower than in the state of Montana, but higher than in the nation.

POPULATION

HISTORICAL POPULATION TRENDS

- The Manlove family, part of a group of early pioneers who ended their journey from Iowa to Oregon prematurely and settled in the Helena Valley, were the first to populate the area now known as East Helena. While they embraced the beauty and potential of the valley when they arrived in 1864, the real stimulus for in-migration of people to East Helena came in 1888 with the construction of a smelter on the banks of Prickly Pear Creek. The smelter, which originally processed ore mined in places throughout the Helena area, was purchased in 1899 by the American Smelting and Refining Company (ASARCO). ASARCO would operate the plant for over a century, eventually processing 250,000 tons of raw material per year to produce over 70,000 tons of lead bullion. The smelter created an economic base for East Helena and led to the early attraction of over 1,000 people. Unofficial reports indicate the population of East Helena had reached 1,250 by 1899.
- Because East Helena did not incorporate until 1927, official decennial census counts for the city did not begin until 1930. The first official count placed the population at 1,030. The long-term trend since 1930 has been one of growth that accelerated between 1950 and 1970 and then dipped slightly in 1980 and again in 1990. The slight decreases are likely due to movement of people from inside the city limits to new housing developments constructed on the periphery during

the 1970's and 1980's. The City returned to a pattern of growth from 1990 to 2019, gaining 565 people during the three decades. The net gain between 1930 and 2019 was 1,064 people. (Refer to Figure 1.)

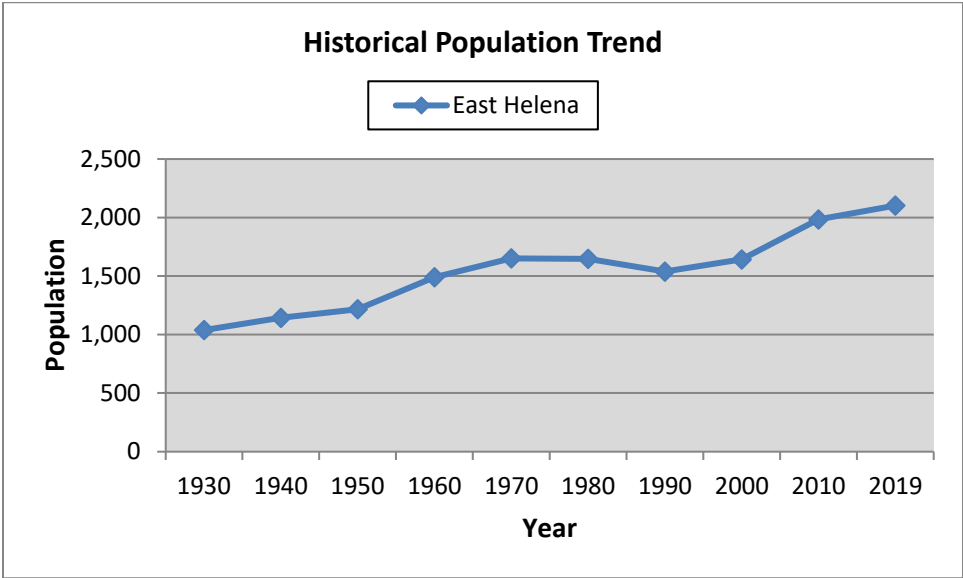


Figure 1

Lewis and Clark County and the City of Helena also experienced steady growth between 1930 and 1970. (Refer to Figure 2.) Growth after 1970 was more robust in the county overall than Helena. As the county population grew at a more rapid rate over the thirty-year period beginning in the 1970's, East Helena came to comprise a smaller portion of the county population. By 2010, East Helena accounted for only 3.11 percent of the Lewis and Clark County population. Table 1 shows a comparison of the decennial total population and population change for Lewis and Clark County, the City of Helena and the City of East Helena.

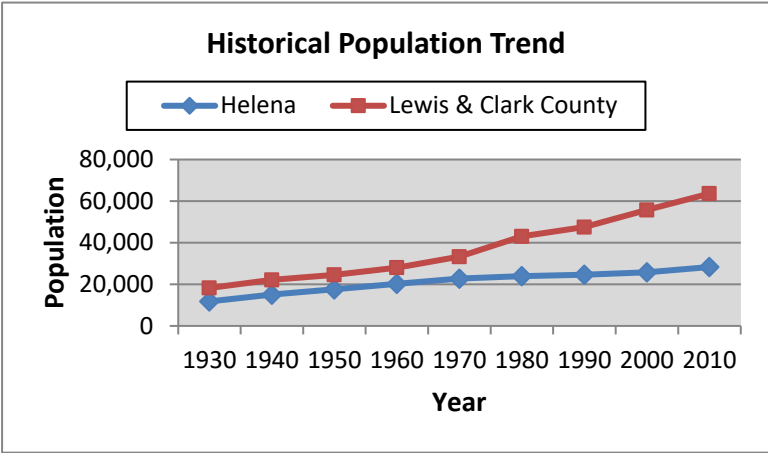


Figure 2

Table 1. Decennial Census and Population Change

Decennial Census	Lewis & Clark County			City of Helena			City of East Helena		
	Population	Gain/Loss	% Change	Population	Gain/Loss	% Change	Population	Gain/Loss	% Change
1920-1930	18,224	---	---	11,803	---	---	1039	---	---
1930-1940	22,131	3,907	21.44%	15,056	3,253	27.56%	1143	104	10.01%
1940-1950	24,540	2,409	10.89%	17,581	2,525	16.77%	1216	73	6.39%
1950-1960	28,006	3,466	14.12%	20,227	2,646	15.05%	1490	274	22.53%
1960-1970	33,281	5,275	18.84%	22,730	2,503	12.37%	1651	161	10.81%
1970-1980	43,039	9,758	29.32%	23,938	1,208	5.31%	1647	-4	-0.24%
1980-1990	47,495	4,456	10.35%	24,609	671	2.80%	1538	-109	-6.62%
1990-2000	55,716	8,221	17.31%	25,780	1,171	4.76%	1642	104	6.76%
2000-2010	63,626	7,910	14.20%	28,320	2,540	9.85%	2016	374	22.78%
Net Change	---	45,402	---	---	16,517	---	---	977	---

- As the City of East Helena has grown, so has the valley around it. For the purposes of the 1990, 2000 and 2010 decennial census, a number of Census Designated Places (CDP) were created and included in the count. A CDP is a densely settled concentration of population that is not within an incorporated place but is locally identified by a name. CDP’s are delineated cooperatively by state and local officials and the Census Bureau, following Census Bureau guidelines. Beginning with Census 2000 there were no size limits.
- The CDP adjacent to East Helena is the Helena Valley Southeast CDP. It encompasses most of the area surrounding the City of East Helena. The CDP experienced rapid growth between 1990 and 2000. The population there increased by over 55 percent during the decade, going from 4,601 to 7,141 - a gain of 2,540 people. Over one-third of the increase occurred just outside East Helena with addition of the Eastgate Village II housing development that is home to an approximate 867 people. The earlier development of housing in the La Casa Grande, Eastgate I and the Sunny Lane subdivisions in the 1970’s and 1980’s contributed significantly to earlier growth in the valley by adding nearly 1,500 people.

CURRENT POPULATION TRENDS

- East Helena was a typical “company town” for a century. Secure jobs at the ASARCO smelter triggered the migration of people to the city and kept them there. When plant operations were suspended in April 2001, a drastic out-migration of people seemed imminent as was the case with other “company towns” in the United States.

- Instead, the population of East Helena grew at an accelerated rate. The U.S. Census Bureau estimates that the population in 2008 was 2,114. This represents a 28.75 percent increase over the 2000 population - an increase that occurred after suspension of smelter activities. The City's adjacency to Helena, which provides a stable supply of jobs in the government and other sectors, has enabled working age people to remain in East Helena. Also, continued in-migration of people attracted to the rural setting, more affordable land prices and nearby recreation is contributing to an influx of people in and around East Helena. This has been proven by the steady increase (0.66%) of population in recent years, from 1,984 people in 2010 to an estimated 2,103 in 2019. When carrying out the 0.66 percent population rate to 2025, the estimated population is 2,188 (See Figure 3). This does not account for recent subdivision development within the City.
- The annexation of the ASARCO properties in 2010 provided land for development within the City limits. In 2019 the City granted conditional approval for two subdivision applications, Highland Meadows PUD and Vigilante Subdivision. These two subdivisions combined will provide 386 single family residential building lots to be built out over the next 7 years. It is anticipated by 2027 or sooner an additional 386 family's will be added to East Helena from these developments accounting for a population increase of 768 people using the 2019 ACS estimate for East Helena's average household size (1.99). Which would catapult the City population to 2,752 by 2027, an increase of 28.9%.
- The estimated rate of growth in East Helena (16.4%) between 2010 and 2020 is similar to the growth rate for the City of Helena (12.8%) and significantly more than the Lewis and Clark County growth rate (8.8%). (See Figure 4)

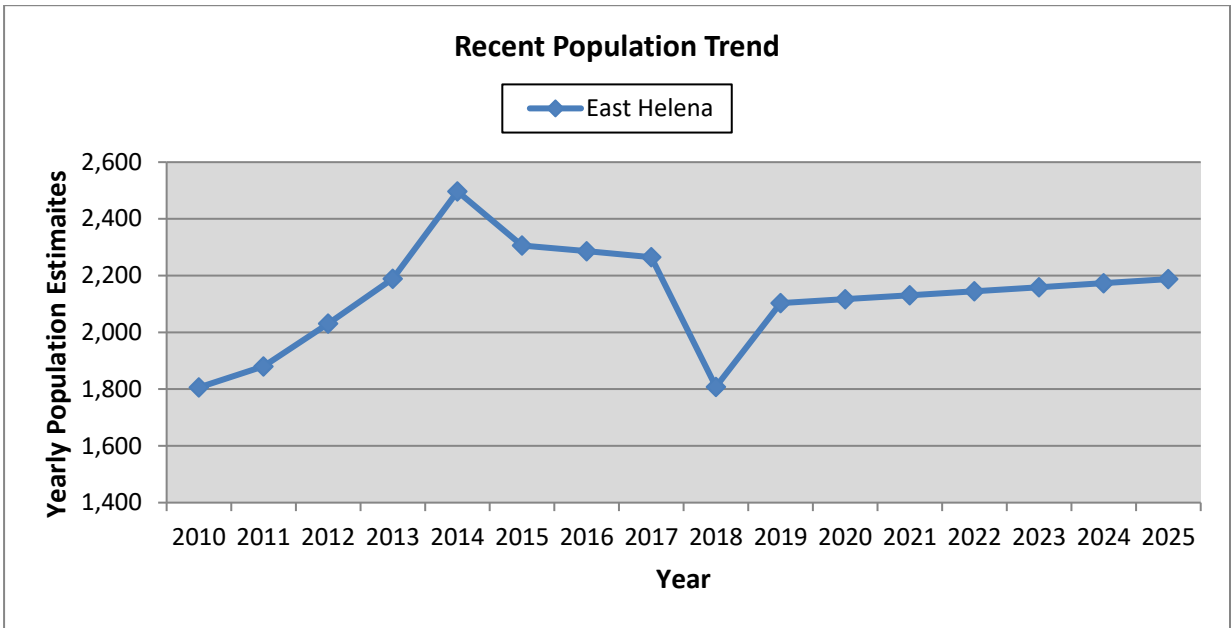


Figure 3

Note: Yearly population estimates based on the American Community Survey five-year estimates. 2020-2025 estimates are based on recent growth rates.

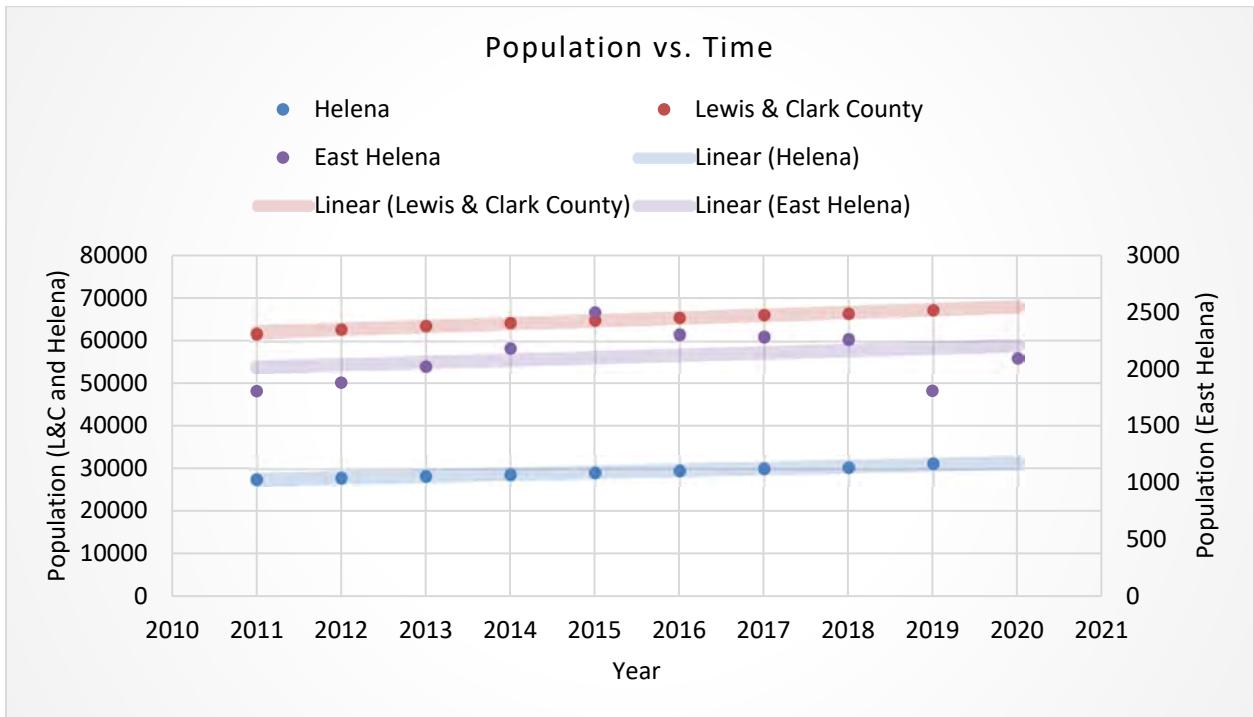


Figure 4

POPULATION DISTRIBUTION IN THE EAST HELENA PLANNING AREA

- The population of the East Helena planning boundary, which includes the planning area (3,483) and East Helena (2,103), is estimated to be 5,586. The planning area population estimate disregards any area inside of Helena’s city limits. Because current population estimates are not available through the Census Bureau for portions of the planning area outside East Helena proper, Lewis and Clark Geographic Information Services (GIS) (updated 1/14/2014) was used to count the number of current addresses in the area. Then, the 2019 ACS estimate for East Helena’s average household size (1.99) for the area was applied to the number of residential addresses (1,750) in order to derive an estimate of population in the planning area.
- Based on the planning boundary population estimate of 5,586, East Helena comprises nearly 38 percent of the population; the six housing developments adjacent to the city limits—La Casa Grande (318 – 6%), Eastgate Village I (640 – 11.5%) Eastgate Village II (640 – 11.5%), Twilight Trails Court (169 – 3%), Red Fox Meadows (472 – 8%), and Sunny Lane Estates (105 – 2%)—constitute 42 percent. The remaining population, spread throughout the planning area, accounts for 20 percent of the population (See Figure 5 and 6). Annexation of lands containing all six adjacent housing developments to East Helena would more than double the current city population.

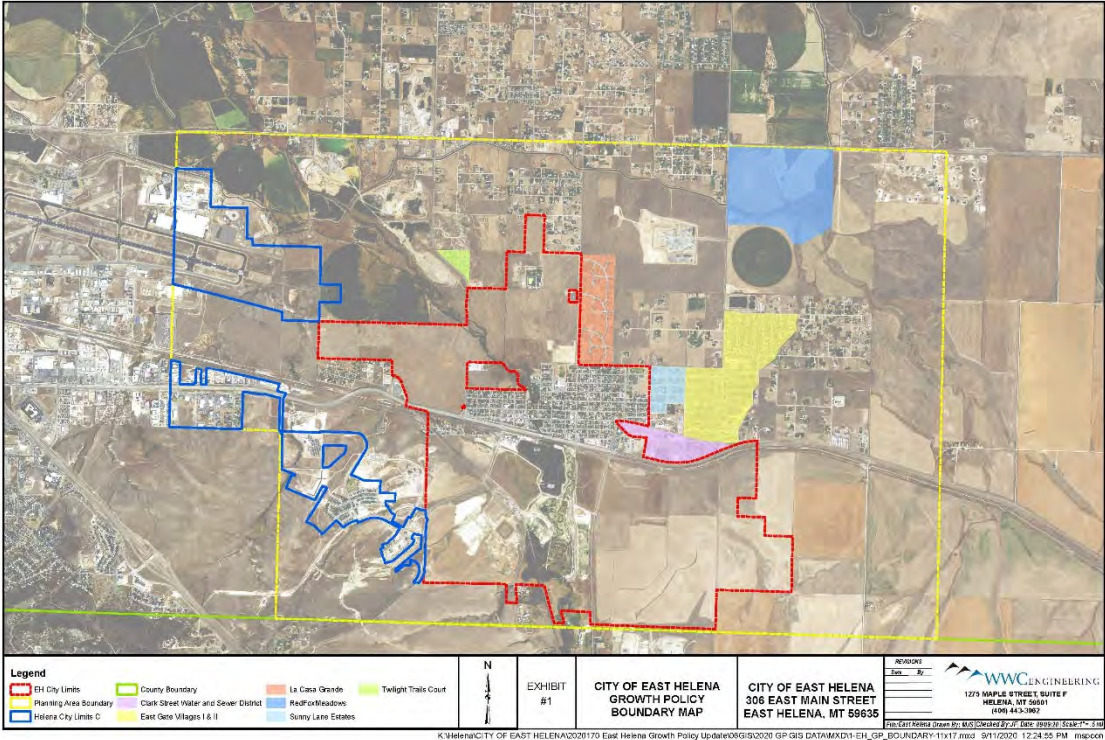


Figure 5. Planning Area

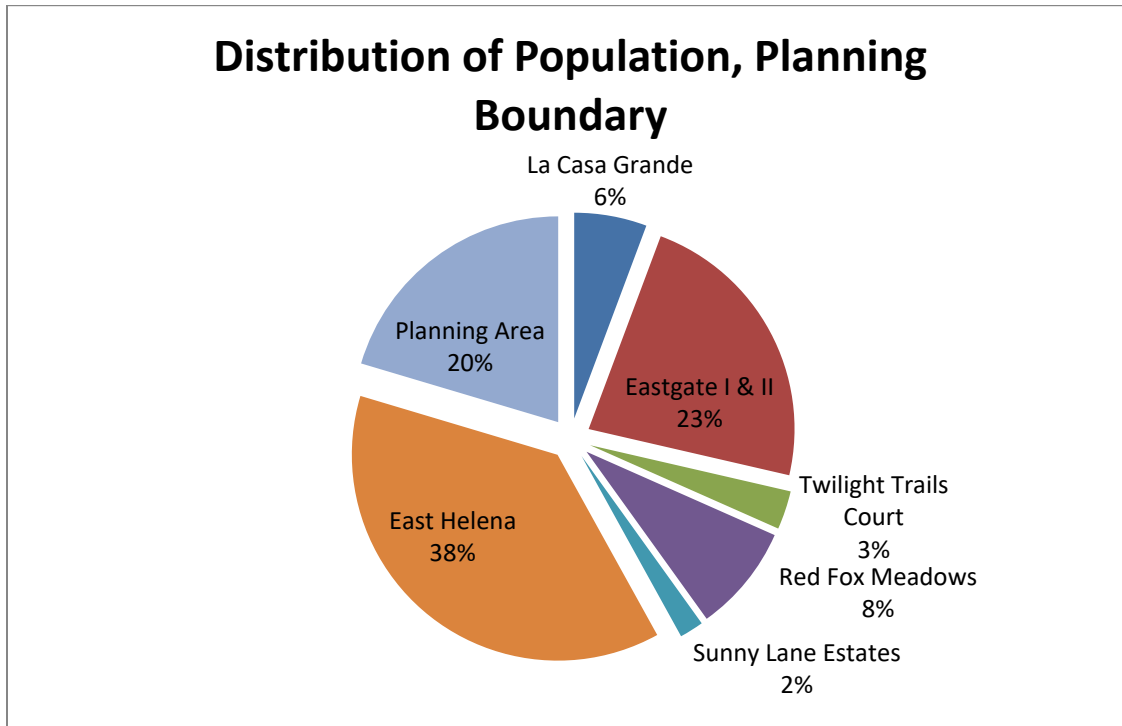


Figure 6

POPULATION DENSITY

- As of the 2010 decennial census East Helena comprised of 1.74 square miles of land area and a population density of 1,140 people per square mile. Since the 2010 Census, East Helena has annexed into the city an additional 2.37 square miles of land area that includes the former ASARCO lands and the Vigilante Subdivision. The majority of 2.37 square mile acquisition consists of undeveloped farmland. According to the Lewis and Clark Geographic Information Services (updated 1/14/2014), East Helena now covers 4.11 square miles of land area. The most current (2019) estimate of total population of East Helena was 2,103 residents which results in a population density of 512 people per square mile. Although the population density decreased due to the acquisition of undeveloped land, in comparison to the 2010 Census East Helena land area, the density has stayed relatively consistent at 1,209 people per square mile.
- The planning area, which excludes Helena and East Helena, covers 11.08 square miles and has an estimated population of 3,483. The density of the planning area is estimated to be 314 people per square mile. The majority of the planning area population resides in and around East Helena. Density in the adjacent housing subdivisions is considerably higher than in East Helena. Density in the La Casa Grande subdivision is an approximate 1,873 people per square mile, Eastgate I & II is an approximate 3,367 people per square mile, Twilight Trails Court is an approximate 8,458 people per square mile, Red Fox

Meadows is an approximate 1,150 people per square mile, and Sunny Lane Estates is an approximate 1,507 people per square mile.

CHARACTERISTICS OF THE POPULATION

AGE

- The trend in East Helena, the United States, and Montana has been an increase in the median age over time. The United States increased in median age from 36.9 in 2010 to 38.1 in 2019 and has been associated with an aging baby boomer population. As baby boomers age, the national population in general is more heavily weighted toward ages over 40. While Montana's median age increase from 39.7 in 2010 to 39.9 in 2019 is affected by the baby boomer era, it is primarily due to the migration of young professionals out of the state and retirees into the state. East Helena's median age has seen an increase from 42.7 in 2010 to 46.4 in 2019 due to an increase in the 60 and older population. These age group population fluctuations occurred due to older families migrating to East Helena. East Helena's housing is more appealing because it provides a lower cost of living and great schooling.
- The senior citizen population in East Helena continues to increase. People 62 years of age and older accounted for 19.9 percent of East Helena's population in 2010 and 25.6 percent in 2019. The percent of senior citizens in the United States increased from 15.6 percent in 2010 to 19.2 percent in 2019 while Montana's senior citizen population went from 17.7 percent in 2010 to 22.5 percent in 2019. The trend shows that as East Helena's citizens near retirement, they tend to stay within the city.
- The number of children in East Helena in 2019 was below the national figure; children from 0-17 comprised 16.4 percent of the local population in 2019 compared with 22.7 percent nationally. The percentage of people in the age group 25-34 was 11.8 percent which was lower than the national figure of 13.9 percent (See Figure 7).

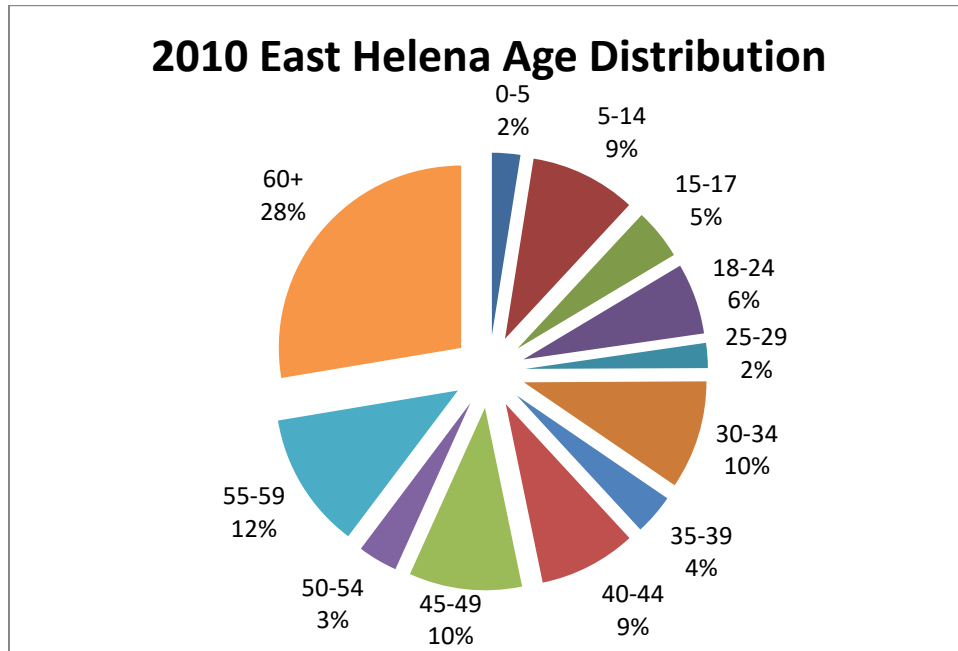


Figure 7

FAMILIES AND HOUSEHOLDS

- Households** - Contrary to the recent population increase in East Helena from 2010 and 2019, there was a decrease in the number of households. Total households went from 841 in 2010 to 836 in 2019 - a decrease of nearly 0.6 percent. The average household size was smaller in East Helena than in the state and the nation. The city had an average household size of 1.99 in 2019 while the state posted an average size of 2.39 and across the U.S. the average household size was 2.62. As the number of senior households grows and birth rates decline, the trend nationally is toward diminished household sizes. The average household size in East Helena is down from 2010 when it was 2.24.
- Using the Lewis and Clark GIS (updated 1/14/2014) there are an estimated 3,525 households in the planning boundary. 922 of those households are located in East Helena while the remaining 2,672 are located in the planning area. Within the planning area, La Casa Grande has 160 households, Eastgate Village I and II have 643 households total, Red Fox Meadows has 237 households, Twilight Trails Court has 85 households, and Sunny Lane Estates has 53 households and the remainder of the planning area contains 1,425 households. (See Figure 8)

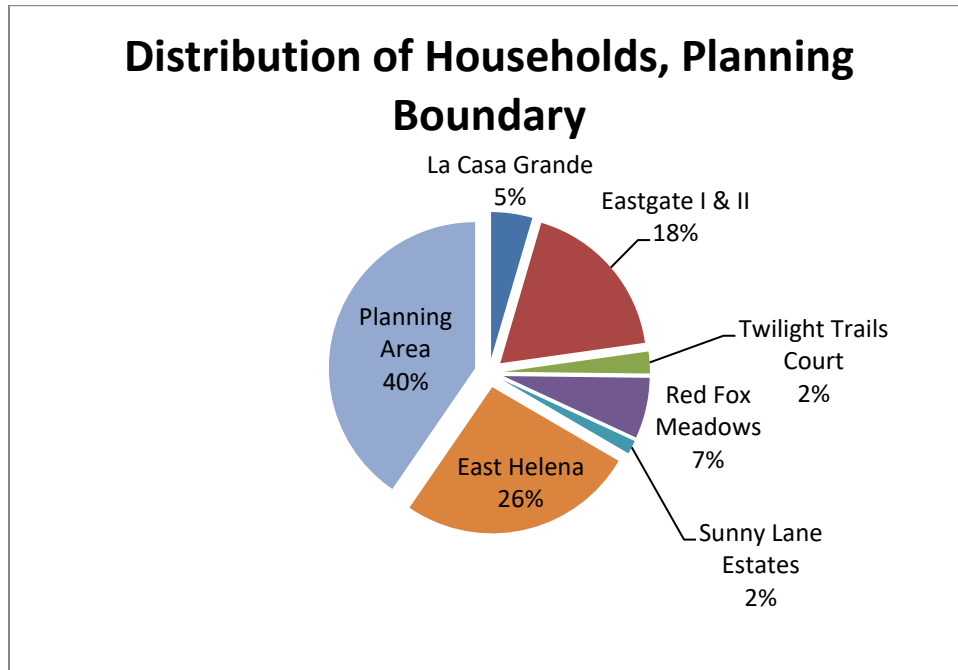


Figure 8

- Families** - According to the 2019 ACS 5-Year estimates, there are approximately 391 families in East Helena. This represents an 18.0 percent decrease in the number of families between 2010 and 2019. Families comprise 38.9 percent of households in the city, which is less than the state percentage and the national figure (48.2%). At 2.79, the average family size in East Helena was smaller than the average Montana family and the national family size which were 2.99 people and 3.23 respectively.

GENDER

- The proportion of males to females in East Helena has changed slightly over the last nine years. Females comprised of 50.6 percent of the population in 2010. Since then, the proportions have become a bit more skewed. According to the ACS 5-Year estimates, in 2019, the percentage of females went to 47.6 with males comprising 52.4 percent. East Helena’s gender distribution in 2019 differed slightly from the national distribution where females comprised 50.8 percent of the population and male’s 49.2 percent. Within Montana males comprised of 50.3 percent and female’s 49.7 percent of the population.

RACE AND ETHNICITY

- The City of East Helena has a relatively homogeneous population. The majority (95.7%) of the people residing in the City claimed one race during the 2010 Census. Of those, 91 percent classified themselves as “white”. The largest single minority race claimed in 2010 was “American Indian/Alaska Native” which

comprised 3.3 percent of the City's population. 4.3 percent of the population claimed two races in 2010. 3.6 percent of the general population claimed Hispanic or Latino ethnicity in 2010. According to the 2019 ACS 5-Year estimates, the vast majority of residents throughout the Planning Area classified themselves as "white". Approximately 96.7% of the people residing in the City claim one race, 72.5 percent are classified as "white", while the largest minority race is "Black or African American" at 12.7 percent. This is a dramatic change from the 2010 census when there was no "Black or African American" classified.

EDUCATIONAL ATTAINMENT

- The percentage of adults 25 years of age and older attaining a high school diploma or higher in East Helena is lower than in the state of Montana, but higher than the nation. According to the 2019 ACS 5-year estimate, 90.0 percent of the 25+ group was a high school graduate or higher. In 2010, the percentage of the 25+ group was 95.1 percent. The percentage of adults (25 and older) in East Helena attaining a bachelor's degree or more has risen since 2010. Although behind Montana (32.0%) and the nation (32.1%), the percentage of adults attaining a bachelor's degree or higher jumped in East Helena from 18.3 to 21.0 percent from 2010 to 2019 respectively. Educational attainment in Lewis and Clark County is 95.6 percent of adults 25 and older attaining a high school diploma or higher and 40.1 percent achieving a bachelor's degree or higher.

DISABILITIES IN THE NON-INSTITUTIONALIZED POPULATION

- According to the Disability Characteristics in the 2019 ACS 5-year estimates, 329 people or 21.7 percent of the non-institutionalized East Helena population had a disability. Disability is defined by the Census Bureau as "a long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business." The rate of disability among the East Helena population was higher than the state rate of 13.6% in 2019 and the national rate of 12.6%.
- As would be expected, the rate of disability rises with age. Nearly 17.3 percent of the East Helena population over 65 has a disability. For all seniors, people 65 and older, the rate of disability in East Helena is higher than the both the state (17.1%) and national (14.3%) rates in 2019. (Refer to Table 2 for rates by age group.)

Table 2. Rates by Age Group

Disability Status of the East Helena Population by Age Group		
Age Group	Number of People	% of People in Age Group
Under 5 Years	0	0.0
5 to 17 Years	14	6.7
18 to 34 Years	0	0.0
35 to 64 Years	183	28.4
65 to 74 Years	86	39.8
75 Years and Over	46	35.4

POPULATION PROJECTIONS INTO 2030

- From 2000 to 2010, East Helena was a high growth community—one of just six cities in the state with an estimated population increase of over 20 percent between 2000 and 2010. Based on the most recent ACS estimates, that growth trend has somewhat subsided.
- If the current rate of growth were to continue over the next 10 years, as measured by the trend between 2010 and 2019 (Scenario 1) and using linear regression, the city of East Helena could reach a population of more than 2,261 by the year 2030 at an average annual average growth rate of 0.66 percent. Within the currently defined city boundaries, population density at that point would reach 554 people per square mile.
- A more liberal projection is a 1.45 percent annual average rate of growth based on East Helena’s growth between 1990 and 2010 (Scenario 2). This rate reflects both a period of national recession in the early 1990’s and a local period of accelerated growth between 2000 and 2010. At this rate, the population would reach 2,464 by 2030 and a density of nearly 604 people per square mile inside current city boundaries.
- The growth rate is anticipated to be higher by accounting for the two recent subdivision developments approved by the City in 2019. It is anticipated by 2027 or sooner an additional 386 household’s will be added to East Helena from these developments accounting for a population increase of 768 people using the 2019 ACS estimate for East Helena’s average household size (1.99). Which would catapult the City population to 2,752 by 2027, an increase of 28.9% or 3.37% annual average rate of growth over 7 years. If we apply the 1.45 percent growth rate to the last 3 years from 2027 to 2030 the total population by 2030 could be 2,874.
- Table 3 illustrates the Three growth scenarios mentioned above including population and densities at the 2025 and 2030 intervals.

Table 3. Population Projections for the City of East Helena Through the Year 2030

Growth Scenario	2019 ACS 5-Year Estimate Population	2025			2030		
		Population		Density (people per sq. mile)	Population		Density (people per sq. mile)
		Projected Population	Change 2019-2025		Projected Population	Change 2019-2030	
Scenario 1	2,103	2,188	+85	536	2,261	+158	554
Scenario 2	2,103	2,293	+190	562	2,464	+361	604
Scenario 3	2,103	2,489	+386	606	2,874	+771	699

- Under the three growth scenarios presented in Table 3, households in East Helena would grow to a range of 1,136 (Scenario 1), 1,238 (Scenario 2), and 1,444 (Scenario 3) by 2030. Household projections assume a constant average household size of 1.99 over the period based on the 2019 City average. (Refer to Table 4 for household projections)

Table 4. Housing Projections for the City of East Helena Through the Year 2030

Growth Scenario	2019 Census Households	2025		2030	
		Projected Households	Difference 2019-2025	Projected Households	Difference 2019-2030
Scenario 1	759	1,100	344	1,136	377
Scenario 2	759	1,152	393	1,238	479
Scenario 3	759	1,251	500	1,444	685

- Population projections presented in this Growth Policy are based on trends and population estimates. They present a range of possibilities for the future and are intended as indicators for planning and land use purposes. Because all possible changes that may occur cannot be anticipated, it is important to revisit projection figures over time. It will be particularly important to update the information contained in this Growth Policy after release of the official 2020 decennial census.

This page left blank intentionally.

APPENDIX C

Housing

This page left blank intentionally.

THE HOUSING STOCK

NUMBER OF HOUSING UNITS

The number and types of houses needed to accommodate the population are important considerations in the planning process. The ways in which houses are organized and maintained help create the aesthetic quality of a community and dictate the need and placement of associated infrastructure and services. Residential land use planning is, therefore, an important factor in this Growth Policy, particularly because East Helena is a steady growth area and is expected to continue growing through 2030, the period addressed in this analysis.

A significant number of housing units have been added to the East Helena Planning Area's housing stock over the last thirty years. Subdivisions in the neighboring portion of the greater Helena valley added nearly 700 housing units adjacent to the city in the 1970's, 1980's and 1990's.

According to the most recent data, 2019 American Community Survey (ACS), there were 836 total households in East Helena. The Lewis and Clark Geographic Information Services (GIS) (updated 12/31/2020), has an estimated 922 residential addresses in the city limits of East Helena, more the ACS data. This increase in households along with the decrease in population concurs with the decreasing average household size in East Helena.

Along with the rest of the United States, the City of East Helena saw a substantial increase in the housing market between the years 2000 to 2009 and a subsequent decrease in the recent years. It is estimated that from the years of 2010 to 2019 no new households were constructed (See figure 1). Since 2019 there has been a dramatic rebound in housing construction in East Helena and the Helena Valley. House stock in the Helena area is low and home construction is at an all-time high. In 2019 the City of East Helena approved two residential subdivision developments within the City that will provide 386 new single family residential households built out over the next 7 years.

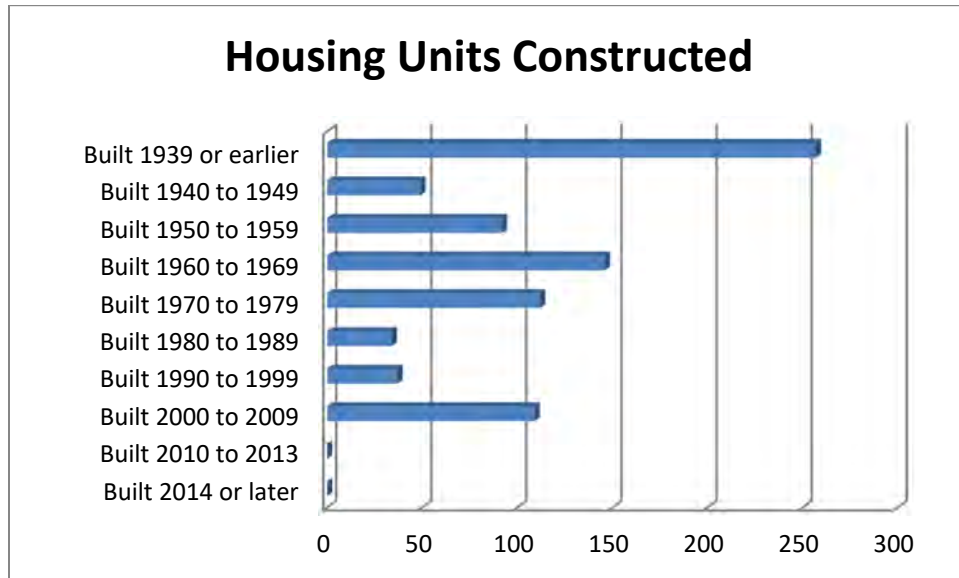


Figure 1

DISTRIBUTION OF UNITS IN THE PLANNING BOUNDARY

Twenty-six percent of the 3,525 housing units are contained in the city boundaries of East Helena. Combined, La Casa Grande, Eastgate Village I & II, Twilight Trails Court, Red Fox Meadows, and Sunny Lane Estates represent 34 percent of the units. The remaining 40 percent of total housing units are dispersed throughout the rest of the Planning Area. This data was obtained using the Lewis and Clark GIS updated 12/31/2020 (Refer to Figure 2).

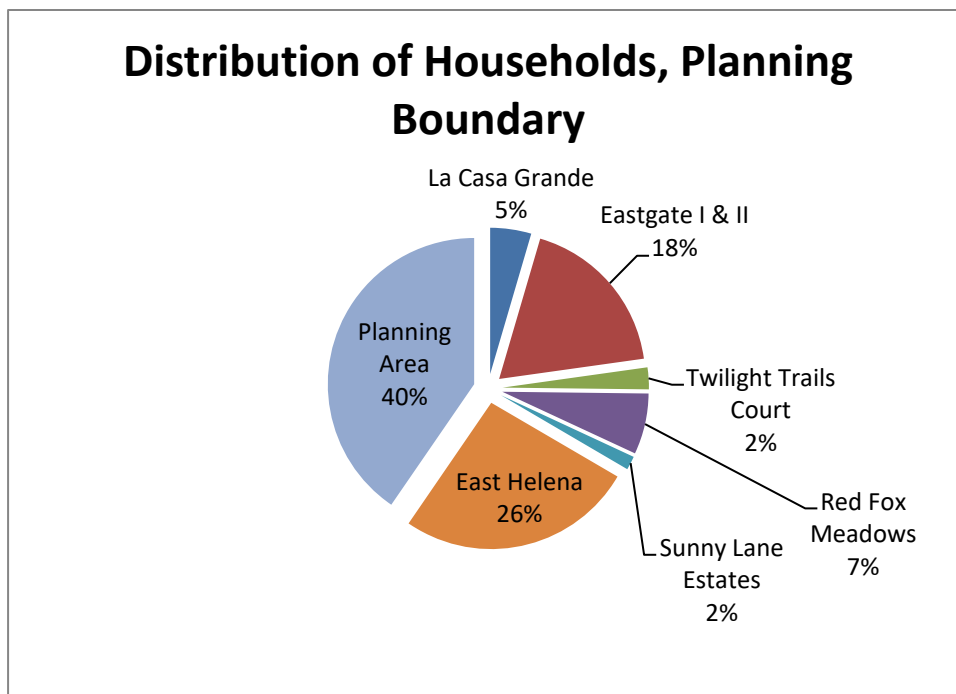


Figure 2

HOUSING DENSITY

The City of East Helena annexed a ASARCO land in 2010 that increased the city's land area from 1.74 to 4.02 square miles. In January of 2021 approximately 0.03 square miles of land was annexed into the city with the Vigilante Subdivision. The ASARCO annexation of 2.34 square miles of land area is primarily undeveloped farmland and as a result deflates the housing density figures. Using the 836-housing unit estimate from the ACS and the current land area of 4.05 square miles produces a housing density of 206 houses per square mile. A more accurate figure for housing density in the developed urban areas (0.7 square miles) of East Helena would be 1,194 houses per square mile.

Densities in the six surrounding subdivisions—La Casa Grande, Eastgate Village I & II, Twilight Trails Court, Red Fox Meadows, and Sunny Lane Estates—range from the lower density of 578 units per square mile in Red Fox Meadows to the higher density of 4,250 units per square mile in Twilight Trails Court (Refer to Table 1).

Table 1. Housing Densities in the East Helena Planning Boundary

Area	Number of Units	Sq. Miles	Units/Sq. Miles
La Casa Grande	160	0.17	941
Eastgate I & II	643	0.38	1692
Twilight Trails Court	85	0.02	4250
Red Fox Meadows	237	0.41	578
Sunny Lane Estates	53	0.07	757

TYPES OF HOUSING UNITS

The housing stock in East Helena is characterized by a predominance of single family detached units according to the most recent data from the 2019 ACS. Single family homes comprised 81.2 percent of the community's housing stock in 2019 compared with 67.5 percent for the nation and 73.0 percent for Montana. With single family homes decreasing from 83.4 percent (734 homes) in 2010 to 81.2 percent (679) in 2019, the recent trend in East Helena is towards building more multi-family units. Multi-family units in East Helena went from 12 percent (98 homes) in 2010 to 16 percent (136 homes) in 2019. Mobile homes have also seen a slight increase from 9 homes in 2010 to 12 homes in 2019 (See Figure 3).

With continued population growth expected the town's adjacency to the job market in the City of Helena, and the approval of 386 new residential lots construction of single-family units will likely dominate housing development into the near future.

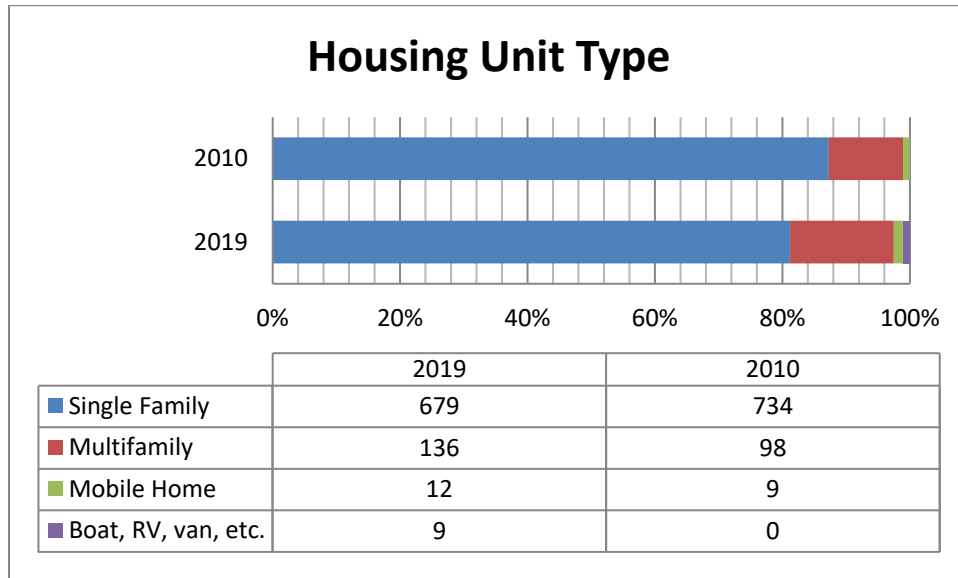


Figure 3

Within the Planning Area surrounding East Helena, there are high concentrations of single-family detached units in the six neighboring housing subdivisions—La Casa Grande, Eastgate Village I & II, Twilight Trails Court, Red Fox Meadows, and Sunny Lane Estates. Outside East Helena, the housing mix is quite different. Although a majority (96%) of housing units in the Helena Valley Southeast Census Designated Place (CDP) are single family homes, a significant portion of these units are mobile homes; 31 percent of the housing stock in the CDP is comprised of mobile homes, of which there are 918. An estimated one-third of the units were constructed prior to 1976 when National Manufactured Home safety standards went into effect. These units offer an affordable housing alternative to stick-built homes for lower income households. However, units constructed prior to 1976 are all too often the most substandard, unsafe and energy consumptive housing options.

TENURE

The rate at which housing units are occupied by people who own their units represents the homeownership rate for a community. An examination of tenure provides an understanding of an area's homeownership rate. According to the most recent ACS 5-Year estimate in 2019, the homeownership rate in East Helena was 70.5 percent - higher than the state of Montana (68.1%) and the nation overall (64.0%). From 2010 (78.3%) to 2019 (70.5%) the homeownership rate in East Helena has dropped by 7.8 percent. The economic recession has dampened homeownership rates on the state and national level as well. With the percentage of multi-family housing units increasing, the proportion of renters has grown and will continue to adjust the homeownership rate downward. A new rate will be provided upon release of 2020 decennial census data.

Of particular concern in the discussion of tenure in the housing stock is the number of housing units owned and occupied by senior citizens in East Helena. In 2019, seniors comprised 22.9 percent of the city's population and 34.8 percent of East Helena homeowners (ACS, 2019). In 2010, seniors comprised 23.3 percent of East Helena homeowners. This is consistent with the population trend of seniors staying in East Helena and continuing to own homes.

AGE OF THE HOUSING STOCK

East Helena has experienced growth periods in housing construction generally correlating to population growth in the corresponding periods (See Figure 4). The number of housing units has grown steadily since 1990 but declined rapidly and stopped around 2010 due to the economic recession. The housing market is bouncing back, and the East Helena population continues to grow.

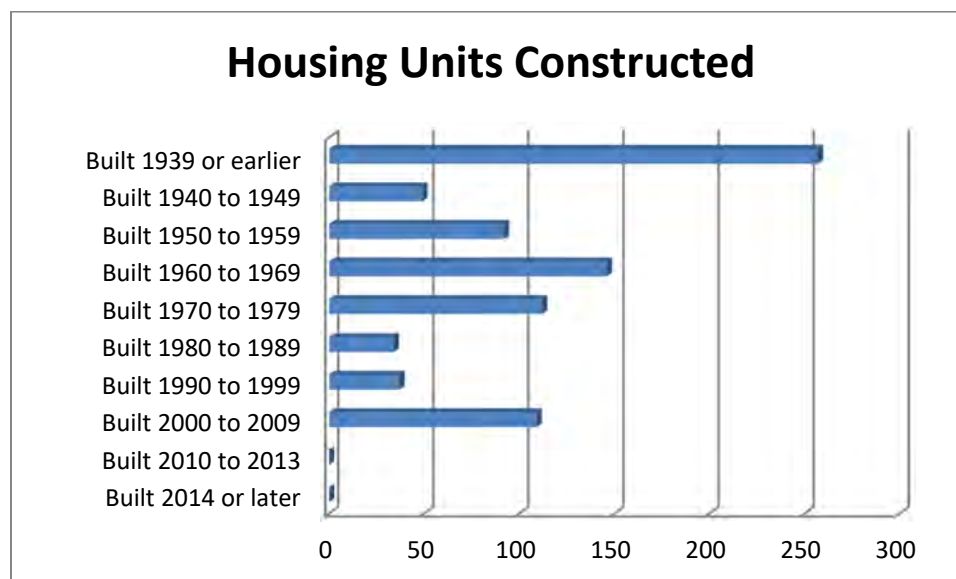


Figure 4

HOUSING AVAILABILITY

Vacancy rates provide an indication of housing availability in communities. The 2019 ACS 5-Year estimates indicate a vacancy rate for East Helena at 9.2 percent (77 housing units). Over half (5.9%) of the unoccupied housing units were for rent, for sale or sold. The vacancy rate for East Helena is far below the Montana average of 16.1 percent.

The low vacancy rate for East Helena is due to the lack of housing units even though the population continues to increase. As the construction of new housing units begin, the vacancy rate is anticipated to increase.

HOUSING AFFORDABILITY

The cost of housing in East Helena rose steadily during 2010 to 2019, according to the ACS. The median value of a home increased by 10.1 percent during that time, going from \$152,700 in 2010 to \$168,100 in 2019. In 2010, 53.1 percent of the homes were worth more than \$150,000, that number went to 67.4 percent in 2019.

In addition to rising home values, rents have also risen since 2010. Median gross rent in East Helena increased by 16.3 percent going from \$700 in 2010 to \$814 in 2019. This increase is most likely due to low vacancy rates and an increasing population.

Conversely, the monthly cost of owning a home, which includes a mortgage and associated costs, stayed relatively consistent—from \$1,121 in 2010 to \$1,290 in 2019. This was most likely caused by unprecedented interest rates that were at times lower than the rate of inflation.

Motivated by low housing costs, more families with higher household incomes are deciding to move to East Helena. The median household income jumped significantly from 2010 when it was \$46,227 to \$51,831 in 2019. This increase of 12.1 percent is indicative of the economic turnaround and a new demographic deciding to reside in East Helena.

APPENDIX D

Economics

This page left blank intentionally.

OVERVIEW OF THE EAST HELENA ECONOMY

The workforce of East Helena is closely linked to the neighboring City of Helena and yet the City has a strong desire to maintain its own identity and to remain distinct from Helena. Its character is rooted in its beginnings as a major player in Montana's mining industry. The city's first significant settlement of people came with jobs created by the Helena and Livingston Smelter built in 1888 on the banks of Prickly Pear Creek to serve the mining industry in the Helena region. The smelter, purchased by the American Smelting and Refining Company (ASARCO) in 1899, operated until April 2001. It processed 250,000 tons of raw materials annually to produce 75,000 tons of lead bullion and 88,000 tons of sulfuric acid. The presence of the smelter as a primary source of employment and ASARCO's long-term involvement in community and civic life in East Helena helped to form a strong identity as a "company town" - an independent community with an industrial character.

With closure of the smelter in 2001 came a loss of 250 jobs and a forty-seven percent (47%) reduction in taxable property value. While this could have been devastating to East Helena, the blow was softened by relatively swift absorption of workers into a growing job market in the City of Helena. Employment statistics for 2003 to 2007 show a fifteen percent (15%) increase in the county's total job count, much of which occurred in Helena. In connection with job growth in the county, the City of East Helena is not only persevering; its population is growing. It is evolving from a distinct industrial community to a "bedroom community" that is largely residential and whose labor force serves an external job market. It is estimated that up to 93 percent (93%) of the local labor force is employed outside the city, mainly in Helena. The challenge to city leaders will be maintaining East Helena's distinct, small-town identity in the face of accelerated growth with no distinguishing economic base.

The City of East Helena and the Helena area are seeing improvement in the local economy even through the current COVID-19 pandemic. Housing construction is at an all-time high and in 2019 the City approved the first major residential developments in decades that will add 386 households within the City limits. With the subdivision development there is renewed interest in commercial businesses moving into East Helena to serve the coming population growth. Since 2010, Montana's housing market has leveled off and the construction of new housing developments has begun again.

CURRENT CONDITIONS AND TRENDS

EMPLOYMENT AND LABOR FORCE

Providing an accurate depiction of current employment and labor force conditions in East Helena is inhibited by a lack of current data for small cities and towns. For the purpose of this Growth Policy, estimates are used to support the planning effort. The 2010 decennial census did not ask economic questions; therefore, the 2019 5-Year estimates were used from the American Community Survey (ACS). When referencing 2019 and the ACS, the actual value is derived from the average of the five years prior to 2019. According to the ACS there were 1,320 people in East Helena labor force, 16 years of age or older. Of those 1,320 people, 61.9 percent of them (817 people) are in the active labor force and 38.1 percent (503 people) are not in the active labor force. There were 51 unemployed workers making up 3.9 percent of the working population.

The estimated travel time for commuting to work was 27.5 minutes. It is expected that the 7.4 percent of the population that travels less than 10 minutes to work are working in the East Helena planning area. The 63.4 percent of workers that travel between 10 to 24 minutes to work are expected to work in Helena. The remaining 29.2 percent of the East Helena workers travel more than 25 minutes to work.

Many of the jobs inside the city limits appear to be service and retail sector jobs and those associated with local government and the school system. Although the school and government-related jobs may bring some new dollars to the community and could, therefore, be considered basic industry jobs, most often service and retail sector do not contribute much to a community's economic base. The ASARCO smelter that was once the foundation of East Helena's basic economy has not been replaced and the town has transitioned from an industrial community to one characteristic of a "bedroom" or "commuter" community, in that it is largely residential in character and is without a significant economic base. American Chemet, in business in East Helena since 1946, employs around 85 people and remains an important part of the local economy.

As illustrated by Figure 1, Lewis and Clark County experienced a significant job decline between 2011 and 2012 with steady job growth between 2012 and 2019, a period during which over 3,000 jobs were added to the economy. This steady job growth has contributed to population growth in the greater Helena Valley including East Helena. Figure 1 also shows how the recession affected the number of employed citizens in Lewis and Clark County during the years of 2008-2012. Data for 2020 was not available at the time of this report but it is assumed that employment numbers decreased through 2020 due to the COVID-19 pandemic. Even through the pandemic, the Helena Valley and East Helena has seen an increase in population and residential construction. Indicating people are still moving to the Helena area. This could be due to the rise in

people working from home due to the pandemic and relocating from out of state to get away from high population areas outside of Montana.

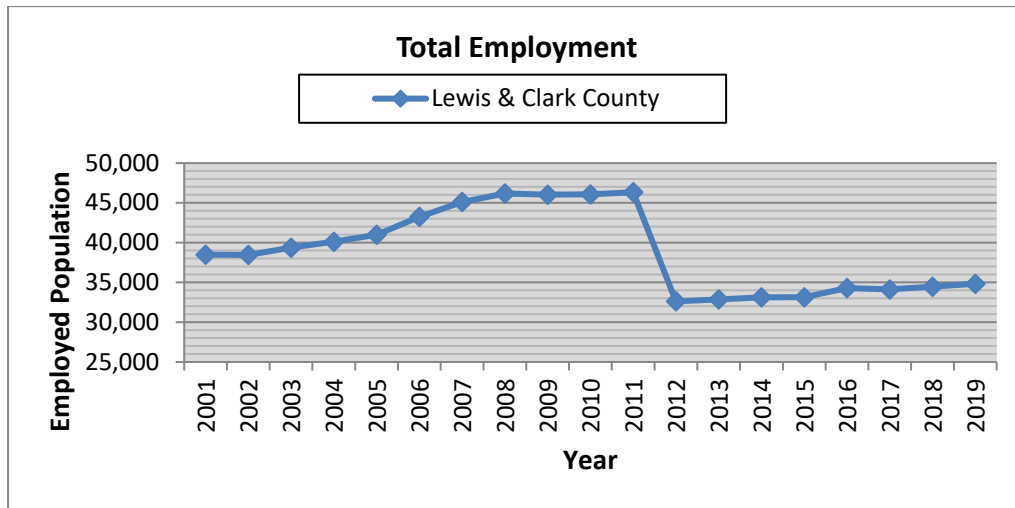


Figure 1

THE CITY'S TAX BASE

In addition to environmental and land use issues, closure of the ASARCO smelter in East Helena had an enormous impact on the local tax base. By 2006, taxable value for East Helena properties had decreased by forty-seven percent (47%) from the 1999 value prior to plant closure. The figures depicted in Figure 2 illustrate the change in taxable value between 2003 and 2013. These figures are provided by the Montana Department of Revenue and represent all classes of property (residential/commercial, industrial, centrally assessed, etc.). Taxable property value is derived by multiplying the market value times a rate, based on the class of property. The 2013 taxable value for property in East Helena was \$2,318,029 compared with \$2,222,356 in 2003.

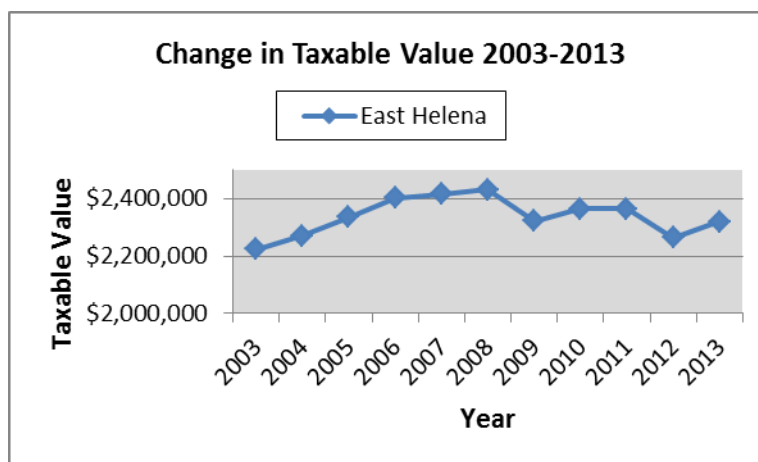


Figure 2

SOURCES OF HOUSEHOLD INCOME

The 2019 ACS 5-year average estimates that there are 785 people employed over the age of 16 in East Helena. Most workers in the East Helena labor force are employed outside the city and presumably in nearby Helena. This is supported by the fact that 33 percent of workers in East Helena were classified as “government workers” according to the 2019 ACS. Because Helena is the Montana state capital, it is estimated that nearly one-third of jobs in the City of Helena are government-related.

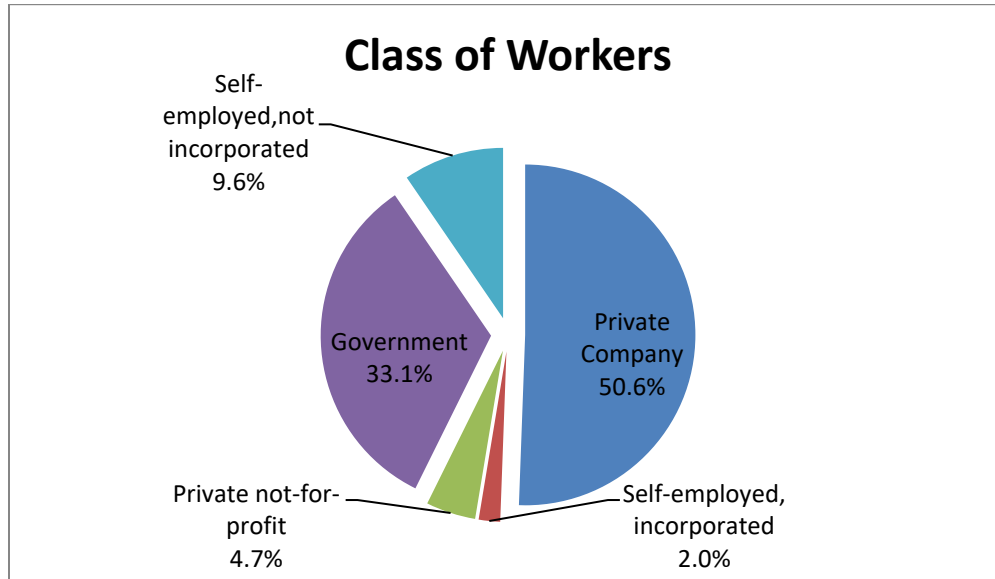


Figure 3

In 2019, just over half of East Helena workers earned a wage or salary working for a private employee while just over 11 percent were self-employed. Just over 4 percent of workers in the city were employed by a private, non-profit employer (Refer to Figure 4).

ECONOMIC INDICATORS

Unemployment - As the economy began to recover from the recession in 2010 the unemployment rate started on a decreasing trend for Lewis and Clark County, Montana, and the nation. (See Table 1) Lewis and Clark County has historically had lower unemployment rates than the state and nation. While unemployment rates have not quite reached pre-recession values, they have shown enough improvement to sustain a healthy economy.

Table 1. Unemployment Rates

Year	Lewis & Clark County	Montana	Nation
2010	3.5%	3.7%	5.1%
2011	4.0%	4.1%	5.6%
2012	4.2%	4.5%	6.0%
2013	3.8%	4.7%	6.2%
2014	3.8%	4.4%	5.8%
2015	3.2%	4.0%	5.2%
2016	2.7%	3.6%	4.7%
2017	2.1%	3.0%	4.1%
2018	2.0%	2.7%	3.7%
2019	2.0%	2.5%	3.4%

Home Sales - According to data provided by Citidata.com, home sales in East Helena had a substantial increase starting in the first quarter of 2011 and remained high through the year 2014. The City of Helena followed a similar yet less dramatic trend. (See Figure 5) The median home price in Helena and East Helena increased by about \$10,000 in 2013. In 2014, median home costs were roughly \$50,000 more in Helena than East Helena. This increase in cost has caused more people to move to East Helena for more affordable living. Citidata.com did not have data for 2015-2019. According to the 2019 ACS 5-Year estimate, the median value of a home in East Helena was \$169,400 and in Helena, the median value was \$245,500, a difference of \$76,100.

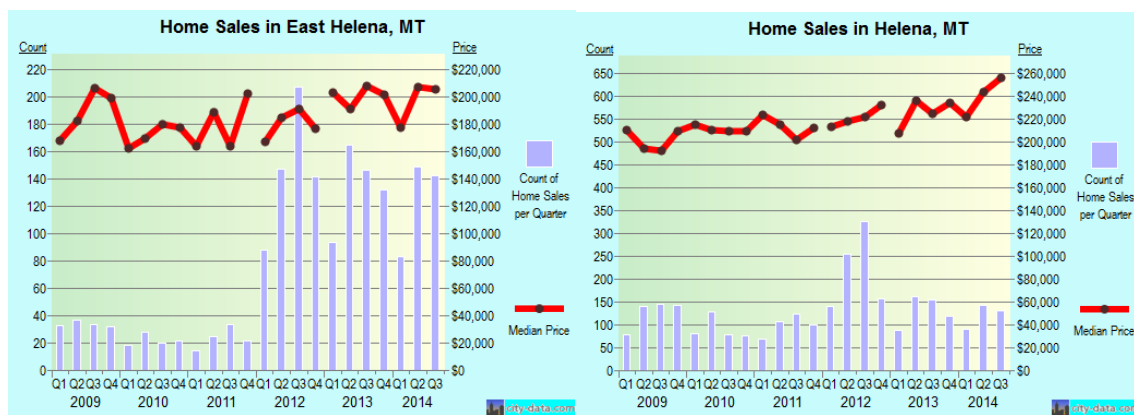


Figure 4

Household and Family Income - The decennial census no longer provides data on income, so ACS estimates were used for recent income data. Median household income in East Helena was \$51,831 according to the 2019 ACS. The figure represents a 12 percent increase over the 2010 ACS estimate (\$46,227), and it was 99.8 percent of

the national median household income for 2019. The increased 2019 median household income is reflected in the income distribution for East Helena; the City experienced an increase in the number of households with annual incomes greater than \$50,000. While the number of middle- and upper-income households increased during the decade, households with annual incomes of less than \$50,000 continue to comprise a significant portion of East Helena's households.

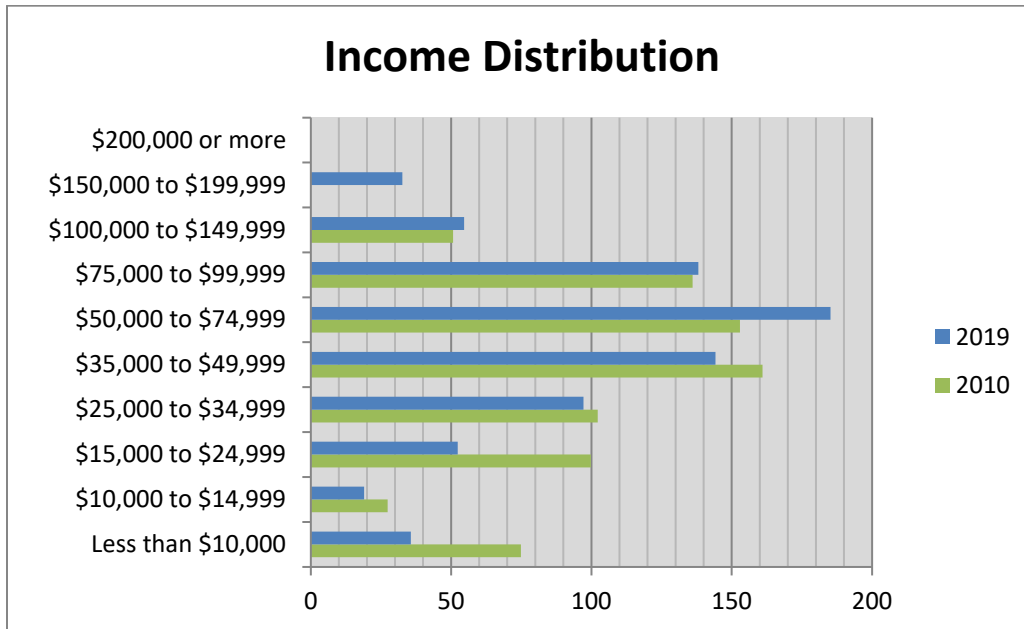


Figure 5

Forty-six percent of households were in the below \$50,000 category according to the 2019 ACS. (Refer to Figure 6). In addition, a significant number of family households (with two or more members) were considered “low-income” according to standards set forth by the U.S. Department of Housing and Urban Development (HUD). An approximate 30 percent of family households in 2019 had incomes that were at 80 percent or less of the area median income, thereby qualifying them for assistance through HUD programs.

The Southeast Valley CDP adjacent to East Helena had a higher median household income in 2019 according to the ACS. At \$54,583, the figure was 86.9 percent of the national figure. Because the Valley is home to more family households with double incomes and fewer senior households on fixed incomes, the median household income tends to be higher there.

Poverty - The poverty rate for East Helena provided by the 2019 ACS was 9.1%. This rate was lower than rates for both the state of Montana (13.3%) and nation (12.9%). The income to poverty ratio represents a family or individual to their respective poverty

threshold. Ratios below 1.00 indicate that the family or individual is below the official definition of poverty, while a ratio greater than 1.00 indicates income above poverty. See Table 2 for estimates of East Helena’s poverty ratios.

Table 2. Ratio of Poverty to Income

Ratio	Percent of Population
Under 0.50	3.9%
0.50 to 0.99	2.9%
1.00 to 1.24	0.9%
1.25 to 1.49	9.0%
1.50 to 1.84	1.6%
1.85 to 1.99	2.1%
2.00 and over	79.6%

ECONOMIC DEVELOPMENT ACTIVITIES

ECONOMIC DEVELOPMENT ORGANIZATIONS

There is one active economic development organization in the City of East Helena.

- Montana Business Assistance Connection (MBAC)** - MBAC is a non-profit, 501(c)6 organization that is supported by private sector, business funds and focuses on providing technical assistance in support of business development in the region that includes East Helena. MBAC was created from what was the previous Gateway Economic Development District.

ECONOMIC DEVELOPMENT ACTIVITIES

Remediation and Restoration Activities – Montana Business Assistance Connection is working closely with Lewis and Clark County and the City of East Helena on the clean-up and re-use of the lands that are part of the ASARCO smelter Superfund site. The Montana Environmental Trust Group (METG) has been identified as the responsible party for the cleanup and redevelopment of the former ASARCO properties. METG emphasizes both restoration and economic stabilization and growth in its approach.

Natural Resources Damage funds were awarded in 2020 for restoration projects for Prickly Pear Creek south of Highway 12. The Creek runs through the City of East Helena and its restoration could provide an important amenity to the community. A trail adjacent to the Creek could also provide a dike that would prevent flooding and the associated lead contamination from surrounding lands. There are also opportunities to connect East Helena to recreation sites in Helena, including the airport soccer fields

using the Creek and Trail system. The creek could potentially support fishing and provide an opportunity for visitors and residents alike to learn fly fishing.

The METG has also worked hard in the last 5 years to sell former ASARCO properties for redevelopment. Lands north and west of Valley Drive have been sold to the East Helena School District for a new elementary school and high school. A large tract between the two school tracts was also sold in 2019 and the City approved a residential subdivision in 2019. Lands west of Wiley Drive have been sold to Town Pump, Inc. for commercial development. Town Pump is currently looking at construction of a gas station and hotel at the corner of Highway 12 and Wiley Drive and no other development for the rest of the property is known. At the end of 2020, the METG finalized boundary relocation and right of way dedication on property at the southwest corner of the Highway 12 and Highway 516 intersection. This property is slated for commercial development in the future. Other properties south of this along Prickly Pear Creek were sold to the Prickly Pear Land Trust for the creation of a greenway.

Economic Development and Job Creation - MBAC is constantly working with companies to identify locations for new industries and business in East Helena to utilize the former ASARCO property and bring economic development to East Helena.

Tax Increment Finance Districts are a good way for the City to promote and attract new businesses to East Helena. Tax Increment Financing (TIF) is a technique that allows a local government to generate revenues for a group of blighted properties targeted for improvement, known as a TIF District. As improvements are made within the District, and as property values increase, the incremental increases in property tax revenue are earmarked for a fund that is used for improvements within the district.

Expenditures of TIF-generated revenues are subject to certain restrictions and must be spent within the district. The funds generated from a new TIF district could be used to finance projects such as street and parking improvements, tree planting, installation of new bike racks, trash containers and benches, and other streetscape beautification projects within the designated area.

In Montana, TIF districts were authorized in 1974 and are assessed through property tax. Financing options include private activity revenue bonds, pay as you go, loans, special assessments, and tax increment bonds.

The proposed land use map provided in this Policy outlines areas within the City of East Helena that would be ideal for commercial and industrial development.

Other Activities - MBAC works with local businesses, community members and a publisher in Lincoln, MT to produce a monthly community newsletter, the Prickly Pear Junction (the town's original name before it became East Helena). The newsletter is

supported by advertising and a selling price of 25 cents and helps to “brand” the community as a place that exists separately from Helena.

MBAC is interested in promoting East Helena to working families as an attractive place to live, with good schools and other amenities.

Most of East Helena’s residents work and shop in the City of Helena. The development of “mom and pop” retail and service enterprises would benefit the community and curb some of the “leakage”, which is currently occurring. In addition, East Helena could capture the business of people traveling between Townsend and East Helena.

This page left blank intentionally.

APPENDIX E

Land Use

This page left blank intentionally.

HISTORIC LAND USES

In 1888, Gilman Riggs and H.H. Clark platted the East Helena Townsite, the same year that a large lead smelter was built on the banks of Prickly Pear Creek in the Helena Valley. The Articles of Incorporation for the City of East Helena were filed in September 1927.

A land use pattern is the cumulative result of many private and public decisions interacting with the geography of a certain place. East Helena's land use pattern has been a dynamic and developing work in progress since the first settler arrived. Even though development has been subject to change, certain basic organizing principles are evident.

The development of East Helena revolved around the commercial core of Main Street and the industrial core established around the smelter and the railroad. This pattern was influenced by many factors: the need for services and employment within a reasonable travel distance when foot or horse was the principal means of transportation, the need for existing natural resources, the desire of businesses to be in close proximity to the existing customer concentrations, desire for physical protection during the initial settlement period, and the street and block pattern established by the founders of East Helena when they initially platted the land.

Existing land uses in and around East Helena include established residential areas and commercial businesses, newer residential subdivisions and acreage home sites, agricultural lands and open spaces, and industrial facilities (mainly the former ASARCO smelter and American Chemet's operating plant).

EXISTING PLANNING

The East Helena Planning Area is comprised of the entire municipal area of the City of East Helena and the surrounding area. The Jurisdiction Section of this Growth Policy provides a more specific description of the Planning Area. The planning area outside of the City of East Helena was previously included within the Lewis and Clark County Growth Policy, discussed below.

CITY OF EAST HELENA

This document represents an update to the City of East Helena's second comprehensive planning effort, the 2014 East Helena Growth Policy. While comprehensive planning for the East Helena area has been undertaken by Lewis and Clark County since 1983, these documents typically addressed the area within the municipal boundaries of the City of East Helena in the broader context of planning for the Helena Valley area.

LEWIS AND CLARK COUNTY GROWTH POLICY

The Lewis and Clark County Growth Policy adopted February 15, 2004, was an update of the 1989 County Comprehensive Plan. The County subsequently prepared a 2015 Growth Policy update that focused on the Helena valley including a Helena Valley Area Plan. The Lewis and Clark County Growth Policy had four distinct land use designations for the area surrounding the city of East Helena and included in the East Helena Planning Area – Urban, Transitional, Special Use and the balance. Possible Urban Development Areas adjacent to East Helena, where its municipal infrastructure could be extended, were not identified in the Lewis and Clark County Growth Policy. Figure 1 shows an excerpt from the future land use map for county lands surrounding East Helena.

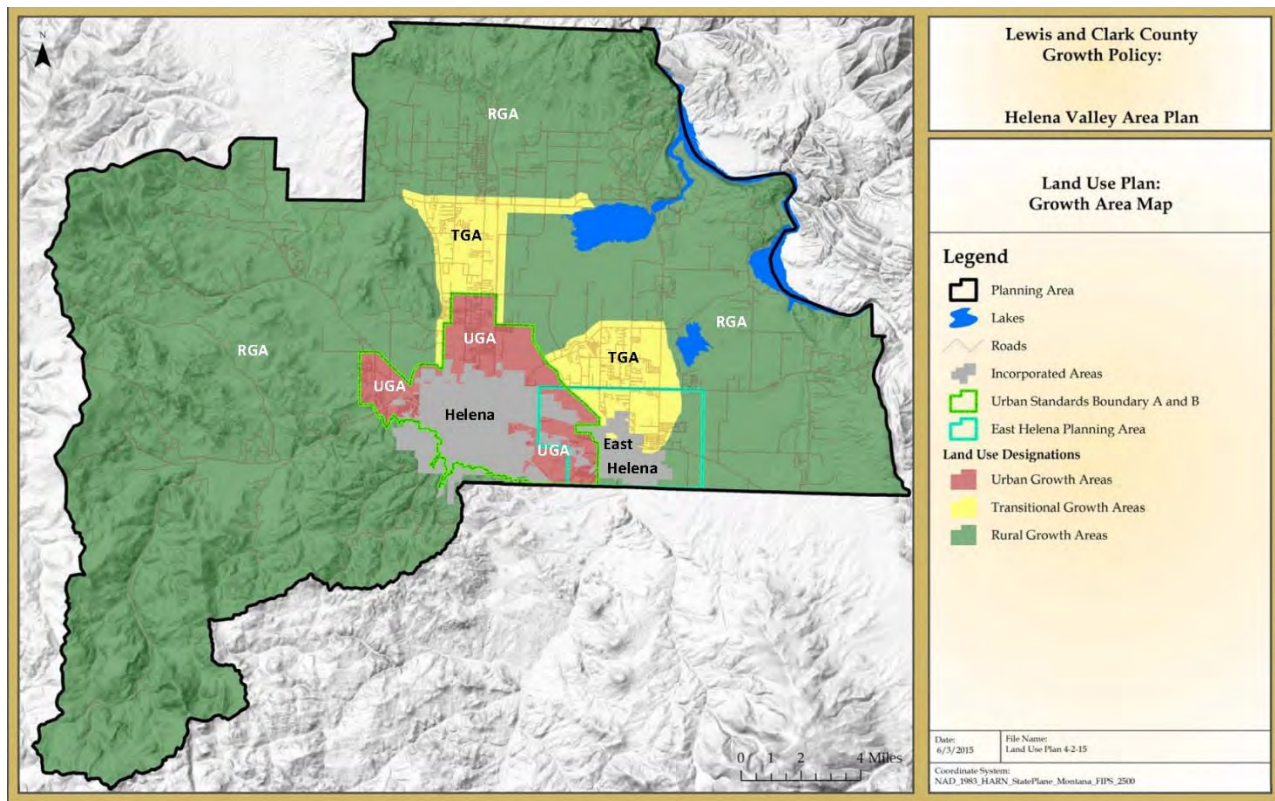


Figure 1. Growth Area Map

Source: Lewis and Clark County Growth Policy Update, 2015, Helena Valley Area Plan

The Lewis and Clark County Growth Policy update indicates with limited availability of water and sewer capacity it is assumed the City of East Helena is not likely to be a major location for the projected 4,000 homes in the next 20 years. It should be assumed most of the available capacity will be used for existing developed land adjacent to the City or for undeveloped land within the City limits. The County will look for opportunities where joint planning efforts can set the foundation for a closer relationship and more integrated approach to land use planning. With nearly 2,000 acres of undeveloped land

within the city limits, there is room for future development within the City limits. The update also indicated the County should work with East Helena to resolve any potential conflicts between the surrounding areas designated for rural preservation under the 2014 East Helena Growth Policy and transitional suburban growth under the County updated Growth Policy.

The 2015 Growth Policy Update identifies three land use designations within the Helena Valley and East Helena Planning Area Boundary. The Urban Growth Area is identified between the City of Helena and the City of East Helena. A portion of this Urban Growth area is within the planning area boundary for the City of East Helena. The 2015 Growth Policy update identifies the Urban Growth Area as large undeveloped tracts of land in close proximity or adjacent to the City of Helena that present opportunities to promote an orderly and efficient growth pattern of urban densities necessary to best accommodate the projected population increase and best meet the ensuing housing demand. The Rural Growth Area is identified to the east of the City limits and a portion of this is within the Planning Area Boundary. The 2015 Growth Policy update identifies this area as development constraints such as water availability, poor roads, and fire protection constraints. The intent is to facilitate low-density rural development by limiting density with land use regulations. The Transitional Growth Area is located north of the City and a portion of this area is with the East Helena Planning Area Boundary. This area will support suburban development with private utilities and land use regulations will be utilized to control densities.

LAND USE REGULATIONS

Land use regulation or “zoning” is permitted under the Montana Code Annotated for the purpose of promoting health, safety or the general welfare of a community or area, the governmental jurisdiction is empowered to regulate and restrict items such as: the height, number of stories, and size of buildings and other structures; the percentage of lots that may be occupied; the size of yards, courts, and other open spaces; the density of population; and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes.

Montana’s municipal zoning laws are set forth in 76-2-301, MCA. Two different types of County zoning are permitted under Montana Code. Citizen-petitioned (Part 1) zoning is authorized under 76-2-101, MCA and County (Part 2) zoning is authorized in 76-2-201 MCA. 76-2-310, MCA addresses the extension of municipal zoning and subdivision regulations beyond municipal boundaries. The statute indicates that a city that has adopted a growth policy may extend the application of its zoning or subdivision regulations beyond its limits in any direction except in locations where a county has adopted zoning or subdivision regulations. This means the City of East Helena cannot extend zoning or subdivision regulations beyond its corporate limits because Lewis and

Clark County has adopted zoning and subdivision regulations that cover the areas outside the corporate limits.

CITY OF EAST HELENA ZONING REGULATIONS

The City of East Helena initially adopted Interim Zoning Regulations on May 17, 2007 and extended the regulations on November 13, 2007, and again on November 12, 2008. These interim zoning regulations were intended as an urgency measure to prohibit any uses of land which may be in conflict with a contemplated zoning proposal for the city. This measure allowed the City Council time to draft, review and adopt a growth policy. Upon completion of this growth policy process, the zoning regulations were brought into compliance with the adopted growth policy and became effective on December 31, 2009. More recently, the zoning regulations were updated, and a draft was prepared on February 6, 2020. The City Council adopted the zoning regulations on July 21, 2020 and they became effective on August 21, 2020.

The City of East Helena Zoning Regulations provides for “Agricultural Suburban”, “Residential”, “Commercial”, “Downtown Commercial”, and “Industrial” districts, and includes urban development standards. The City also included the Highland Meadows Planned Unit Development District into the regulations in 2020 to regulate land use within the Highland Meadows Subdivision. A copy of the adopted Zoning Map is provided as Figure 2. The districts provide for the following uses from the Zoning Regulations:

1. Agricultural Suburban District. The Agricultural Suburban District shall include all land uses designated on the East Helena Zoning Map, dated February 7, 2020, as:
 - a. No designated land (Reserved for future use).
2. Residential District. The Residential District shall include all land uses designated on the East Helena Zoning Map, dated February 7, 2020, as:
 - a. Residential District; and
 - b. Public Use and Parks.
3. Commercial District. The Commercial District shall include all land uses designated on the East Helena Zoning Map, dated February 7, 2020, as:
 - a. Commercial District.

4. Downtown Commercial District. The Downtown Commercial District shall include all land uses designated on the East Helena Zoning Map, dated February 7, 2020, as:
 - a. Downtown Commercial District.

5. Industrial District. The Industrial District shall include all land uses designated on the East Helena Zoning Map, dated February 7, 2020, as:
 - a. Industrial.

6. Highland Meadows Planned Unit Development District. The Highland Meadows Planned Unit Development District shall include all land uses designated on the East Helena Zoning Map, dated February 7, 2020, as:
 - a. Highland Meadows Subdivision.

LA CASA GRANDE ZONING DISTRICT #22

In 1977, the Lewis and Clark County Commission adopted Resolution 1977-40 to establish zoning for the La Casa Grande Subdivision. The Part 1 Zoning District is comprised of the La Casa Grande Subdivision which is substantially built-out. The City of East Helena does not have regulatory control of development in the La Casa Grande Zoning District. The Zoning District boundaries are shown in Figure 3.

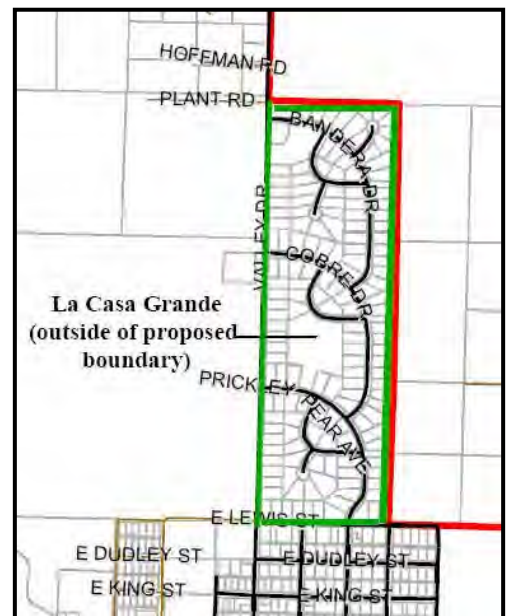


Figure 3: La Casa Grande Zoning

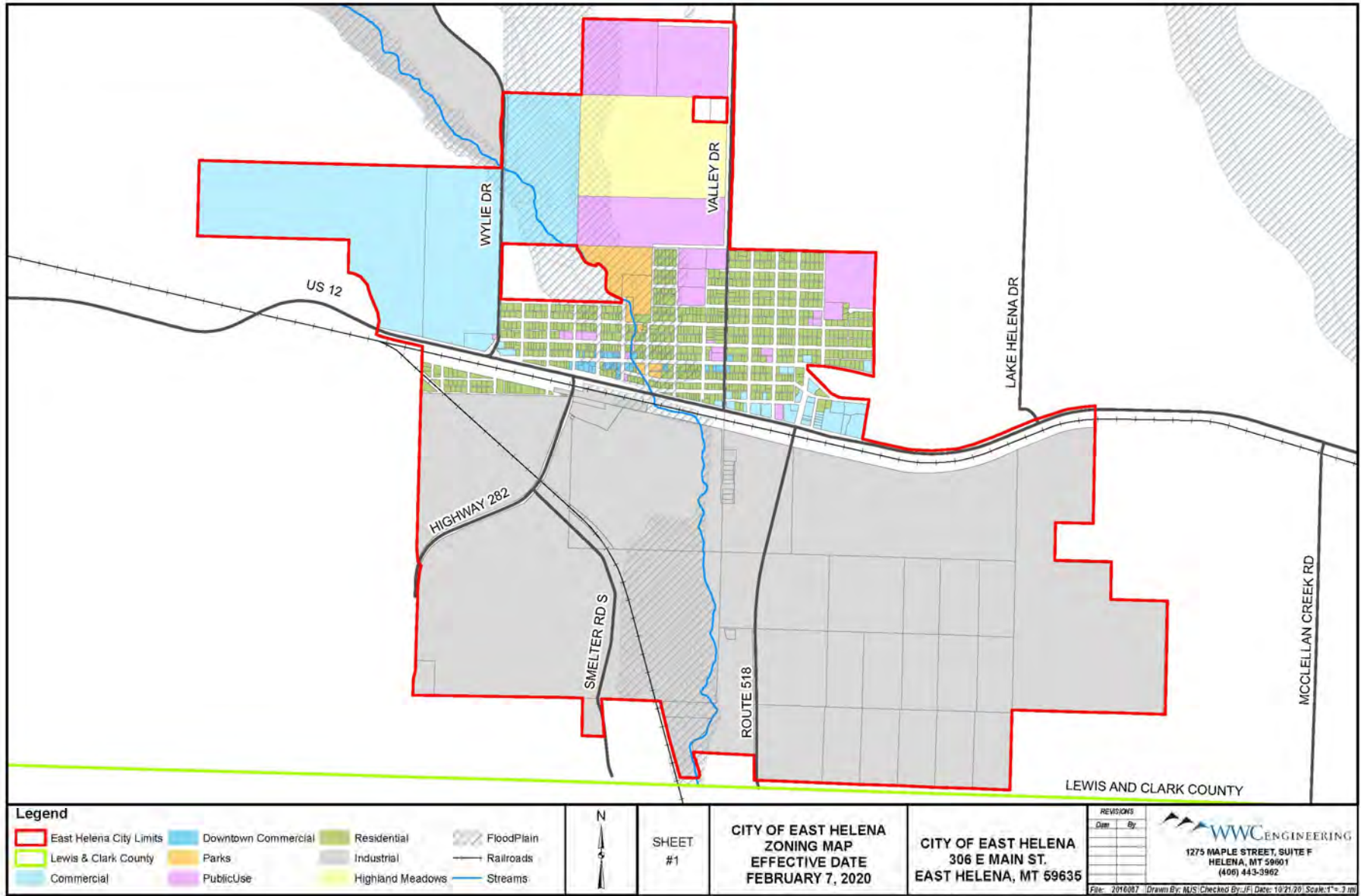


Figure 2. Current City of East Helena Zoning Map

EAST HELENA VALLEY PLANNING AND ZONING DISTRICT SZD #43

The Lewis and Clark County Commission adopted Resolution 2008-39 on June 8, 2008 to create the boundaries of the East Helena Valley Planning and Zoning district. This citizen-initiated zoning district covers about 1.6 square miles (shown below in Figure 4) and was established in response to a proposed 111-acre gravel pit to be developed by Helena Sand & Gravel. The zoning regulations essentially maintain a 1,000-foot buffer between the operation and the nearest homes. The regulations, which limit Helena Sand & Gravel's ability to amend its operating permit or expand the pit beyond the initially approved 111 acres on its 440-acre site, are currently subject to a lawsuit between the company and the County's Planning and Zoning Commission. The courts upheld the zoning district's creation.

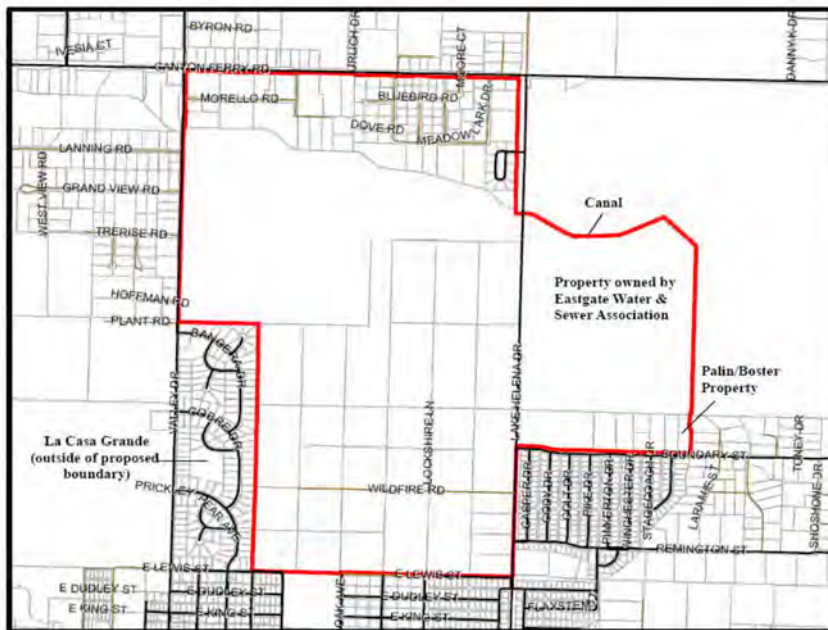


Figure 4: Helena Valley Planning and Zoning District

HELENA VALLEY PLANNING AREA ZONING DISTRICT

On May 15, 2007 with Resolution 2007-48, the Lewis and Clark County Commission adopted interim zoning for the Helena Valley Planning Area to address the emergency created by groundwater contamination. The interim zoning regulations were applicable to all lands within the East Helena Planning Area except lands within the City of East Helena, the La Casa Grande Zoning District, and the East Helena Valley Planning and Zoning District. These zoning regulations applied to all lots within the Helena Valley Planning Area and each lot was restricted to a single use. These zoning regulations

regulated the placement of individual wastewater treatment systems and encouraged the use of centralized wastewater systems.

The interim regulations expired on May 14, 2009 and could not be extended. On November 19, 2020, the Lewis and Clark County Board of County Commissioners, per Resolution 2020-97, adopted Zoning Regulations for the Helena Valley Planning Area. These zoning regulations are applicable to all lands within the East Helena Planning Area and outside of the East Helena city limits.

COUNTY ZONING WORKING GROUP

The Lewis and Clark County Commissioners authorized the creation of a working group on 2020 to work on development of zoning development standards for the Helena Valley zoning that was adopted in 2020. The group was established in January 2021 and it is anticipated that zoning development standards will be developed for all districts by the end of 2021 or early 2022. These standards will be applied to zoned areas within the East Helena planning area. It will be critical for the City of East Helena to work with Lewis and Clark County during these processes.

EAST HELENA SUPERFUND SITE

HISTORY

A large lead smelter was built on the banks of Prickly Pear Creek in the Helena Valley adjacent to the East Helena Townsite and operated from 1888 until April 2001. ASARCO took ownership of the smelter in 1895 and continued to operate it until its closure in 2001. ASARCO owns the smelter grounds and much of the undeveloped lands surrounding East Helena. During its operation, the smelter produced lead bullion, but also recovered copper, gold, silver, and platinum for refining at other ASARCO facilities. Ores and concentrates were shipped to East Helena for smelting from mines as far away as Indonesia and South America.

The former Anaconda Minerals Company constructed and operated a zinc plant from 1927 through 1972, producing zinc oxide from the lead smelting by-product slag. The American Chemet Corporation began producing zinc-based paint pigments in 1947. American Chemet continues to operate to this day but has modified and upgraded its zinc and copper products lines numerous times over the years. BNSF Railway and Montana Rail Link also operate rail lines and own or lease property adjacent to the industrial complexes.

During its operation, the smelter produced lead bullion, but also recovered copper, gold, silver, and platinum for refining at other Asarco facilities. The lead and zinc smelting operations deposited lead, arsenic, copper, zinc, cadmium, and some 15 other

hazardous substances into the soil, surface water and groundwater of the Helena Valley. The soils, surface water, and groundwater in and around the smelter are considered contaminated with lead, other heavy metals and arsenic. Lead is the contaminant of primary concern in soils. Arsenic and selenium are the contaminants of primary concern in the groundwater. Contaminated groundwater does not pose a threat if it is not used for domestic water supply and there is no direct human contact.

The site was proposed for addition to EPA's Superfund National Priorities List (NPL) in September 1983 and listing became final one year later. The Superfund boundaries are shown in Figure 5.

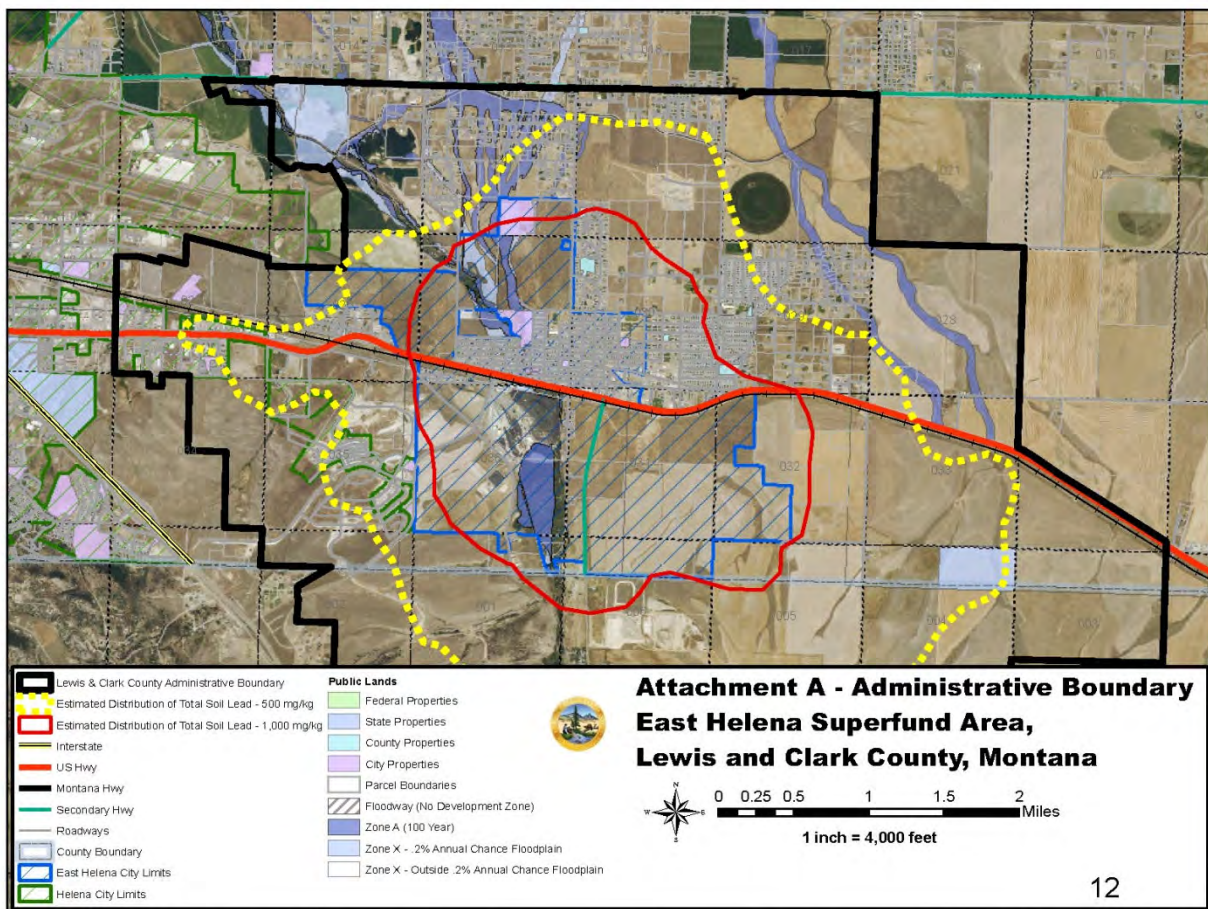


Figure 5: East Helena Superfund Area

SUPERFUND SITE OPERABLE UNITS

The East Helena Superfund site consists of the smelter, all of the City of East Helena, nearby residential subdivisions, numerous rural developments such as farms and homes on small acreage plots and surrounding undeveloped and rural agricultural

lands. ASARCO used to own the smelter grounds and much of the undeveloped lands surrounding East Helena. The former ASARCO properties were transferred to the METG when it was established in 2009.

ASARCO was the principal potentially responsible party for the East Helena Superfund site. However, four other entities—the former Anaconda Minerals Company, American Chemet, BNSF Railway and Montana Rail Link—have also been named as potentially responsible parties.

In September 1984, EPA listed the site on the NPL since the soils, surface water, and groundwater in and around the smelter are contaminated with lead, other heavy metals, arsenic, and selenium. Lead is the contaminant of primary concern in East Helena area soils. Arsenic and selenium are the contaminants of primary concern in the groundwater. Contaminated groundwater does not pose a threat if it is not used for domestic water supply and there is no direct human contact. ASARCO conducted numerous investigations to identify soil, groundwater, and surface water impacted by past smelter operations. EPA and the Montana Department of Environmental Quality (MDEQ) have and continue to provide oversight and direction. In 1987, this large, diverse site was segregated into five operable units (OUs):

- OU 1 - Process Ponds and Fluids (including the process ponds and process fluids circuits),
- OU 2 - Groundwater (beneath the smelter property as well as beyond),
- OU 3 - Surface Soils and Surface Water (including residential and agricultural soils, vegetation and livestock, fish and wildlife, Prickly Pear Creek, and Wilson Ditch),
- OU 4 - Slag Pile, and
- OU 5 - Ore Storage Areas.

EPA divided the site into operable units partly to begin work on the Process Ponds while continuing to study other parts of the site. A Record of Decision for the Process Ponds (Operable Unit No. 1) was issued by EPA in November 1989. In late 1989, EPA selected the remedy to reduce groundwater pollution from the process ponds at the site. The process ponds cleanup, which was intended to prevent further migration of contaminated groundwater away from the smelter site, is not deemed protective of the environment.

ASARCO conducted the required remedial actions for the process ponds from 1990 until the remedy was completed in the fall of 1996. In 1998, a Consent Decree (1998 RCRA CD) (USEPA, 1998) issued between the United States Department of Justice and ASARCO required ASARCO to resolve major environmental compliance issues under the RCRA authority at the smelter property and its ancillary features, including the slag pile, former ore storage areas, Upper Lake, Lower Lake, Prickly Pear Creek and its riparian corridor, and groundwater.

Subsequently, EPA Region 8 changed the OU designations for the East Helena Superfund Site. Currently, EPA recognizes two OUs associated with the Superfund Site; these include OU1 - Process Ponds, and OU2 - Residential Soils and Undeveloped Lands.

OU 2 SURFACE SOILS, VEGETATION, LIVESTOCK, AND FISH AND WILDLIFE

About 2,000 people live within one and one-half miles of the smelter complex and most of the residential properties within that area were contaminated with lead above health-based concentrations. Health advisories were issued in 1988 to area residents advising caution regarding disturbances of soil, dust in houses and their attics, and unwashed home-grown garden vegetables. Advisories also were issued concerning Wilson Irrigation Ditch, which was contaminated and passes through a number of yards and play fields.

In the summer of 1991, EPA and ASARCO entered into an Administrative Order of Consent (AOC) to begin a residential soil removal action. Removal of soils with high concentrations of lead, cadmium, arsenic, and other hazardous substances from residential yards, parks, roads, alleys, and road aprons has been ongoing since the spring of 1991. Lead is the primary contaminant of concern and triggered the removal of soils from residential yards. ASARCO conducted the majority of the cleanup from 1991 to 1996.

ASARCO, with EPA and MDEQ oversight and direction, has excavated and replaced more than 540 residential yards, 400 sections of adjacent alleys and road aprons, 5 public parks, 3 day-care centers, 2 schools, 2 gas stations, 4 parking lots, 4,200 linear feet of irrigation ditch, and a 45-acre field planned for development. In addition, a long-term monitoring program is in effect. The long-term monitoring program includes annual sampling of a percentage of the remediated yards to determine the potential for reintroduction of metals in replaced soils.

The Wilson Irrigation ditch was cleaned up in 1993 and no longer poses risks. These actions eliminated immediate sources of soil contamination.

Superfund will continue to be the governing authority for cleanup of residential and agricultural soils, as well as any surface water or surface water source that may require cleanup.

An additional component of the remedial actions implemented at the site includes the Lead Education and Abatement Program administered by the Lewis and Clark City-County Health Department. The program is intended to educate the community, reduce or prevent exposure to lead, particularly for children, and to collect data relevant to long-term planning, administration of institutional controls, and long-term management of lead poisoning risks.

Since the program's inception in 1995, some 1,400-individual lead-in-blood tests have been conducted. Fewer than 3% of the children tested during this period exhibited blood lead ratios greater than 10 micrograms per deciliter (a level of concern established by the Centers for Disease Control and Prevention - CDC). Since 1999, there has been a significant decrease in the numbers of children above the detection limit of 1 microgram per deciliter lead in blood. Of 502 children tested from 2000-2004, 97% were at 4 micrograms per deciliter or below. Prior to 1985, two-thirds of East Helena's children exhibited blood lead ratios greater than 10 micrograms per deciliter and one-third exhibited ratios greater than 15 micrograms per deciliter.³

Community blood lead levels are now below the threshold of concern. Isolated cases, when they occur, are examined on an individual basis by Lewis and Clark City-County Health Department professionals and are generally found to no longer be associated with residential yard soils.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) ACTIVITIES

All other aspects of the East Helena smelter site are regulated under Resource Conservation and Recovery Act (RCRA). In 1995, the RCRA Program, became responsible for the disposal of process ponds cleanup residues, process ponds, ground and surface water, the slag pile and former ore storage areas.

Dismantling of buildings associated with the smelter has also been ongoing at the site. Much of the building debris is heavily contaminated with hazardous materials left over from the smelting process. The materials that cannot be recycled are deposited into the landfill (known as a Corrective Action Management Unit or CAMU) on the smelter property. The CAMU encapsulates covered debris in an impermeable barrier and has monitoring devices to help detect if anything were to ever migrate from the disposal site.

Remediation of groundwater contamination associated with an arsenic and selenium plume emanating from the site has been a major activity undertaken at the site. Since

1998 when a Consent Decree was signed, ASARCO has undertaken various corrective actions to help remediate the groundwater concerns in the area. The METG succeeded to Asarco's RCRA obligations at the East Helena Site (including many of Asarco's obligations set forth in the 1998 RCRA Consent Decree) when the METG was created in December of 2009. Since that time, the METG has pursued a number of RCRA activities, including but not limited to : completion of the Phase II RCRA Facility Investigation; completion of a Baseline Ecological Risk Assessment and a Screening Level Human Health Risk Assessment; planning and implementation of Interim Measures, including preparation of three IM Work Plans, demolition of all remaining on-site structures (except the Water Treatment Plant), design and permitting of the PPC realignment project, design, permitting and construction of the PPC temporary bypass channel, relocation of the City of East Helena waterline, and relocation of electric and communications lines; preparation of a draft Corrective Measures Study (CMS) work plan; and an expanded groundwater monitoring system. The METG is currently planning to remove material from the Tito Park Area and begin construction of the interim cover system on the former smelter property this year. Current plans call for construction of the PPC realignment project and construction of the final cover system in 2015 and 2015.

METG is required by the consent decree to conduct an annual meeting to update the community on RCRA corrective activities.

ASARCO BANKRUPTCY AND ENVIRONMENTAL SETTLEMENT

ASARCO, purchased by Grupo Mexico in 1999, filed for Chapter 11 bankruptcy protection in August 2005 in an effort to reorganize and make the company stronger and more viable. The bankruptcy proceedings are being handled by the U.S. Bankruptcy Court in Corpus Christi, Texas. The bankruptcy proceedings are extremely complicated due to a large number of subsidiary companies involved.

Three years after ASARCO sought bankruptcy protection; it proposed a reorganization plan to sell its major remaining mining and smelting assets to a Sterlite Industries Ltd, an India-based company. The money raised from the sale to Sterlite would have allowed ASARCO to pay off its major secured creditors and settle roughly \$9 billion worth of environmental and asbestos claims. The settlement would have included funding to clean up industrial and mining sites in Montana, with the bulk of the proposed settlement going toward environmental damage in and around East Helena. However, Sterlite backed out of the proposed sale in late 2008.

In March 2009, an agreement to provide funding for cleanup of ASARCO-owned mining and industrial properties in Montana was reached between the state and federal

government and ASARCO, LLC. The agreement, filed in bankruptcy court for approval, would provide funding to cleanup sites owned by ASARCO.

In June 2009, the Judge in the ASARCO bankruptcy case announced his intent to approve the Montana Custodial Trust Settlement, along with four other environmental settlements affecting other states and the United States. This settlement, which was signed by the State of Montana, the United States and ASARCO in March, will provide \$138 million to be paid into a custodial trust to cleanup industrial and mining sites in Montana that are owned by ASARCO, LLC. The settlement provides \$100 million for cleanup of contaminated groundwater and soils in East Helena. The trust will also get \$8.9 million to cover administrative costs. Along with the settlement payments, the trust will get all of the ASARCO owned lands associated with these sites. Once cleaned up, these lands could be sold to obtain additional cleanup money or could be dedicated to public purposes.

The court also approved a \$13.3 million settlement to clean up yards and other contaminated properties in East Helena that are not owned by ASARCO.⁴

The operations, activities, responsibilities, and obligations of the Custodial Trust are set forth in and governed by the 2009 Consent Decree and Settlement Agreement Regarding the Montana Sites (the Settlement Agreement) and the Environmental Custodial Trust Agreement (the Trust Agreement) entered into by the United States, the State of Montana and the Custodial Trust and approved by the US Bankruptcy Court for the Southern District of Texas, Corpus Christi Division. Under the Settlement Agreement, the US Environmental Protection Agency (EPA) is the designated Lead Agency for the East Helena site. As Lead Agency, EPA oversees and approves the Custodial Trust's cleanup activities and budgets. EPA and the State are the sole beneficiaries of the Custodial Trust and have individual approval rights for the transfer, sale or disposition of all Custodial Trust property in East Helena.

INSTITUTIONAL CONTROLS

Institutional Controls, (ICs) are measures that serve to protect against the likelihood of exposure to residual levels of contamination that remain in place after (or during) a cleanup. In this case, ICs also provide for an orderly transfer of land usage, such as when agricultural or undeveloped lands may be proposed for development (e.g., commercial, or residential).

EPA often refers to ICs as remedy protection measures. They may be administered by a governmental entity, by a private property owner, or by a combination of the two. Governmental ICs, for example, may impose land or resource restrictions using government authority, such as building codes, permits or zoning regulations that are

administered by local agencies. Proprietary controls, either private, governmental, or a combination of the two, typically involve landowner agreements or easements that restrict certain activities on the property.

ICs are a particularly necessary component of the final remedial action to be implemented for the East Helena Superfund site because lead concentrations in the environment cannot be completely eliminated or contained. Residual levels of lead will remain in place, sometimes in excess of safe levels, buried beneath foundations, sidewalks and temporary structures, in unfinished basements or attics, and on undeveloped lands that surround the community.

It is anticipated that the Lewis and Clark County and the City of East Helena will eventually assume the responsibilities for administering ICs that will conform to applicable ordinances and other local regulations.

In order for the City of East Helena or Lewis and Clark County to adopt any controls, the EPA would have to incorporate the ICs in the Record of Decision (ROD). The ROD for the residential soils operable unit was signed in September 2009.

In 2012 the East Helena Superfund Site Institutional Controls were put in place by Lewis and Clark County and is administered by the Lewis and Clark County City-County Health Department Lead Education and Abatement Program. Concurrently East Helena developed an Institutional Controls Program to plan for the implementation of the Institutional Controls in East Helena. A copy of the final Institutional Controls and the East Helena Institutional Controls Program implementation plan are included in Appendix K of this document.

EXISTING LAND USES AND MAPS

Current land uses in East Helena Planning Area include established residential areas and commercial businesses, newer residential subdivisions and acreage home sites outside the city limits, agricultural lands and open spaces, and industrial facilities. METG, Town Pump, Inc., and Helena Sand and Gravel are the largest landowners within the planning area boundary.

EXISTING LAND USES

Agricultural and Vacant

Agriculture and vacant land accounts for approximately 50 percent of land uses within the East Helena Planning Area. It should be noted that a large portion of the land in this category is comprised of properties formerly owned by ASARCO. The ASARCO properties were annexed into the City of East Helena in 2009 and therefore are now within the City of East Helena. The annexation of these lands increased the land area of

East Helena from 550 acres to 2,575 acres. Prior to the annexation of the ASARCO properties East Helena had less than 1% of its land area listed as vacant. Upon annexation of the ASARCO properties the vacant land area increased to 75% within the City limits.

Irrigated agricultural lands are located in the northeast quadrant of the planning area. Agricultural lands southeast of the city are cultivated for dryland crops or used for livestock grazing.

Residential

The principal areas of residential development that exist in the planning area include the municipal area of East Helena, the La Casa Grande Subdivision, Eastgate Village I & II, Sunny Lane Estates, Red Fox Meadows, and the Pele Park Trailer Court. Pele Park Trailer Court provides the highest density of development within the planning area outside the City of East Helena.

The population in the six housing developments adjacent to the city limits—La Casa Grande, Eastgate Village I & II, Sunny Lane Estates, Red Fox Meadows, and the Pele Park Trailer Court—accounts for about 42% of the estimated population of 5,586 within the planning area. The remainder of the planning area population (20%) resides in less dense residential developments and on larger tracts of property.

Commercial

Commercial developments are primarily located in the downtown commercial district and in the commercial district, primarily between U.S. Highway 12 and Main Street (Old U.S. Highway 12) and on the western side of the city limits. Commercial uses in the area east of the city include storage facilities and an equipment rental business.

Areas of commercial development also exist north of U.S. Highway 12 in the H & L Commercial Subdivision near the eastern edge of the planning area boundary. This area contains commercial uses like the Midwest Motor Express facility, electrician shop, storage facilities, and an irrigation supply business.

Industrial

Industrial development is primarily located on the south side of U.S. Highway 12; the existing industrial facilities there consisting mainly of a portion of the former ASARCO smelter and American Chemet's operating plant. The majority of land within the planning area is privately owned by industrial businesses. Railroad facilities also exist adjacent to the smelter site and American Chemet.

Within the planning area, the primary industrial use is associated with gravel pit operations. Helena Sand and Gravel established a new gravel pit operation north of the La Casa Grande Subdivision between Valley and Lake Helena Drives during 2008.

Public Use

Public facilities in East Helena and the Planning Area consist of the Eastgate School, Prickly Pear Elementary School, Radley Elementary School, East Valley Middle School, East Helena High School, East Helena City Hall, East Helena Wastewater Plant, wastewater treatment facilities associated with the Eastgate Water and Sewer District, Lewis and Clark County Branch Library, Main Street, Kennedy and Schiller Parks, and the East Helena Cemetery. Dedicated parklands also exist in subdivisions near the City of East Helena.

EXISTING LAND USE MAPS

Figure 6 shows existing land uses within the City of East Helena and within the East Helena Planning Area, additional larger maps are also located in Appendix L Maps. As noted earlier, these maps were developed based on 2019 cadastral data. The land use categories shown on the maps represent the primary use identified for the property. Attempts were made to accurately reflect existing land use conditions; however, it is acknowledged that these maps could inadvertently misrepresent or not identify some current land uses.

Existing land use maps help provide a foundation for establishing zoning and other land use controls within the community.

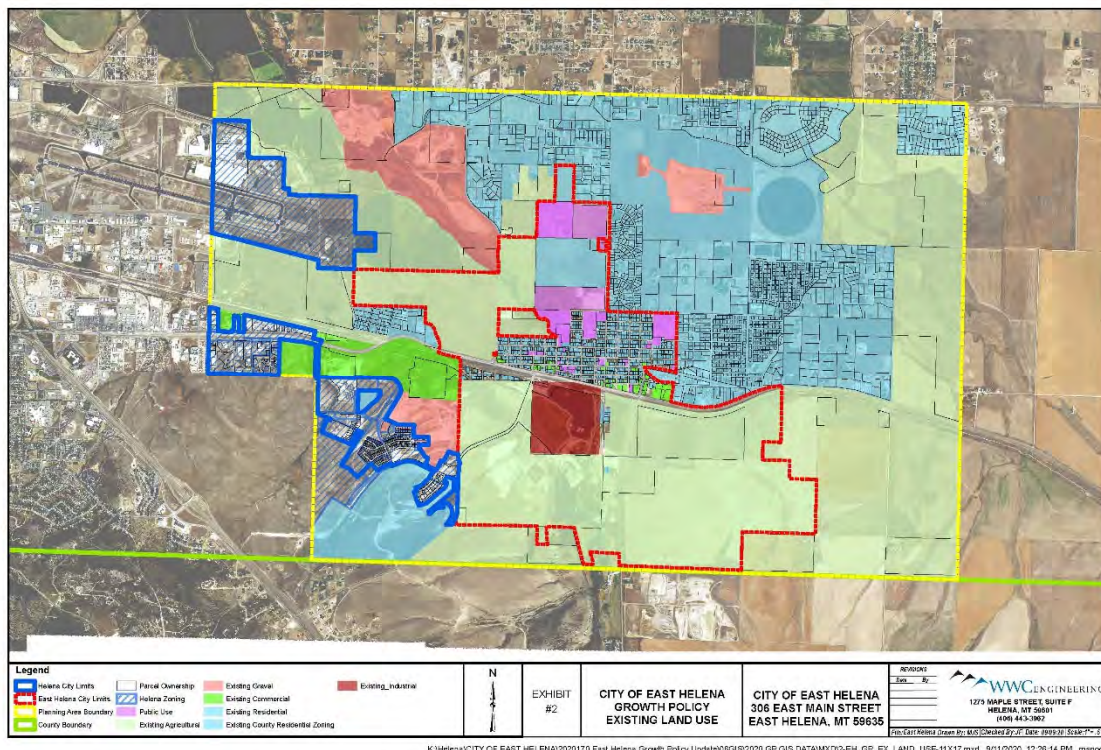


Figure 6: East Helena Planning Area Existing Land Uses

FUTURE LAND USES AND MAP

FUTURE LAND USE DESIGNATIONS

To prepare a land use map for a growth policy, land use designations must be developed. Land use designations are broad and inclusive descriptions of a general type of activity deemed appropriate in a given area. It does not make a determination of the desirability of a specific project nor does it make a determination of when, within the scope of the growth policy, any given parcel should be developed. Those decisions are more specific and must be made with guidance from the goals and objectives established by the growth policy.

The East Helena Growth Policy has five (5) land use designations which are described below to match the zoning districts described in the existing East Helena Zoning Regulations. The categories are broad designations which will be implemented by annexation and zoning. Unless specifically stated otherwise, the City desires that all development within the categories described below will proceed only after the completion of the annexation process to be legally included within the municipal boundaries of the City of East Helena. The City of East Helena does not have regulatory control over development in areas outside of the municipal boundaries of the City. The authority to deny or approve development in county areas remains with the Lewis and Clark County Commission.

- **Agricultural Suburban.** This category indicates locations outside and within the City East Helena where the land is in large ownerships or the development pattern has already been set by low density, large lot rural subdivisions. Subdivisions in this area are generally characterized by lots two to twenty acres in size. This category designates areas where development is considered to be generally inappropriate over the 20-year term of the East Helena Growth Policy, either because of natural features, negative impacts on the desired development pattern, or significant difficulty in providing urban services.
- **Residential.** This urban category designates places within the City of East Helena where the primary activity is urban density living quarters. Other uses which complement residences are also acceptable such as parks, low intensity home based occupations, fire stations, churches, and schools. The dwelling unit density expected within this classification varies. It is expected that areas of higher density housing would be likely to be located in proximity to commercial centers to facilitate the broadest range of feasible transportation options for the greatest number of individuals and support businesses within commercial centers.
- **Commercial.** This urban land use category designates places within the City of East Helena where activities provide the basic employment and services necessary for a vibrant community. A broad range of functions including retail, education, professional and personal services, offices, residences, and general service activities typify this designation. Establishments located within this category draw from the community as a whole for their employee and customer base. Intensification of existing commercial areas outside of the downtown area, as well as new and/or expansion of commercial areas in proximity to high traffic intersections might be desirable.
- **Downtown Commercial.** Similar to “Commercial”, this urban land use category designates places within the City of East Helena where activities provide the basic employment and services necessary for a vibrant community. A broad range of functions including retail, education, professional and personal services, offices, residences, and general service activities typify this designation. Establishments located within this category draw from the community as a whole for their employee and customer base. The Downtown Commercial land use is primarily located in the area between U.S. Highway 12 and Main Street.
- **Industrial.** This urban classification designates areas within the City of East Helena for the heavy uses which support an urban environment. Development within these areas is intensive and is connected to significant transportation

corridors or location of resources. In order to protect the economic base and necessary services represented by industrial uses, uses which would be detrimentally impacted by industrial activities are discouraged. Although use in these areas is intensive, these areas are part of the larger community and should meet basic standards for site design issues and be integrated with the larger community.

FUTURE LAND USE MAP

The future land use map provided as Figure 7 depicts a general pattern of growth and development for the East Helena Planning Area, additional larger maps are also located in Appendix L Maps. The future land use map indicates the general type of development that is projected to occur. It is not, in most cases, intended to establish precise boundaries of land use or exact locations of future uses. The timing of a particular land use is dependent upon a number of factors, such as availability of public utilities, provisions for adequate roadways, availability of public services, willing developers, and the demand for a particular land use as determined by market forces.

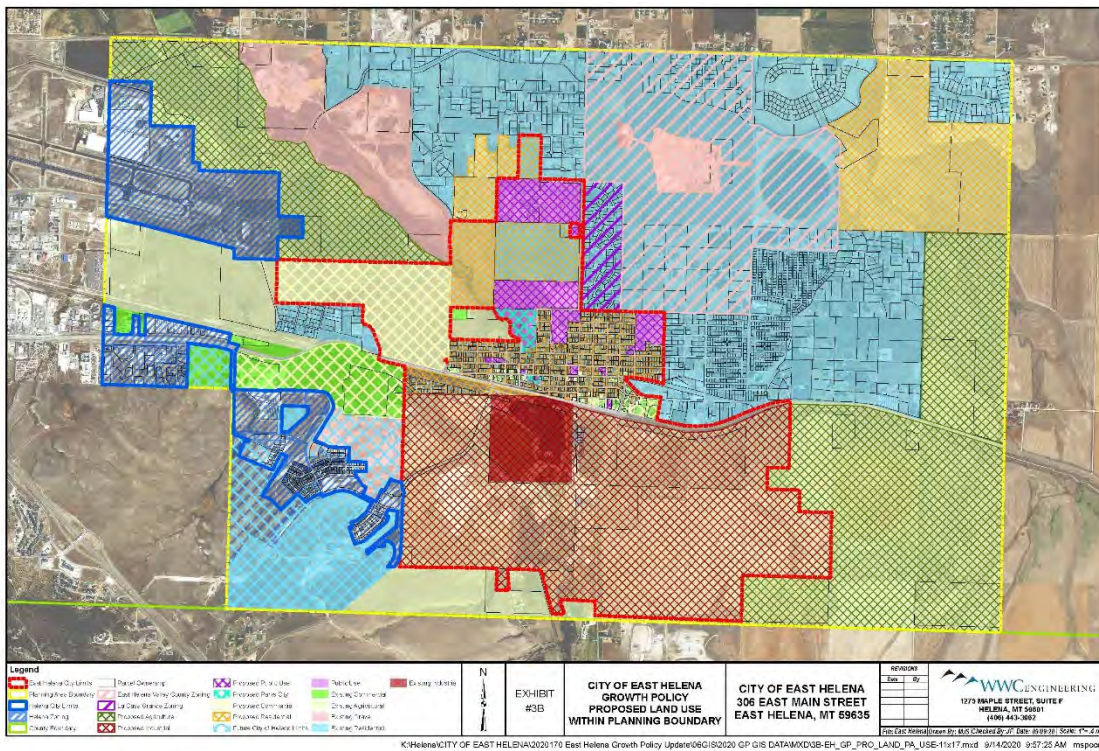


Figure 7: East Helena Planning Area Proposed Land Uses

It is anticipated that future use of existing residential properties will remain residential and that, based on historical growth patterns, new residential subdivisions will be developed on existing agricultural or undeveloped lands near the community. Some of

the agricultural lands will remain as productive agricultural resources. Portions of the East Fields are currently being used as a repository for soils excavated from the cleanup of residential yards and other areas within East Helena under CERCLA. In the future, a small, permanent soil repository may be sited at another location on Custodial Trust property to receive excavated soils. EPA will determine the location of the soil permanent repository. At that time, the East Fields soil repository area may be available for a variety of uses depending on the nature of the use and the associated level of required soil remediation consistent with the intended use and the OU-2 ROD. The ROD indicates that these areas can only be used for rangeland. The City has expressed a desire to see portions of the Lamping Field (located north of US Highway 12 and west of Wylie Drive) developed with a mix of residential and commercial uses.

Again, it is important to note the future land use designations shown on the map are only applicable when a property is proposed for annexation and do not have any effect on lands under County jurisdiction with regard to zoning, density, land use, subdivision or other land use decisions.

IMPLEMENTATION AND ADMINISTRATION

The State of Montana, Lewis and Clark County, and the East Helena Planning Area will continue to grow in population and the need for public services and facilities will increase correspondingly with the population. How that growth will continue cannot be accurately predicted. Growth will depend upon the national, state, and local economies; employment opportunities; and other influences, not the least of which is the growing popularity of Montana and the Rocky Mountain West as a desirable place to live.

The development of the preferred land use pattern shown above will only result from concerted efforts by private-public partnerships. The construction of buildings and conducting of commercial and residential activities is almost exclusively done by private individuals and companies. Their willingness to invest money and personal commitment into the development of land will have a huge influence on the community's ability to realize its goals. The public sector, especially the City of East Helena, also has a significant role to play through the development of its growth policy and corresponding implementation tools such as zoning, subdivision, and facility planning and maintenance. By identifying actions to further the goals of this plan, and then consistently carrying out those actions, the City can influence private parties and form effective partnerships to further the achievement of the identified community goals.

The City has a variety of tools with which to seek the implementation of the East Helena Growth Policy. Several are specifically authorized and controlled by state law such as annexation, zoning, subdivision, provision of certain urban services such as water

supply, fire protection, and parks. All of the tools require periodic review and assessment of their effectiveness.

Following the adoption of the East Helena Growth Policy, the zoning and subdivision ordinances, which are required by law to be in compliance with the growth policy, must be reviewed and revised. There are many specific issues which those two implementation tools address—including street design, open space requirements, and density of development—which have the potential to substantially advance or impede the ideals and goals identified in the East Helena Growth Policy.

This plan looks at a ten-year horizon as well as the current situation, so it is to be expected that some areas which are not in conformance with the plan will be identified. This plan recognizes the presence of these uses without specifically mapping or otherwise identifying them. It is desired that these anomalies be resolved over the term of this plan so that the land use pattern identified herein may be completed.

ANNEXATION

A city grows in land area through annexation, a legal process by which unincorporated lands outside of the municipal boundary become part of the city. When annexed to the city, land use and zoning designations are assigned. The main reasons for annexation include, but are not limited to, increasing the efficiency, and reducing the fragmentation in the delivery of municipal services, greater control of land use and service planning within a geographically related area, more logical city boundaries, and the desire of adjacent residents to be part of the city.

The annexation process, which is governed by state law, provides the mechanism for landowners to seek to have their land included within the city, and in limited circumstances, permits the city to bring land within its jurisdiction. The legal framework for annexation is established in Parts 7-2-42 through 7-2-48 Montana Code Annotated. Part 43, Annexation of Contiguous Lands, is most commonly utilized in processing annexation requests. Generally, annexation is requested by a property owner in order to receive the city's services, such as city water, sanitary sewer, solid waste, police, and fire services. Montana State Statutes (7-2-4210 through 7-2-4761, MCA) establish the methods and processes by which municipalities can annex surrounding properties, but also give municipalities discretionary authority whether or not to annex property, as long as statutes are followed.

Since annexation often precedes development of land and access to urban services strongly influences development densities, annexation can be a powerful tool to help support the East Helena Growth Policy. Land use is a long-range vision of the community and does not predict when any individual parcel outside of the municipal

boundaries may become part of the City of East Helena. Case-by-case evaluations will need to be made for each proposed annexation as to whether an individual parcel should be annexed at that time. It is desired that all lands within the Planning Area should be annexed prior to development.

ANNEXATION CONSIDERATIONS FOR THE CITY OF EAST HELENA

An Extension of Services Plan was adopted in 2017 by the City of Helena to set policies for annexation for property into the City of East Helena and the extension of services to serve property. The plan is used to evaluate annexation requests and provide for the extension of services.

AREAS OF INTEREST FOR ANNEXATION

As a first step towards developing an annexation policy, the City has identified lands that may be desirable for future annexation. The 2009 Growth Policy identified the ASARCO properties as potential areas of annexation. In 2009 the City of East Helena annexed in the ASARCO properties to the City. Figure 8 below identifies multiple developed areas around the City of East Helena in the planning area.

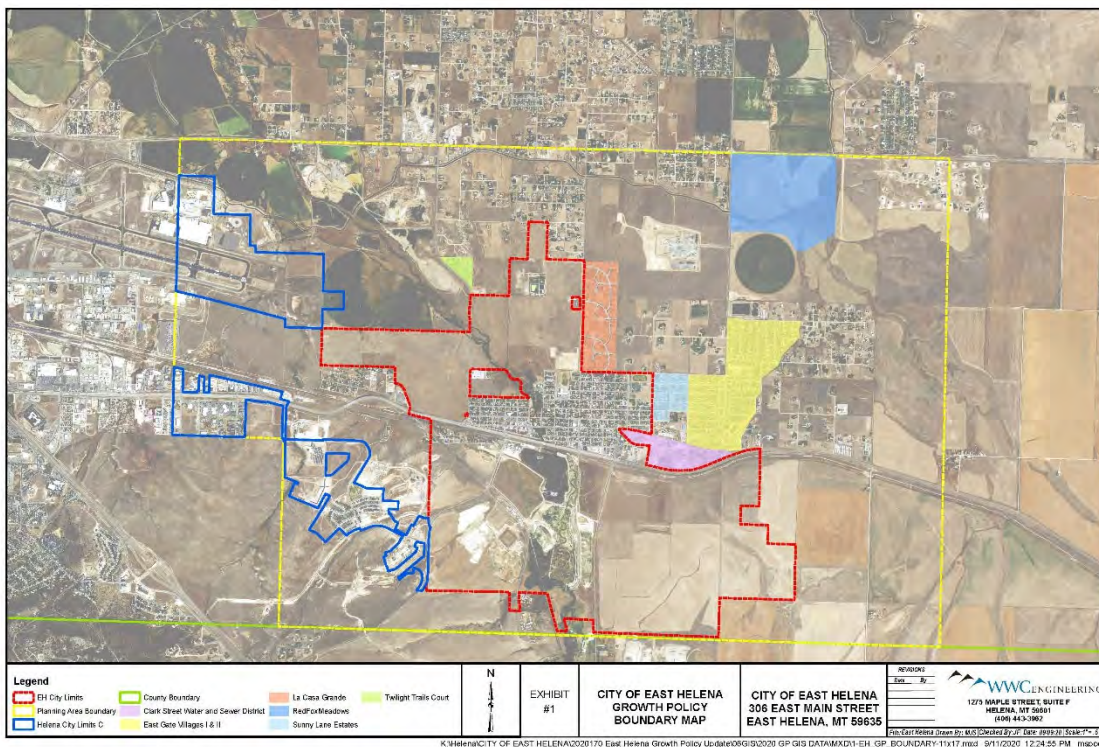


Figure 8: East Helena Planning Area Boundaries

The areas identified below are areas of possible annexation into the City of East Helena in the future.

- 1) **Pele Park Trailer Court** – Pele Park Trailer Court is currently connected to the City of East Helena’s wastewater system. The City should consider annexation of the trailer court into the city limits as they are providing service to the development with no tax benefit.

- 2) **La Casa Grande** – This development has been identified due to failing septic systems throughout the development. The wastewater treatment plant is located directly west of this development and the city could easily service this area. La Casa Grande operates its own central water system. This development will more than likely request sewer service in the future and it would be recommended that the City annex the subdivision as part of providing service.

- 3) **Sunny Lane Estates** – In recent years residents of Sunny Lane Estates have been having trouble with their septic systems. Due to this development being located adjacent to the City of East Helena it is likely in the future residents will request sewer and water service from the City and will be annexed.

- 4) **Clark Street Water and Sewer District** – The Clark Street Water and Sewer District was created in 2013 to address failing septic systems in the area around East Clark Street. The District is being served by the City of East Helena for wastewater. A new wastewater collection system was constructed and connected to the City system. Discussions were conducted with the City on annexation as part of the connection and the City Council determined it was not in the best interest of the City to annex at the time but did allow connection to the City wastewater system.

- 5) **Red Fox Meadows Subdivision** – The Red Fox Meadows Subdivision is located approximately 1-mile to the northeast of the city limits of East Helena. In 2019 the Red Fox Meadows Subdivision created the Red Fox Meadows Water and Sewer District and constructed the wastewater collection system, lift station, and 3 miles of force main to the City of East Helena wastewater treatment plant. The City of East Helena agreed to take the wastewater from the subdivision. Since the subdivision is not located adjacent to the existing City limits annexation was not considered at that time. One of the conditions for connection was all property owners waive the right to protest annexation in the future. In the future if there is an opportunity to annex the property into the City the City should annex the property. The subdivision exhibits typical urban densities with paved roads and curb and gutter as well as a central wastewater system. Each lot is served by individual wells and this may be a barrier to future annexation.

EXISTING & FUTURE LAND USE

If areas outside the city approach the city regarding the extension of municipal wastewater or water service, the City should require that they petition to annex the area into the City of East Helena or require a waiver of protest to future annexation action.

This page left blank intentionally.

APPENDIX F

Facilities

This page left blank intentionally.

WATER FACILITIES

CITY OF EAST HELENA FACILITIES

East Helena owns and operates the water treatment system that provides drinking water to residents of the city. The East Helena water system is supplied by two general sources, the McClellan source, and the Wylie Drive source. The McClellan source is an infiltration gallery with two radial wells, and the Wylie Drive source is a system of three deep groundwater wells north of the city.

The two sources service a network of transmission and distribution pipes that range in size from two to twelve inches. The mains within the city are primarily six and eight inches, while the mains connecting the sources of the distribution system range from eight to twelve inches.

The two radial wells at the McClellan source each have two laterals approximately twelve feet beneath the ground surface. The combined capacity of the wells is approximately 1,000 gallons per minute (gpm). The wells for the Wylie Drive source have a combined capacity of approximately 1,350 gpm giving the total system a capacity of 2,350 gpm. The existing system can serve about twice the current population of East Helena depending on the fire requirements needed for any future annexations.

The city has 1,550,000 gallons of water storage combined in three reservoirs. A 1,000,000-gallon buried pre-stressed concrete reservoir was constructed in 1999. Two side-by-side reservoirs, both buried concrete reservoirs, are located near the McClellan source. One reservoir, built in 1928, has a capacity of 250,000 gallons and the other, built in 1948, has a capacity of 300,000 gallons.

The City of East Helena has approximately 90 fire hydrants spaced around the city. The water system is capable of providing a fire flow of 4,000 gpm for four hours.

The City adopted the East Helena Water Master Plan in 2018 that outlines the City water system needs.

EASTGATE VILLAGE WATER AND SEWER ASSOCIATION

The Lewis and Clark County Commission created Lewis and Clark County Rural Special Improvement Districts (RSID) 1978-1 and 1979-1 for the purpose of financing the construction and installation of parks and streets; a water plant and distribution system; a sanitary sewer collection system; a sewage treatment plant; and street lighting within the Eastgate I and Eastgate II Subdivisions (Eastgate). The system

provides water to over 500 homes and some 1,700 residents located within subdivisions. Shortly thereafter, the residents of Eastgate created a Water and Sewer Association to oversee the maintenance, repair, and operation of the water and sewer system. The association has adopted by-laws governing the use of water; handling and disposition of sewage; all matters necessary or incidental to the maintenance, repair, preservation, and operation of the sewer and water system; and the authority to adopt reasonable rules for water use and penalties for failure to comply with those rules.

The existing water system is known to have pressure issues. In the summer of 2003, in response to drought conditions, the association instituted temporary water restrictions limiting the days that Eastgate residents could water their lawns in order to preserve sufficient water pressure for drinking, household uses, and fire suppression. The association also voted to ban the drilling of private wells within the subdivision to avoid the possibility of cross-contamination of the drinking water supply. The association is currently in the process of making improvements to the water system including the permitting and installation of a new public water supply well.

REMAINDER OF PLANNING AREA

La Casa Grande subdivision is served by a public water supply system. Individual wells typically provide domestic water supplies for residents and businesses in the remainder of the East Helena Planning Area.

WASTEWATER COLLECTION AND TREATMENT FACILITIES

CITY OF EAST HELENA FACILITIES

The City of East Helena owns and operates the wastewater collection and treatment facilities that serve the city. The purpose of a municipal wastewater collection system is to collect sewage from homes and businesses and transport it to a central location for treatment. The City of East Helena's wastewater system was first developed in the mid-1930's and much of the clay piping that was installed is still in service today. The collection system has been expanded several times since its development to accommodate growth, with the most significant expansions completed in the 1950's, 1980's and in the early 2000's.

East Helena's wastewater collection system consists of five service areas. Like a river and its tributaries, a service area contains collectors which flow downstream into larger diameter trunk lines. Collector pipes are required to be at least eight inches in diameter. The size of the trunk lines depends primarily on the population of the service area and the number and type of commercial users. These lines are important because all of East Helena's wastewater passes through them.

Conventional gravity sewer mains comprise the bulk of East Helena's wastewater collection system. The first significant network of lines was installed in 1935. Located primarily on the south side of the city, the lines are made of vitrified clay and consist mostly of eight-inch collectors. A twelve-inch and fifteen-inch trunk line is also part of this group of sewer lines. In 1982, additional mains (PVC) were installed as part of a major wastewater improvements project that also included new treatment lagoons and a lift station. The new lines consisted of a series of eight-inch collectors and a ten-inch, eighteen-inch, and twenty-one-inch trunk main.

When the terrain is such that gravity sewer lines cannot be installed on a downward slope, pumps are used to lift the wastewater to a higher point. The facility that houses the pumps and collects the sewage to be pumped is called a lift station. If wastewater is pumped through a main, as is sometimes necessary, a force main is used. Since they operate under pressure, force mains are typically made of high-strength plastic or ductile iron. The city's wastewater system has three lift stations one located on Montana Avenue between Dudley and King Streets, one serving portions of the K & R Subdivision, and a third located on Lane Avenue that serves the businesses along East Clark Street. The Lane Avenue lift station has been sized to serve the area along Clark Street to Lake Helena Drive.

The City of East Helena's wastewater treatment facility, located approximately 0.5 mile north of the city facility, was constructed in 2003 to replace a previous lagoon system in order to minimize ammonia discharges to Prickly Pear Creek. The plant now operates an advanced secondary treatment activated sludge system with nitrification. The city's wastewater treatment plant was sized for an average daily flow of 435,000 gallons-per-day. The plant's capacity was established based on the anticipated need to accommodate failing septic systems in several existing developments near the city and new growth in the area. Records show the facility's influent flow rate currently averages between 180,000 and 200,000 gallons-per-day - meaning the plant operates at about 46 percent of capacity. Given the facility's capacity and current average influent flow rates, it is estimated the plant could readily serve an additional 500 residences or an equivalent combination of residential and commercial uses.

The City developed the East Helena Wastewater Master Plan in 2020 that identifies the specific needs of the wastewater system for the City of East Helena.

EASTGATE VILLAGE WATER AND SEWER ASSOCIATION

The Eastgate Water and Sewer Association owns, manages, and operates a central wastewater system that serves the Eastgate Subdivisions. Wastewater generated by the subdivision is collected by a gravity collection system. The wastewater treatment system consists of two mechanically aerated ponds that are designed to treat 0.15

million gallons per day (MGD). Final effluent is disposed by land application on cropland immediately north of the subdivision. MDEQ does not require a MPDES permit from this facility.

Over the years, some developments to the east of Eastgate have approached the Water and Sewer Association about connecting to their wastewater system. These requests have typically been denied in an effort to preserve the capacity of the wastewater system. An upgrade to the existing system has been completed.

LA CASA GRANDE SUBDIVISION

It is likely that the city will receive requests to connect to the facility during the next several years from the La Casa Grande Subdivision located north of and adjacent to the city due to old, failing septic systems. There is not available land in some of these areas for replacement drain fields. The homeowner's association of the La Casa Grande Subdivision has already contacted the City of East Helena about the potential of providing city sewer service due to failing septic systems within the development. La Casa Grande Subdivision has created a sewer district to address the continued concerns with failing septic systems within the development.

CLARK STREET WATER AND SEWER DISTRICT

There are existing failing septic systems located to the east of the city between Old U.S. Highway 12 and U.S. Highway 12. The majority of these properties are commercial with some residential uses. The Clark Street Water and Sewer District was created in 2013 to address the failing septic systems in this area. This district constructed the sewer infrastructure and connected to the City of East Helena in 2018.

RED FOX MEADOWS WATER AND SEWER DISTRICT

The Red Fox Meadows Water and Sewer District maintains and operates the sewer collection system for the Red Fox Meadows Subdivision, located approximately 1-mile to the northeast of the City limits at the intersection of Canyon Ferry Road and Lake Helena Drive. The system collects wastewater from approximately 210 residential units and 1 commercial lot and pumps it via a lift station and force main 3 miles to the East Helena wastewater treatment plant. The system was constructed and connected in 2019. The subdivision has been final platted, and homes are currently being built. It is anticipated the subdivision will be fully built out in the next 2 to 4 years.

REMAINDER OF PLANNING AREA

The Sunny Lane Estates area is located east of and adjacent to the City of East Helena. This development is served by individual septic systems and in recent years these

systems have been failing. It is likely in the future that this area will request to connect to the city wastewater system in an effort to address the failing septic systems. The Pele Park Trailer Court also lies within the planning area and is currently served by the City of East Helena's wastewater system. It would be beneficial to the city to annex this development into the city at some point in the future. The remainder of the East Helena Planning Area is served by individual wells and septic systems.

ROAD AND STREET SYSTEM

There are several entities responsible for maintenance of roads within and around the City of East Helena. The entities and roads that are within the city are identified below:

1. The Montana Department of Transportation maintains U.S. Highway 12, Main Street, Old U.S. Highway 12, and Lane Avenue.
2. Lewis and Clark County maintains Wylie Drive to its intersection with U.S. Highway 12 and Valley Drive.
3. The City of East Helena maintains the remainder of streets and alleys within the city limits.

CITY OF EAST HELENA STREETS

The City of East Helena maintains approximately 13.60 miles of roads and owns 5.5 miles of alleyways. These figures were calculated from city mapping using ArcView and based on the 2009 Growth Policy. Several new local streets have been constructed to serve the Vigilante Subdivision and Highland Meadows Subdivision and these roads are anticipated to grow as the subdivisions develop over the next year. These are the only road additions to the City since the 2014 Growth Policy. The City of East Helena's goal is to maintain overall transportation safety and convenience for residents within the community. The city commits capital improvement dollars to the upgrade and maintenance of its facilities. The city has limited resources to fund annual maintenance of streets and not enough for reconstruction. The City conducted a Pavement Surface Evaluation and Rating (PASER) study of all roads within the City in 2019 and identified a road improvement program as part of the study.

There are several bridges over Prickly Pear Creek located within the City of East Helena. The City of East Helena owns and maintains the existing bridge located on East Riggs Street and MDT owns and maintains the bridges located on Main Street and U.S. Highway 12.

The City of East Helena conducted a PASER analysis in 2019 to determine the surfacing condition of all roads within the City of East Helena. Table 5 of the report

outlines street maintenance priorities for the City of East Helena based on the PASER rating.

LEWIS AND CLARK COUNTY ROADS

The Lewis and Clark County Road, Bridge, and Sign Divisions are responsible for maintaining County roads and bridges in areas outside the East Helena corporate limits. During the winter, they provide County residents with snow removal services such as plowing and sanding. They oversee the design and reconstruction of existing roads and bridges; perform maintenance projects such as pothole repairs, chip seals, striping, signage, safety modifications, drainage, and storm water improvements.

In general, the County's Road Division maintains roads classified as collectors or arterials as these roads carry more vehicle trips than local, low use roads. Some Local subdivision roads are maintained by rural improvement districts, homeowner associations, or by private property owners living along the road. There are currently seven (7) Rural Improvement Districts located within the planning area.

1. Lanning RID
2. Grandview RID
3. La Casa Grande Estates RID
4. Eastgate I and II RID's
5. South Boundary Acres II RID
6. Boundary Street Contribution RID
7. Harvest Acres RID
8. Red Fox Meadows RID

The roads maintained by Lewis and Clark County (some of which are located within the East Helena Planning Area) are listed at:

<http://www.co.lewis-clark.mt.us/departments/public-works/roads-and-bridges/county-maintained-roads.html>.

MONTANA DEPARTMENT OF TRANSPORTATION ROADWAYS

Three major roads on the state highway system are located within the East Helena Planning Area including U.S. Highway 12, Canyon Ferry Road (Urban Route 5818E),

and Secondary Highway 518. U.S. Highway 12 is a major east-west route running through East Helena. U.S. Highway 12 provides the principal roadway connection between the Helena area and Townsend in Broadwater County and connects with Interstate 90 (I-90) at Garrison, I-15 at Helena, and I-90 west of Three Forks. U.S. Highway 12 is part of the National Highway System in Montana. This roadway is maintained by the Montana Department of Transportation (MDT).

Canyon Ferry Road (Urban Route) is an east-west route situated at the northern boundary of the East Helena Planning Area. Canyon Ferry Road links the City of Helena to the east Helena Valley and Canyon Ferry Reservoir. The portion of Canyon Ferry Road within the Planning Area serves an area that has been developed to a moderate density with numerous residential subdivisions, commercial establishments, and industrial uses.

In 2010, MDT reconstructed about 8.4 miles of Canyon Ferry Road in two projects between Reference Post (RP) 1.20 near the City of Helena's water treatment plant to RP 9.60 located east of the present intersection of Canyon Ferry Road and Spokane Creek Road (Secondary Highway 284).

Highway 518 is a secondary highway on Montana's Secondary highway system that extends south and westerly from U.S. Highway 12 to Montana City and Interstate 15.

Within the East Helena Planning Area, MDT has the maintenance responsibility for Canyon Ferry Road, Highway 518, and Main Street in East Helena. MDT is responsible for winter maintenance, pavement maintenance, striping and signing, the maintenance of safety devices, and maintenance of drainage and roadside activities on these roadways.

Highway 282 is located west of the old smelter site and begins at U.S. Highway 12 and proceeds south to Jefferson County and connects to the frontage road along Interstate 15. The Highway 282 right-of-way is owned by the Montana Department of Transportation but maintained by Lewis and Clark County until it enters Jefferson County. Portions of Highway 282 adjacent to the Mountain View Meadows Development have been annexed into the City of Helena. Lewis and Clark County chip sealed the portion of Highway 282 from Highway 12 to the City of Helena owned section in 2012. The sections located outside of the City of Helena are located within the City of East Helena with the annexation of the ASARCO lands in 2010. At the present time Lewis and Clark County is responsible for maintenance of Highway 282.

THE MONTANA DEPARTMENT OF TRANSPORTATION HELENA URBAN AREA

In 2013, the Montana Department of Transportation (MDT) updated the Helena Urban Area boundaries based on the 2010 census data and SB 111. The new urban area boundary now includes the City of East Helena and most of the planning area. The inclusion of East Helena within the urban area boundary may provide an additional source of funding for roadway improvements on designated urban system routes including construction of new road facilities; reconstruction, resurfacing, restoration, and rehabilitation of existing road facilities; operational improvements; bicycle facilities; pedestrian walkways; and carpool projects.

Since being added to the Helena Urban Boundary, higher classification roadways within East Helena in the urban area can be considered for addition to the Helena Urban Highway System and would thus be eligible for this source of funding for improvements. The City of Helena, Lewis and Clark County, MDT, and citizen representatives participate on a Transportation Coordinating Committee (TCC) that work together to prioritize the use of these funds allocated based on the percentage of urban population in the Helena urban area compared to all urban areas in the state. The Montana Transportation Commission approves priorities for projects recommended by local TCC committees and MDT provides the engineering and construction for the project.

The City of East Helena is a voting member of the Transportation Coordinating Committee for the Helena Urban Area. Further, Wiley Drive and Lake Helena Drive were added to the Urban routes in 2019.

FUNCTIONAL CLASSIFICATION

A community's transportation system is made up of a hierarchy of roadways, with each roadway being classified according to the function it provides. Some of these parameters are geometric configuration, traffic volumes, spacing within the community transportation grid, speeds, etc. It is standard planning practice to categorize roadways by their primary functions with typical designations being local streets/roads, collectors, minor arterials, and principal arterials. These functional classifications are applied to roadways within both "urban" and "rural" settings. A description of these functional classifications follows.

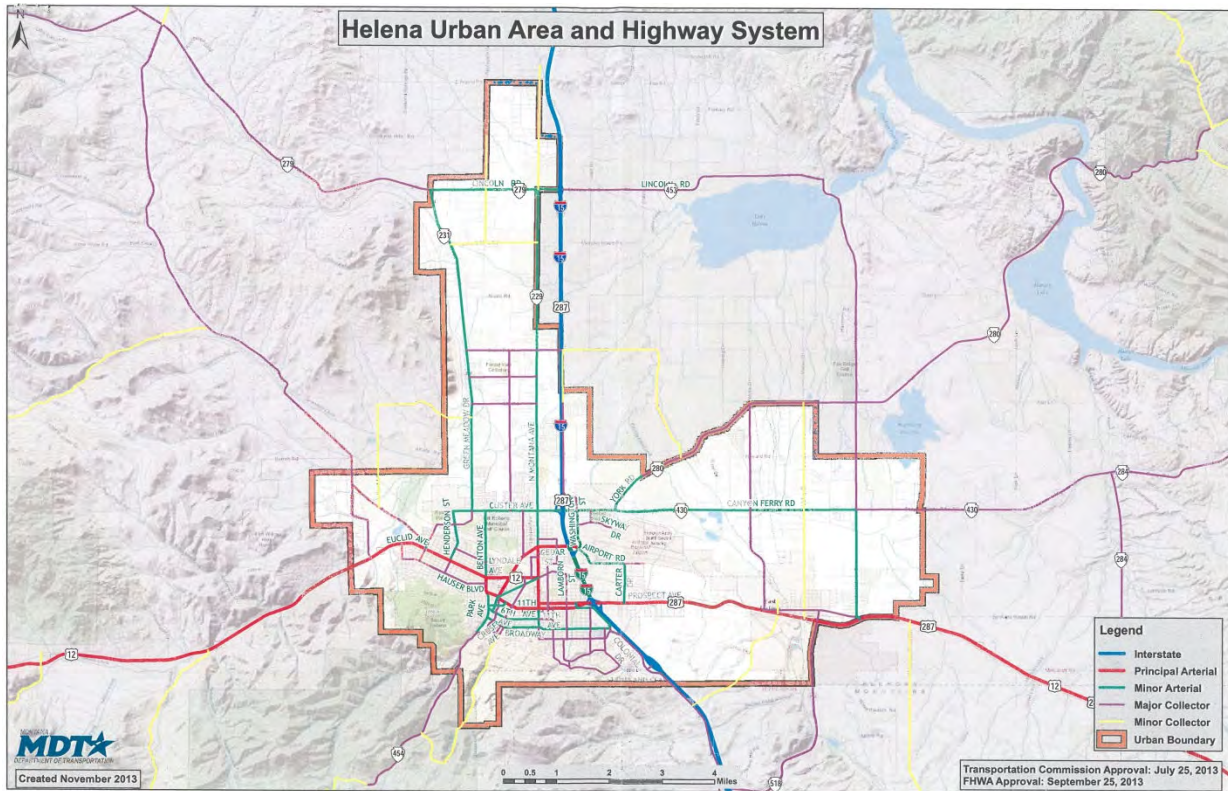


Figure1: Helena Urban Area Map

- Principal Arterials.** The greatest portion of through travel occurs on principal arterial roadways. Principal arterials are high-volume travel corridors that connect major generators of traffic (e.g., community and employment centers), and are usually constructed with partial limitations on direct access to abutting land uses. Interstate Routes and major U.S Highways and State Routes are typical types of Principal Arterials. Principal Arterials may be multi-lane, high-speed, high-capacity roadways intended exclusively for motorized traffic with all access controlled by interchanges and road crossings separated by bridges. However, such facilities may include two-lane or multi-lane roadways based on the travel demands they serve and have less restrictive access provisions than Interstate routes.
- Minor Arterials.** Minor arterials are streets that connect both major arterials and collectors that extend into the urban area, while providing greater access to abutting properties. Direct access is limited to maintain efficient traffic flow. Minor arterials serve less concentrated traffic-generating areas, such as neighborhood shopping centers and schools. Minor arterials often serve as boundaries to neighborhoods and provide linkage to collector roads. Although the predominant function of minor arterials is the movement of through traffic, they also provide for

considerable local traffic that originates from, or is destined to, points along the corridor.

- **Major and Minor Collectors.** Collectors provide direct services to residential or commercial areas, local parks, and schools while also providing a high degree of property access within a localized area. In densely populated areas, they are usually spaced at half-mile intervals to collect traffic from local access streets and convey it to the major and minor arterials and highways. Urban collectors are typically one to two miles in length, while rural collectors may be longer (either could be a major or minor). Access may be limited to roadway approaches and major facilities, but some direct access to abutting land may be permitted.
- **Local Access Streets.** Streets not selected for inclusion in the arterial or collector classes are categorized as local or residential streets. They allow access to individual homes, businesses, and similar traffic destinations. Direct access to abutting land is essential, for all traffic originates from, or is destined, to abutting land. Major through traffic should be discouraged.

Figure 2 presents functional classifications for major roadways within the East Helena area as presented in the Helena Area Transportation Plan 2004 Update. In 2013, the MDT, the City of Helena, and Lewis and Clark County completed the Greater Helena Area Transportation Plan.

As Figure 2 shows, U.S. Highway 12 is the only Principal Arterial in the East Helena area. U.S. Highway 12 provides access to Interstate 15 within the City of Helena. Major collectors in the East Helena Planning Area include Wylie Drive, Canyon Ferry Road, Lake Helena Drive, Main Street, and Highway 518. Valley Drive, Highway 282, and McClellan Creek Road are classified as minor collectors. The remaining roads in the Planning Area are considered local roads or streets.

ANNUAL AVERAGE DAILY TRAFFIC (AADT) ON AREA ROADS AND STREETS

The Montana State Department of Transportation (MDT) and Lewis and Clark County conduct annual traffic counts at sites within the East Helena Planning Area. The counts are useful in determining which transportation corridors are experiencing higher usage and may need increased maintenance or modifications. The statistics are also used for calibrating transportation models and evaluating the effects of specific development proposals. Specific average daily traffic data can be obtained by contacting the Lewis and Clark County Road Department for Lewis and Clark County maintained roadways and the Montana Department of Transportation Planning Department for state-maintained roadways. Outside of these roadways traffic data will be individually collected and analyzed on a case-by-case basis.

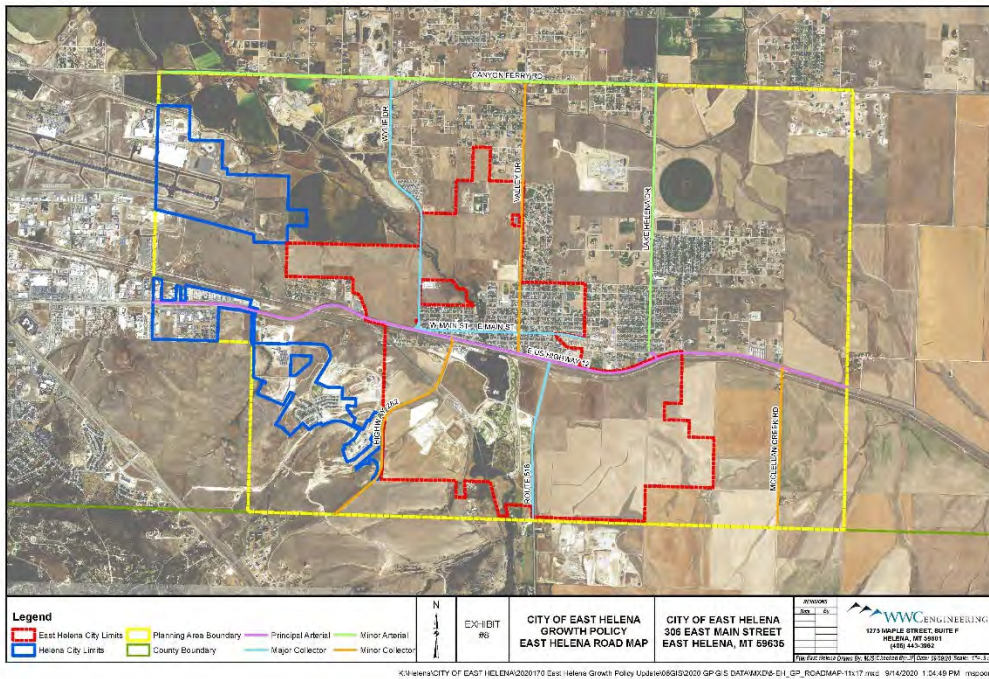


Figure 2: Functional Classification of East Helena Area Roads

PARKS, RECREATION FACILITIES, AND OPEN SPACE

Parks, recreational areas, and open space are important components of a community and contribute notably to the physical, mental, and emotional health of the population. The residents of the East Helena Planning Area have access to developed park and recreation facilities within the City of East Helena and area subdivisions. Open space and other recreational opportunities abound on publicly owned lands along the Missouri River and on National Forest lands that are relatively close to the community.

CITY OF EAST HELENA PARKS

Main Street Park is located on East Main Street. Its west edge is bordered by Prickly Pear Creek. This park is the community’s first public park, dedicated shortly after World War II. Main Street Park is a developed facility with playground equipment, a gazebo, and veterans memorial. The playground was updated within the last couple of years, the gazebo was constructed in the last year, and the veterans’ memorial has been renovated in the last year.

Kennedy Park, dedicated in 1963, is traversed on its southwest section by Prickly Pear Creek. Kennedy Park is a fully developed facility with playground equipment, a covered pavilion, concession facilities and a restroom. The City’s municipal swimming pool is also located at this park. Kennedy Park is the most utilized park in the community and

has had several improvements over the past ten years. Improvements have included the development of pedestrian walkways, lighting, security fencing, sprinkler system, the addition of new playground equipment, and covers for the municipal swimming pool to name a few. Recently, AARP has proposed the addition of an exercise area in Kennedy Park that would be paid for and constructed by AARP. This area would provide an outdoor exercise area for the community.

In July 2005, the City of East Helena's swimming pool sustained damages due to major leak resulting from a concrete failure. The leak allowed water from the pool to get below the pool bottom and lift the pool out of the ground. As a result, the pool was no longer functional, and a decision was made to construct a new facility on the existing site in Kennedy Park. Construction on the new pool began in 2008 and the facility reopened in 2009.

Schiller Baseball Field was developed between 2009 - 2010 and includes a baseball diamond and dugouts.

Within the City of East Helena, about 26 acres of land are devoted to parks. This represents about 5% of the total land area within the City.

There are also park areas planned for the recently approved Highland Meadows Subdivision and Vigilante Subdivision. These subdivisions are providing cash-in-lieu payments to the City of East Helena for the initial phases before the parkland is dedicated. These funds would be utilized to provide improvements to the dedicated park areas. These funds could be used to construct trails, install benches, and install playground equipment.

In recent years, the Natural Resources Damage Program (NRD) and Prickly Pear Land Trust (PPLT) have been working with METG to dedicate and preserve open space areas and provide recreational uses along the Prickly Pear Creek corridor. In 2019 and 2020, METG constructed a project on the south end of the Prickly Pear Creek from Highway 12 to the Jefferson County line to restore the Prickly Per Creek floodplain and riparian areas. In 2020, this property was donated to the PPLT to manage and construct recreational trails. This is known as the Prickly Pear Creek Greenway and trails will eventually connect from East Helena south to Montana City along the Prickly Pear Creek corridor.

The East Helena School District has also constructed parks and recreation facilities and has plans for additional facilities in the future. A new playground and tennis courts were constructed with the Prickly Pear Elementary School project in 2018. In 2020 the East Helena High School was completed and included a football field and baseball fields. The District has plans to construct small fry football fields and soccer fields to the west

of the Prickly Pear Elementary School in the future and has plans to construct trails between all the facilities in the future.

PARKS AND RECREATIONAL FACILITIES IN THE PLANNING AREA

There are several neighborhood parks located in the East Helena Planning Area. Table 1 and Figure 3 shows the parks within East Helena and the Planning Area. Existing parks within the Planning Area are owned by Lewis and Clark County. Although these facilities are owned by Lewis and Clark County, the maintenance of the facilities is done by various organizations.

Table 1: Parks and Recreational Facilities in the Planning Area

Park	Facilities
Eastgate II Park	Playground, covered picnic area, open play area, and landscaping
Eastgate Village Park (Located in Eastgate Village I)	Baseball field, basketball court, horseshoe pits, open play area, landscaping, and parking area
Sunny Lane Estates Parkland	Undeveloped
La Casa Grande Center Park	Baseball fields, open play area

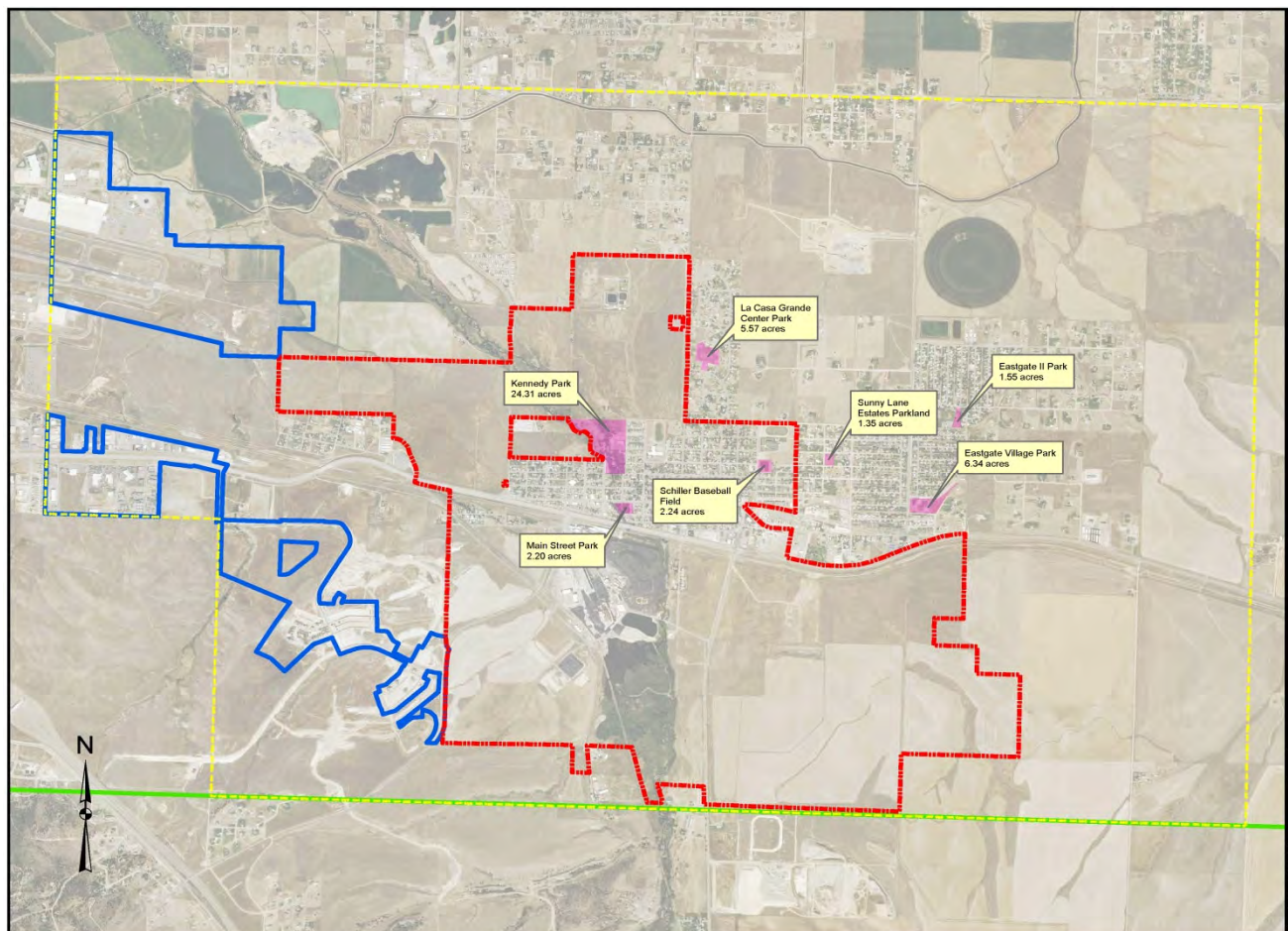


Figure 3: Parks and Recreation Map

There are several park areas being developed within the Mountain View Meadows development as well. These facilities are within the City of Helena and therefore were not inventoried.

EAST HELENA PUBLIC SCHOOLS

The East Helena School District #9 encompasses the Planning Area. The District includes five schools, Eastgate School, Prickly Pear Elementary School, Radley Elementary School, East Valley Middle School, and East Helena High School. Eastgate School is the District’s Elementary school for the Pre-Kindergarten and Kindergarten students, Prickly Pear is for 1st and 2nd grades, Radley educates the 3rd through 5th graders, East Valley Middle School serves students in grades 6 through 8, and East Helena High School educates students in grades 9 through 12. These five facilities are located within three miles of each other. The East Helena High School was recently constructed with its first full year of education starting in 2019-2020. The high school will enroll students on a year-by-year basis starting with the class of 2023, only introducing one new class each year until grades 9 through 12 are fully enrolled.

The East Helena School District currently includes 1,514 children (kindergarten through 10th grade). The following table shows the enrollment over the past four school years.

Table 2: East Helena School District Enrollment

Academic Year	Number of Students
202017-202018	1,233
2018-2019	1,275
2019-2020	1,396
2020-2021	1,514

In the 2020-2021 school year of the 1,514 students, 216 attended East Helena schools under a tuition agreement. These tuition students come from Jefferson County, Broadwater County, and the Helena School District. Students choose to come to East Helena for school because of the district’s good reputation and commitment to education. The number of tuition students has increased substantially during the last several years as shown in Table 3.

Table 3: Tuiton Students in the East Helena School District

Academic Year	Number of Students
2018-2019	179
2019-2020	200
2020-2021	216

The East Helena School District provides transportation to students living at least three miles from school.

Students who graduate from the East Valley Middle School typically attend Helena High School. Those who do not attend Helena High School generally go to their home district, either Broadwater or Jefferson County High School and a few attended Capital High School in Helena. However, with the recent addition of the East Helena High School, new high school students starting with the 2019 – 2020 school year are now staying in the District to attend the East Helena High School. East Helena High School's first graduating class will be 2024.

LEWIS & CLARK LIBRARY – EAST HELENA BRANCH

The Lewis and Clark Library previously operated a branch library in East Helena at 400 North Kalispell (East Valley Middle School). This branch opened in 2001 as the first school/public library collaboration in the area. Due to a need for more space, the branch library has moved from that location to a larger site at 16 East Main Street in East Helena. The library is typically open Tuesday through Saturday of each week during afternoons and evenings. The hours of operation may vary during the summer.

This page left blank intentionally.

APPENDIX G

Services

This page left blank intentionally.

LAW ENFORCEMENT

The East Helena Police Department has primary responsibility of law enforcement within the City of East Helena while the Lewis and Clark County Sheriff's Department has primary responsibility over lands outside the City of East Helena. Pursuant to a mutual services agreement, the Police Department provides services in the areas outside the city limits when personnel from the County Sheriff's office are not available.

The East Helena Police Department is located in City Hall. The Department currently employs five (5) full-time officers and a Chief of Police. There are positions currently open for one more full-time officers and one school resource officer. The Police Department provides service 24-hours a day, 365 days a year. The East Helena Police Department has no detention facility. Individuals are transported to the Helena jail on Breckenridge Street for processing under an inter-local government agreement. In addition to the full-time officers, the Department has one (1) reserve officer who fills in when the regular officers are on sick or vacation leave or when officers transport individuals to be processed at the Helena detention facility.

The Bureau of Justice Statistics (BJS), within the Office of Justice Programs (OJP), within the United States Department of Justice (DOJ) publishes Local Police Department reports. One aspect of this report is the average ratio of full-time officers per 1,000 residents. The most recent report (2007) shows that the average ratio of full-time officers per 1,000 residents in communities ranging in size from 1,000 to 2,499 residents is 2.7. Based on the City's current estimated population of 2,103, the City of East Helena Police Department maintains an officer to population ratio of about 2.4 full-time officers per 1,000 residents. The Police Chief has expressed a desire to add one full-time officer and one school resource officer to the Department and those positions are currently open.

The first priority for the East Helena Police Department is to add one more officer and one school resource officer to the staff for a total of seven police officers. This would enable the department to have some shifts overlap for better coverage and reduce dependence on reserve officers. In addition, more training and education are required for officers, as well as for those who replace them when they are out for training or other leave.

The police department equipment is in good condition and no new equipment is needed at this time. There is a need for additional office space and for heating and air conditioning renovations for the officer spaces. The offices could also benefit from new chairs.

One priority identified would be the addition of a cover over the patrol car parking at City Hall. This would keep the cars clear of snow and ice in the winter and allow them to be used more quickly if needed. One additional patrol car may also be necessary in the near future.

FIRE PROTECTION AND EMERGENCY SERVICES

EAST HELENA VOLUNTEER FIRE DEPARTMENT

The East Helena Volunteer Fire Department (EHVFD) provides fire protection, emergency medical service, confined space rescue, wildland fire response, vehicle extrication, and responds to hazardous materials events within the City of East Helena.

According to the records in the Lewis and Clark County Clerk and Recorder's Office, fire protection services have been provided in East Helena since June 1910. The EHVFD currently consists of 15 volunteers and operates from a fire station built in 1972. The fire station, located on the corner of East Main Street and Morton Avenue North, houses four fire trucks. The EHVFD has the ability to increase to 28 members but must get approval by the City Council.

The EHVFD members typically undergo fire training two times per month and emergency medical services training once a month. The training includes practical education on new emergency techniques and routine operation. In addition to their training, the EHVFD conducts business meetings on the first Tuesday of each month and the Fire Chief tries to attend one City Council meeting each month. An office/training room for the EHVFD is housed in the City Hall.

The EHVFD maintains the following equipment:

- 1941 Chevrolet Pump Truck (parade truck non-service)
- 1994 GMC Becker Class A Pump Truck (does not pass pump tests)
- 2003 Ford Rescue Truck
- 1999 Ford Crown Victoria
- 2010 Freightliner Class A Pumper with Compressed Air Foam Unit
- 2006 GMC Stack Bed Truck

The Insurance Services Office (ISO) surveys communities on a regular basis to determine the Public Protection Classification for the fire protection services protecting the community. The Public Protection Classification is used to gauge the ability of a

local fire department to respond to fires. A Community's fire protection information is collected and analyzed by ISO using its Fire Suppression Rating Schedule. A classification of 1 to 10 is then assigned based upon the results of the survey. Class 1 is the best rating, and Class 10 is basically an indication of no fire protection. The ISO Public Protection Classification is used by the Insurance industry in determining insurance premiums for many properties within the community. As a result of the most recent ISO Survey, the City of East Helena has received a Class 5 rating.

The EHVFD also provides first response emergency medical services (EMS) but is not authorized to transport victims. The EHVFD has Enhanced 911 (E-911) service through the Lewis and Clark County dispatcher. Ambulance service in the City of East Helena and outlying planning area is provided by St. Peter's Hospital and Ambulance Service, located on Helena's southeast side.

The EHVFD has identified the need for several new pieces of equipment to assist with providing services to East Helena. The department currently has one certified truck but needs two certified trucks. The department should pursue purchasing a second certified truck. The department could also use two more trucks and potentially a ladder truck. The department is in continuous need of updating gear and personal protective equipment for its fire fighters.

The fire department would also like to have a designated area identified for fire fighter training. Further, it would be important to develop a residence program with the Helena College of Technology to get students from there to work with the EHVFD.

The fire department is in need of a new fire station on the east side of Prickly Pear Creek. It has also been discussed to construct a joint emergency services building that can be shared by the police and fire departments.

RURAL FIRE DISTRICTS IN THE EAST HELENA PLANNING AREA

Lands outside the City of East Helena in the Planning Area fall within either the East Valley Rural Fire or Eastgate Fire Districts. The East Valley Volunteer Fire Department provides structural, wildland fire protection, hazardous material response, rescue, low angle rescue, and emergency medical services to the citizens of the fire district and assists several other fire/rescue agencies through mutual aid agreements. The East Valley Rural Fire Department provides service to a 33 square mile area within the central portion of the Helena Valley and helps protect lands to the north and west of the City of East Helena. The East Valley Rural Fire District, which maintains a station on Valley Drive about 0.5 mile north of the city near the La Casa Grande Subdivision, currently has an ISO rating of 7.

The Eastgate Fire Department provides structural fire protection to a 7 square mile area to the south and east of the City of East Helena. Eastgate Fire Department was organized in 1981 to initially provide fire protection to the Eastgate subdivision. The Eastgate Fire Department provides fire protection, hazardous material response, rescue, and emergency medical services to the citizens of the fire district and assists several other fire/rescue agencies through mutual aid agreements. The Eastgate Fire Department currently has an ISO rating of 6. These fire districts are funded through tax assessments on qualifying lots within each district.

Figure 1 shows the portions of the service areas and the location of fire stations for the East Helena Fire Department, East Valley Rural Fire Department, and the Eastgate Fire Department.

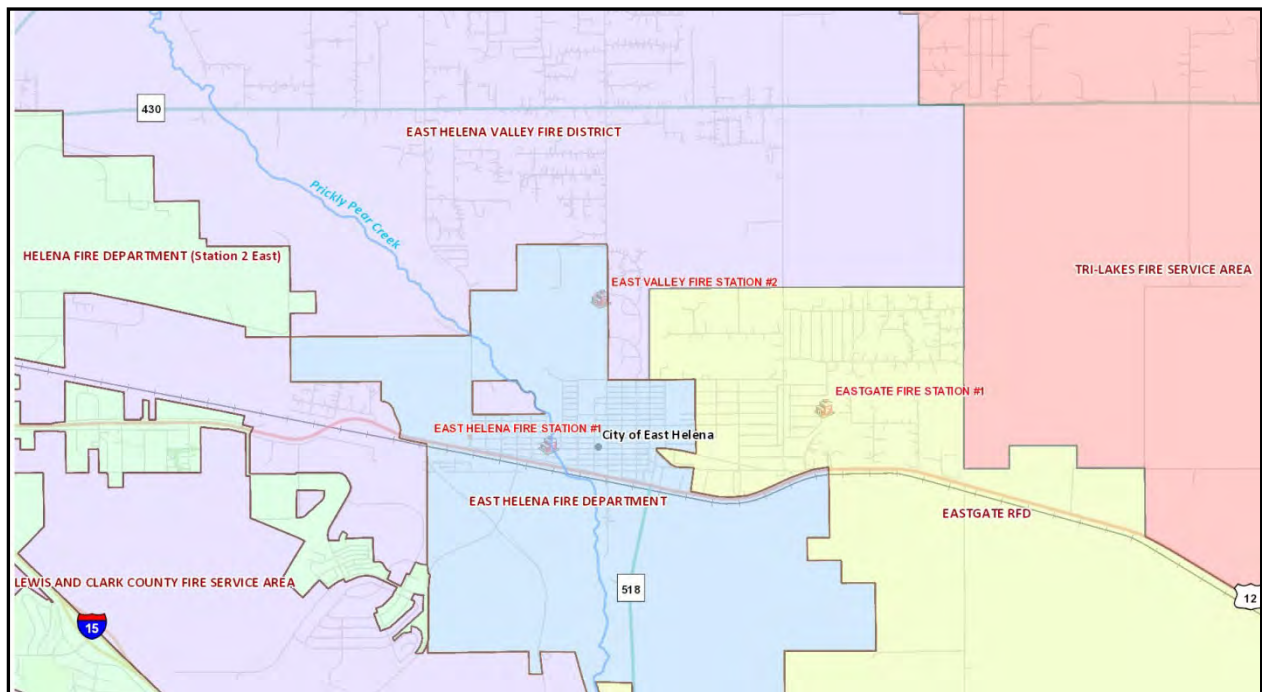


Figure 1: East Helena Planning Area Fire Protection

SOLID WASTE MANAGEMENT AND DISPOSAL

CITY OF EAST HELENA SERVICES

The City of East Helena provides solid waste collection and disposal services for residents and businesses within the city limits.

Within East Helena city limits, each residence has a 96-gallon container that is provided by the city at a set rate of \$12.25 per month and an additional container can be added for an additional fee of \$12.25 per month per container. Garbage trucks must use a side

loader to load the contents of these containers. These containers are emptied once per week. Multi-family residences and businesses use traditional dumpsters that are emptied twice per week. The City of East Helena provides recycling containers that residents can utilize for paper, plastic, cardboard, and other recyclable waste.

The City of East Helena has an agreement with Tri-County Disposal to dispose of collected garbage at the Valley View Landfill. The landfill is located on Highway 518 south of East Helena and is a privately owned and operated facility licensed by the State of Montana.

SOLID WASTE MANAGEMENT IN THE PLANNING AREA

Residents of lands outside the City of East Helena are included in the Scratchgravel Solid Waste District. Residents pay an annual assessment on their tax bill for disposal of their solid waste. The annual assessment does not include any collection service. Residents must self-haul their waste to the City of Helena Transfer Station or contract with a private service to collect and transport household refuse to the Transfer Station.

PUBLIC TRANSPORTATION

BUS SERVICE

Residents of the East Helena Planning Area have access to public transit services offered by Capital Transit. Capital Transit currently operates an East Valley Paratransit service that provides commuter bus service between East Valley and East Helena with connection to the Helena area. The East Valley/East Helena Bus will pick up riders at any point in its service area on a 'call-in' basis. Service is provided from 7:00 a.m. to 11:00 a.m. and 1 p.m. to 5:00 p.m., Monday through Friday. Figure 2 illustrates the service area and stops. Round-trip fares are established at \$0.85.

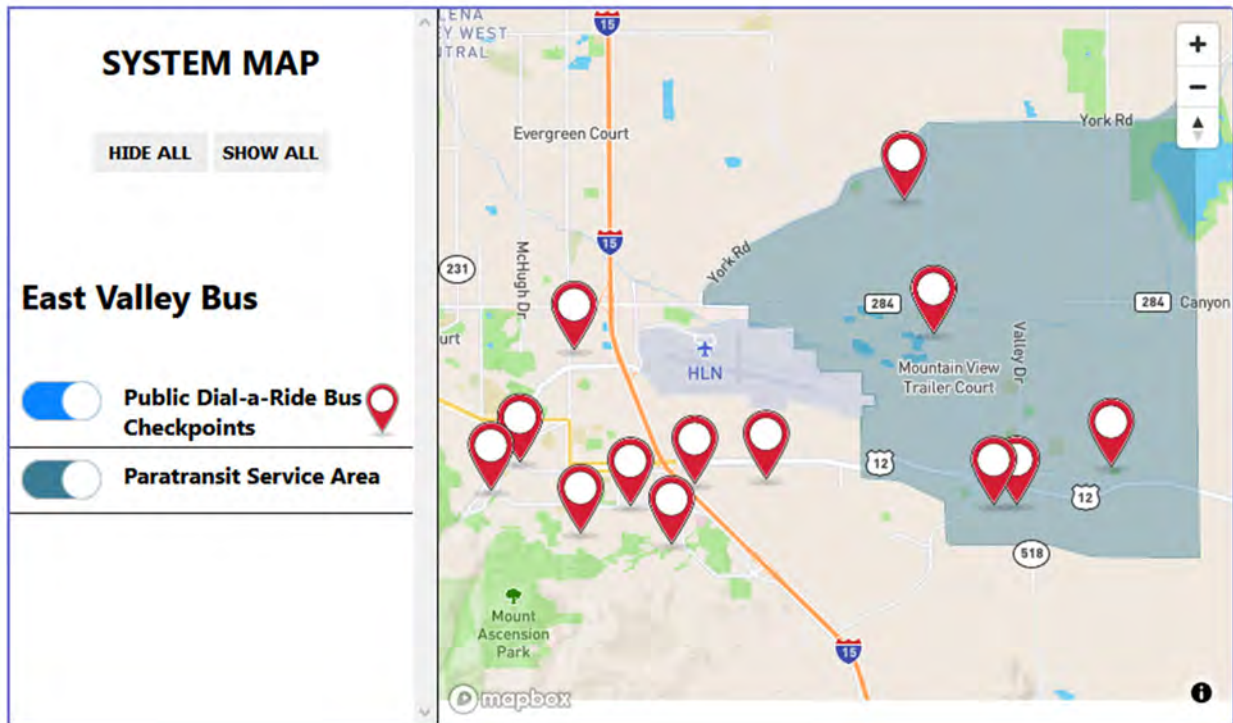


Figure 2: East Helena Transit Area

TAXI SERVICE

The only transportation company operating in the County is Helena Town Car Company, which provides high end town car rentals. Other transportation companies such as Uber and Lyft provide ride share services through an app.

PARA-TRANSIT SERVICE PROVIDERS

A variety of non-profit organizations provide transit services within the East Helena area. These “para-transit” providers typically transport low-income, elderly, disabled, and other special needs residents to and from services or activities within the area. The most notable of these transit providers includes the Rocky Mountain Development Council (RMCD), West Mont Habilitation Services, Spring Meadow Resources, and the Montana Independent Living Project (MILP).

APPENDIX H

Environmental

This page left blank intentionally.

CLIMATE

The climate in the area is typical for southwestern Montana with weather patterns influenced by the passage of Pacific and Canadian fronts. Weather data is reported for the Helena Airport located about two miles west of East Helena. Data for Helena is available from 1938 to 2016. Helena receives an average of 11.85 inches of precipitation annually, with the wettest months in May and June averaging 1.92 and 2.12 inches. The driest months are November through February, with averages between 0.46 and 0.60 inch per month. The area receives an average total of 49.5 inches of snowfall per year. The temperature ranges from an average high of 83.1° F in July (minimum July average of 53.6° F) to an average high of 29.9° F in January (minimum January average of 11.5° F). The wind is predominately out of the northwest through the southwest.

LANDFORMS, GEOLOGY, AND SOILS

LANDFORMS AND GEOLOGY

East Helena is located in the southwestern portion of the Northern Rocky Mountains Physiographic Province of the United States and is characterized by broad intermountain valleys between major mountain ranges. The city lies in the southeastern portion of the Helena Valley, a wide area west of the Missouri River. This portion of the Helena Valley is bounded by the Elkhorn Mountains to the south and the Spokane Hills and Big Belt Mountains to the north and east. The Helena Valley was formed in sediments and alluvial deposits from volcanic rocks, shale, and sandstones in surrounding uplands.

The Helena Valley is a fault-bound structural basin that is filled with younger sedimentary units eroded from the surrounding mountains or deposited as a result of nearby volcanic activity. The youngest sediments are found on the surface of the Helena Valley.

The terrain in the East Helena Planning Area is flat to gently rolling with surface elevations generally decreasing from south to north towards Lake Helena. Surface elevations within the East Helena Planning Area range from about 3,800 feet above sea level at locations along Canyon Ferry Road to about 4,100 feet near the Jefferson County line southeast of the City. Steep slopes pose few, if any, limitations on development within the Planning Area.

SOILS

Soil consists of mineral matter mixed with varying amounts of organic matter derived mostly from vegetation. The mineral matter is parent material that has been weathered and broken down by the combined effects of climate, living organisms, and wind and water over long periods of time. These effects can vary within short distances. Consequently, the soils that form can have different levels of fertility, productivity, and physical and chemical characteristics.

Soil mapping is routinely done by the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). Soils information for the East Helena area is available from the "Soil Survey of Lewis and Clark County Area, Montana." Major fieldwork for this soil survey was completed in 1987 and the report was issued in 2003. The Soil Survey document, maps, and soil data can be accessed via the following websites: <http://soildatamart.nrcs.usda.gov/Manuscripts/MT630/0/PartI.pdf>
<http://websoilsurvey.nrcs.usda.gov/app/>.

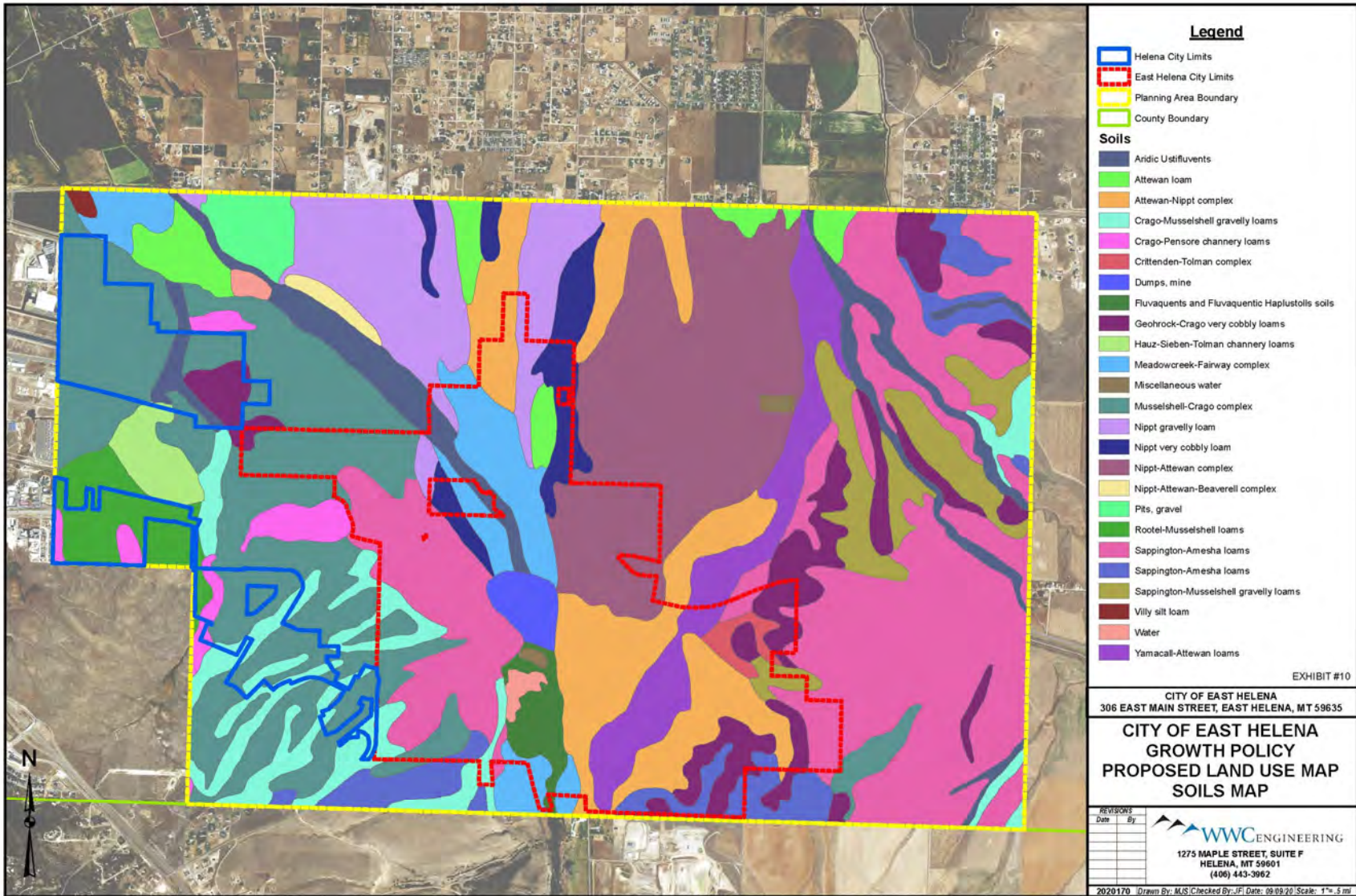
A soils map for the planning area is shown in Figure 1.

Three soils - 33B Sappington-Amesha loams (1-4% slopes), 506A Nippt-Attewan complex (0-2% slopes), and 513A Attewan-Nippt complex (0-2% slopes) - are found on more than half of the land within the East Helena Planning Area. These soils do not generally pose limitations to development.

Amesha soils developed in strongly calcareous alluvium deposited on nearly level to moderately sloping fans or pediments. Musselshell soils formed in alluvium with a strong component of limestone fragments. Calcareous alluviums containing fragments of igneous and metamorphic rocks are the parent material for the Sappington soils. Sappington landscapes are remnants of old pediments and are generally nearly level to moderately sloping.

Gravels and sands of low terraces and associated alluvial fans are the parent material for Attewan and Nippt soils. Attewan soils occupy positions ranging from nearly level to moderately sloping. These soils developed in alluvium containing 60 to 80 percent pebbles and cobbles. Nippt soils are nearly level to gently sloping and formed in alluvial gravels of argillite and igneous rocks.

Two soils in the Planning Area - Meadowcreek-Fairway complex (Map Unit 218A) and Fluvaquents and Fluvaquentic Haplustolls soils (Map Unit 501B) - may present limitations to development. Soil within Map Unit 218A have slow infiltration rates and consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture.



K:\Helena\CITY OF EAST HELENA\2020170 East Helena Growth Policy Update\06GIS\2020 GP GIS DATA\MXD\10-EH_GP_SOIL-11x17.mxd 9/14/2020 1:13:28 PM mspoon

Figure 1: Soils in the East Helena Planning Area

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Soil within Map Unit 501B have very slow infiltration rates and consist chiefly of clays that have a high shrink-swell potential, soils that have a permanent high-water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soil map units are typically found along Prickly Pear Creek within the Planning Area.

GEOLOGIC HAZARDS

Geologically hazardous areas are susceptible to earthquakes, landslides, or other geologic events. Typically, they are not suited for commercial, residential, or industrial development without mitigation.

Seismicity - The Helena Valley is located within the Intermountain Seismic Belt, a seismically active zone associated with major geologic fault structures. This area has a history of seismic activity, including earthquakes in 1869 and 1935 (a quake that measured 6.3 on the Richter scale). Much of this area is underlain with partially consolidated sediments saturated with groundwater, which affect the probability and magnitude of ground failure and structural damage in a seismic event. The Uniform Building Code classifies the East Helena area as Seismic Zone 3, which means that an earthquake can cause major damage.

Numerous active fault lines have been identified throughout Lewis and Clark County. Geologic maps show known faults east and northeast of the East Helena Planning Area. (See Figure 2)

Slope Stability - There are three variables related to slope stability that typically need to be considered when determining the suitability of a particular site: slope, geologic materials, and landslide deposits. The East Helena Planning Area contains few, if any, areas presenting notable slope stability concerns. Localized hazards may occur anywhere within the Planning Area. It is the responsibility of those who wish to develop their property to assess the degree of hazard in their selection of development sites.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

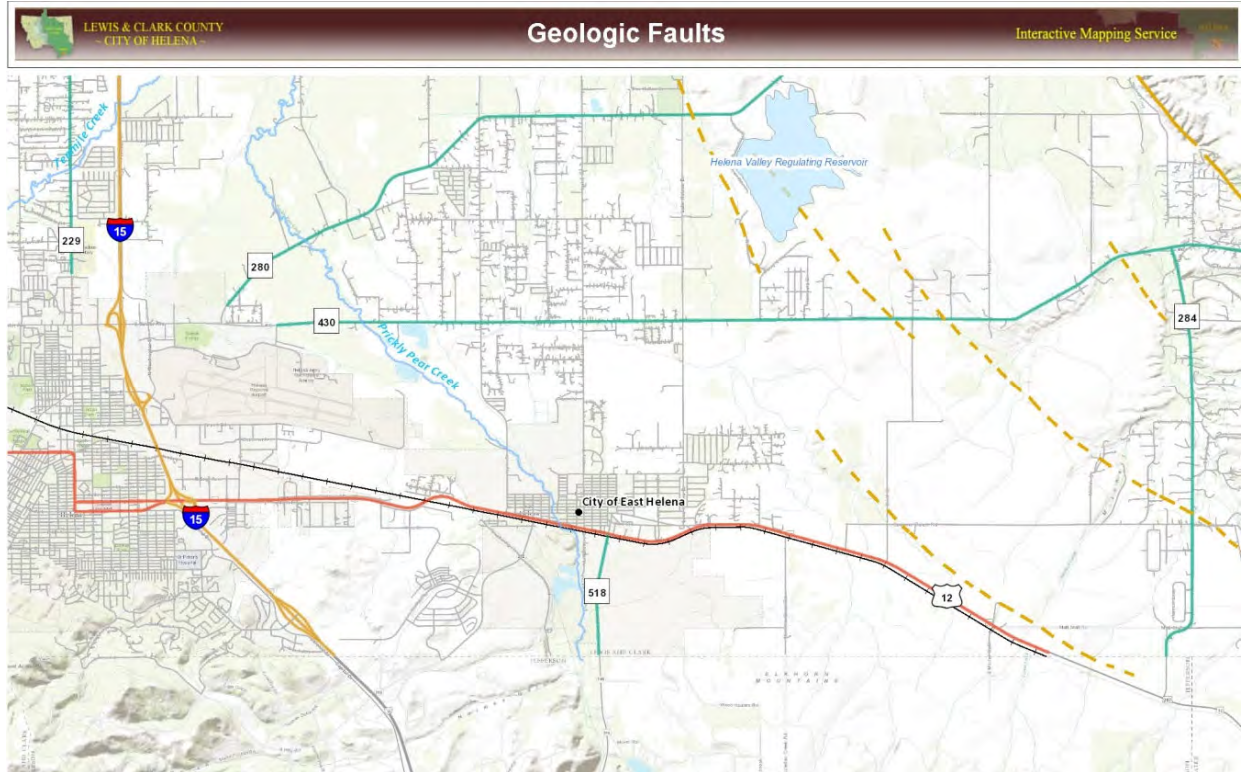


Figure 2: Faults of the Helena Valley

Susceptibility to Liquefaction - The Helena Valley is filled with alluvial deposits that contain sand and silt. Liquefaction could occur during a significant earthquake event in areas with shallow groundwater. Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other rapid loading. Liquefaction and related phenomena have been responsible for tremendous amounts of damage in historical earthquakes around the world. An assessment of the potential for liquefaction hazards in the Helena Valley completed in 2002 shows the risk of liquefaction is considered to be moderate to very high in some portions of the East Helena Planning Area. As Figure 3 shows, the highest risk areas are along Prickly Pear Creek.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

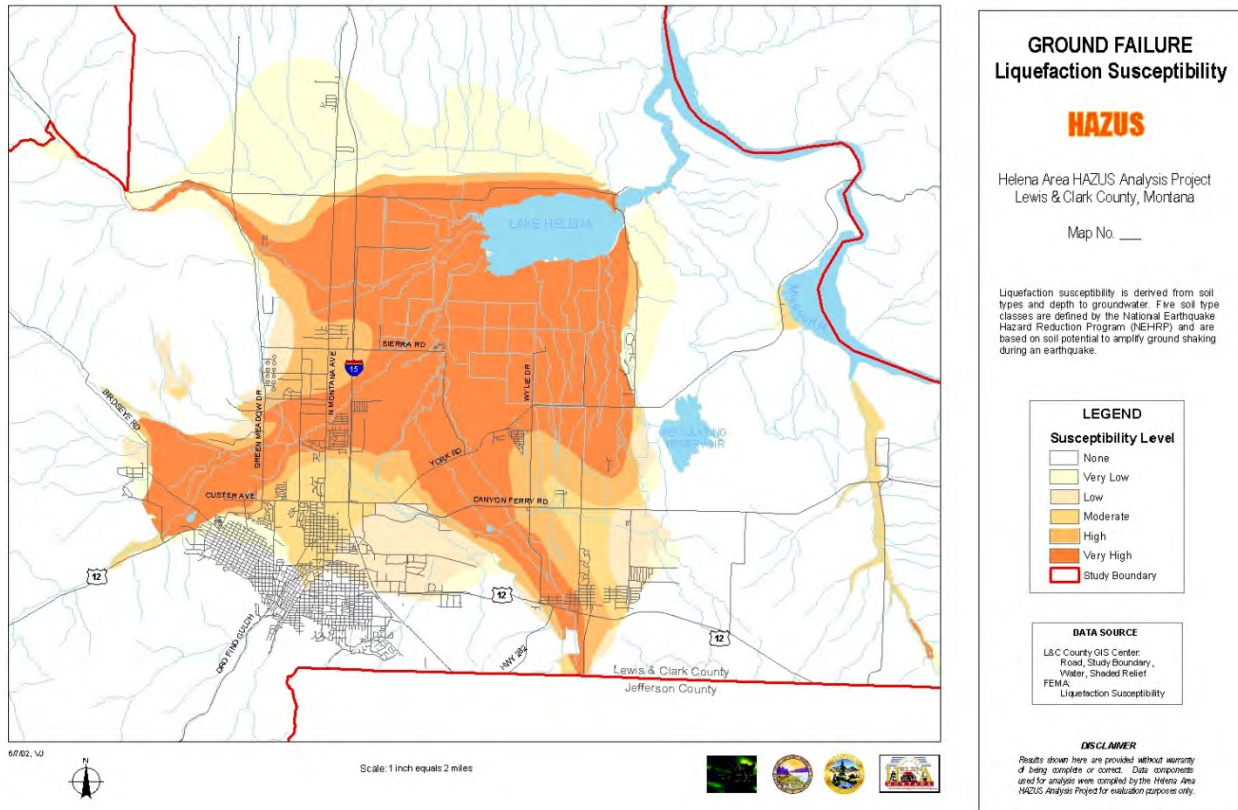


Figure 3: Liquefaction of the Helena Valley

IMPORTANT FARMLAND

The federal Farmland Policy Protection Act (FPPA) requires special consideration be given to soils that are considered as prime farmland, unique farmland, or farmland of statewide or local importance by the U.S. Department of Agriculture Natural Resources Conservation Services (NRCS). For the purposes of this Growth Policy, these soils are considered together and identified as “Important Farmland.”

The FPPA is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency or with assistance from a federal agency. The FPPA does not apply for projects funded and implemented by the City of East Helena. However, this is an important planning consideration because the City of East Helena often solicits federal funding assistance

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

for infrastructure improvements and the potential conversion of Important Farmland as a result of the project must be considered.

Web-based soil survey information for the East Helena area maintained by NRCS was accessed to identify soils in the Planning Area classified as important farmland. This review identified 11 soils within the East Helena area that meet Important Farmland classifications including: 2 soils considered to be Prime Farmland If Irrigated; 4 soils considered to be Farmland of Statewide Importance; and 5 soils considered to be Farmland of Local Importance. Figure 4 identifies Important Farmlands in the East Helena area. The shading used in the table generally corresponds to the farmland classifications shown on the figure.

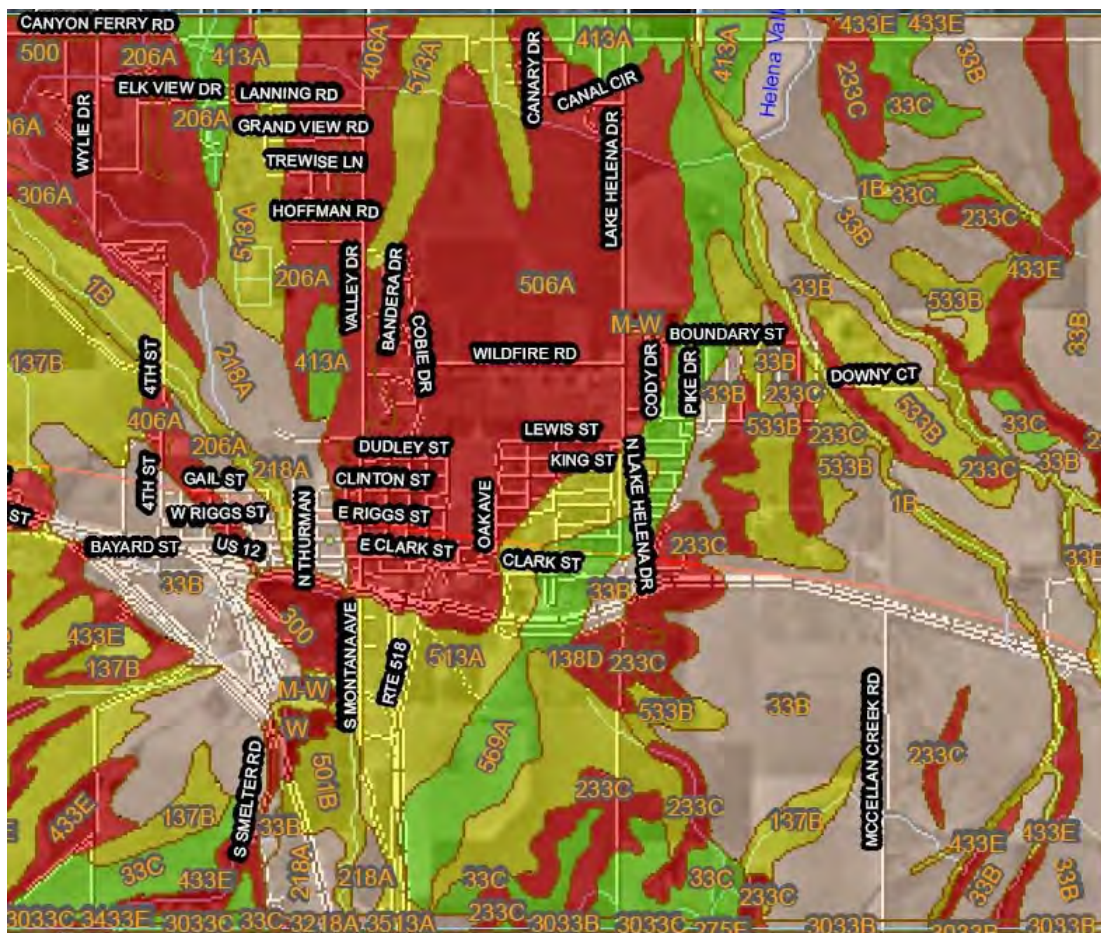


Figure 4: Important Farmland in the East Helena Planning Area

Source: Farmland Classification—Jefferson County Area and Part of Silver Bow County, Montana, and Lewis and Clark County Area, Montana; Natural Resources Conservation Service, Web Soil Survey 2.0, Accessed: June 3, 2008.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

LEGEND

	Prime Farmland If Irrigated
	Farmland of Statewide Importance
	Farmland of Local Importance
	Not Important Farmland

WATER RESOURCES AND QUALITY

SURFACE WATERS

Prickly Pear Creek - Prickly Pear Creek and its intermittent or ephemeral tributaries drain the majority of the East Helena Planning Area. Prickly Pear Creek originates in the Elkhorn Mountains several miles south of the Planning Area and flows northwesterly through the City of East Helena and Planning Area. Prickly Pear Creek drains an area of approximately 251 square miles and discharges into Lake Helena, located about 8 miles north of the City. Prickly Pear Creek is located within the Upper Missouri Watershed (10030101) which encompasses 3,363 square miles and contains 42 lakes and 48 rivers and streams. The Missouri River, Canyon Ferry, Holter, and Hauser Lakes and Lake Helena are notable surface waters in this part of the watershed.

Figure 5 shows existing surface waters and major irrigation features within the Planning Area.



Figure 5: Surface Water in the East Helena Area

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Irrigation Ditches - A portion of the Helena Valley Canal is located south of Canyon Ferry Road in the northern portion of the Planning Area. The Helena Valley Irrigation District utilizes the Helena Valley Canal system for distributing water from Canyon Ferry Reservoir to agricultural and other users on about 18,000 acres of land. The Helena Valley Canal parallels and crosses Canyon Ferry Road about 0.5 miles east of Lake Helena Drive. Figure 6 shows the location of irrigation canals throughout the planning area.

Other notable irrigation ditches within the Planning Area include the Prickly Pear Ditch, Vincent Ditch, Merritt-Gross Ditch, Stockburger Ditch, and Poepping Ditch. Some of these ditches remain in use; however, many are remnants of older irrigation systems in the area.

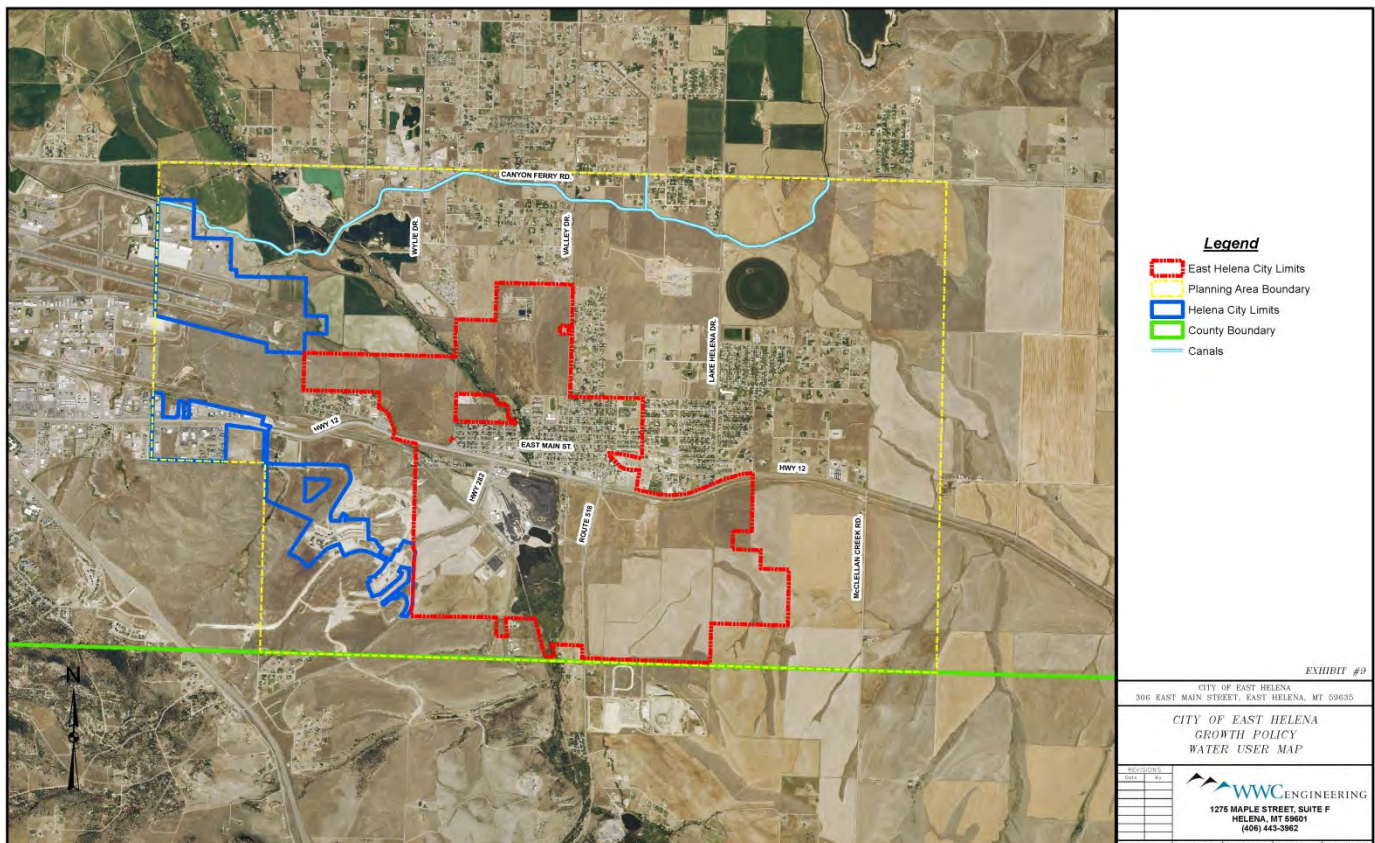


Figure 6: Irrigation Canals in the East Helena Planning Area

Surface Water Quality - Surface water quality is typically assessed according to the amount and kind of substances present in water, by the water's ability to support beneficial uses such as irrigation and recreation, and by the overall health of the aquatic ecosystem. The health of streams and wetlands (and other surface waters) is assessed based on the constituents dissolved in the water, the condition of the banks and

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

associated riparian zone, and the types and numbers of plants and animals living in the water.

The Montana Department of Environmental Quality (MDEQ) has the responsibility under Section 401 of the federal Clean Water Act and the Montana Water Quality Act to monitor and assess the quality of Montana surface waters and to identify impaired or threatened stream segments and lakes. The MDEQ sets limits, known as Total Maximum Daily Loads (TMDLs), for each pollutant entering a body of water. TMDLs are established for streams or lakes that fail to meet certain standards for water quality and describe the amount of each pollutant a water body can receive without violating water quality standards. The legislatively mandated TMDL process determines the concentration of pollutants in water bodies and stipulates controls needed to improve water quality in order to support designated uses.

Prickly Pear Creek in the East Helena Planning Area has been evaluated by the MDEQ for TMDL purposes. Prickly Pear Creek exhibits a measurable impact in terms of water and sediment quality, and Prickly Pear Creek is listed by the State of Montana on the 303(d) list of impaired waters. MDEQ rates the water quality in the stream as Category 5 meaning one or more beneficial uses are impaired and a TMDL is needed. The assessment concluded that several of the stream's beneficial uses (aquatic life support, cold water fishery, warm water fishery, and drinking water) are not supported and three beneficial uses (agriculture, industrial, and recreation) are only partially supported. The probable sources of impairment within this reach of Prickly Pear Creek include contaminated sediments from past mining and industrial activities, alteration of streamside habitats, low flow alterations from irrigation, and thermal modifications caused by irrigated crop production.

Sources of impairment on Prickly Pear Creek are discussed in detail in the "Framework Water Quality Restoration Plan and Total Maximum Daily Loads (TMDLs) for the Lake Helena Watershed Planning Area: Volume II – Final Report" prepared for MDEQ by the U.S. EPA in August 2006. Total Maximum Daily Loads (TMDLs) for Prickly Pear Creek were completed in September 2006. The TMDLs address water quality impairments caused by arsenic, cadmium, copper, lead, nitrates/nitrites, phosphorus, sediments/siltation, and zinc.

MDEQ also issues permits to industries, agencies and others to discharge effluent into storm water and surface waters. The City of East Helena has been issued a Montana Pollution Discharge Elimination System (MPDES) permit for discharges from its wastewater treatment plant into Prickly Pear Creek.

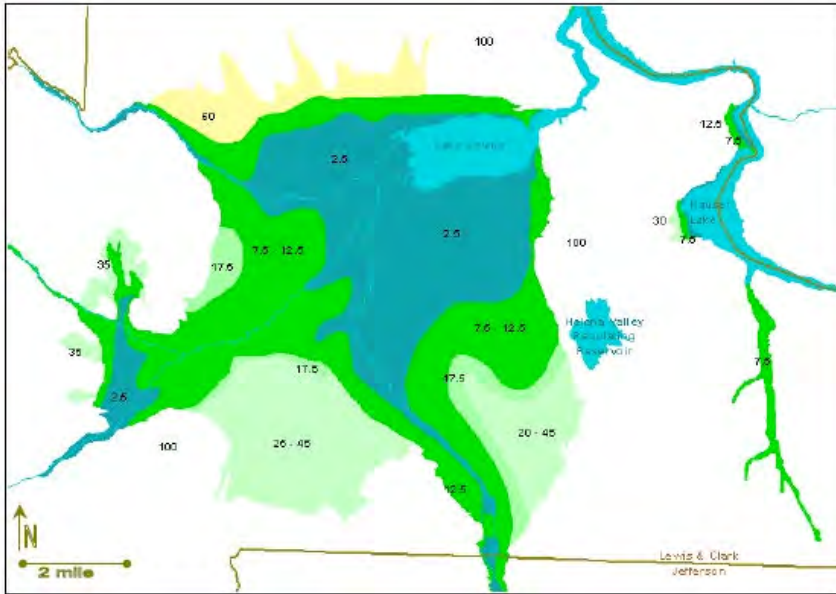
GROUNDWATER

Groundwater occurs in the sub-surface pore spaces, fractures, and voids in rocks, soil and sediment formations. Groundwater originates from water infiltrating the ground from snow, rain, and water courses. Groundwater tends to move from the highlands to low areas, where it is discharged to streams, used by plants, or evaporates. The movement, amount, and quality of groundwater at any location depends on the type of aquifer, climate, landforms, and other natural features. Groundwater is also influenced by human activities but generally to a lesser extent than surface water.

Within Lewis and Clark County, groundwater occurs in bedrock aquifers, tertiary basin fill aquifers, glacial aquifers, and alluvial aquifers. The County's Growth Policy notes that groundwater in the Helena area is the sole source of drinking water for approximately 55 percent of the local population. The principal source of groundwater within the East Helena Planning Area is an alluvial aquifer known as the Helena Valley aquifer. The aquifer is comprised of discontinuous and variable alluvium (loosely compacted gravel, sand, silt, and clay deposited by streams or in lakes) that are continuously saturated from the water table to a depth of at least 500 feet.

Groundwater Depth - Depth to groundwater in the Helena Valley ranges from less than one foot in some areas to 60 feet near the margins of the Helena Valley. Depth to groundwater is influenced by irrigation practices in the valley and by spring runoff and reports of groundwater fluctuations of several feet or more are not uncommon. Within the Helena Valley, groundwater is generally closer to the surface in the area near Lake Helena and along Prickly Pear Creek and other major streams. Because of variability in depth to groundwater, site specific monitoring is required by the Environmental Division of the County Health Department prior to permitting on-site wastewater treatment systems in some areas.

General depths to groundwater in the Helena Valley are shown in Figure 7 taken from the Helena Area HAZUS Analysis Project Summary Report prepared in 2002. As Figure 7 suggests, typical depths to groundwater over the majority of the East Helena area range from 17.5 feet to more than 45 feet below the ground surface. However, groundwater depth is considerably shallower on lands adjoining Prickly Pear Creek.



Source: Helena Area HAZUS Analysis Project (August 2002)

Figure 7: Groundwater Depth in the Helena Valley

The City of East Helena utilizes three wells as supplemental sources for its municipal water supply. These wells have been drilled to depths ranging from 90 feet to more than 150 feet and each well typically produces more than 550 gallons per minute.

Groundwater Quality - Alluvial aquifers like the Helena Valley aquifer are excellent water sources. However, alluvial aquifers may be susceptible to contamination because coarse-grained deposits may allow for rapid infiltration of surface contaminants. Within the greater Helena Valley, groundwater contamination from on-site wastewater disposal systems is an ongoing concern. Elevated nitrate concentrations and the traces of pharmaceuticals and personal care products have been addressed in several recent studies.

Potential groundwater contamination concerns exist in the La Casa Grande Subdivision just north of the City of East Helena and the Clark Street area east of the City, due to failing septic systems. Residents of the La Casa Grande Subdivision have contacted the City regarding the extension of municipal wastewater service into the subdivision. The Clark Street Water and Sewer District has constructed a new sewer collection system and is connected to the City of East Helena for treatment of wastewater from properties within the District. This potential source of contamination has been reduced with connection of the existing properties within the District to the collection system and they no longer use individual septic systems. There are some properties within this area that still operate individual septic systems.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

As part of its RCRA activities, the METG has identified two separate contaminant plumes of arsenic and selenium that extend from the former smelter northward (up to three miles in the case of the selenium plume) within the Helena Valley alluvial aquifer. Concentrations of arsenic and/or selenium exceed applicable groundwater quality standards including standards set by the State of Montana and the EPA for maximum contaminant levels (MCLs) established for the protection of human health. Because arsenic and selenium concentrations exceed drinking water standards, ingestion of such water poses a public health risk.

Data collected in the course of cleanup activities performed under the oversight of EPA demonstrate that the former East Helena lead smelter is a major source of arsenic and the primary source of selenium contamination in groundwater. Under RCRA, the Custodial Trust is implementing cleanup plans that focus on remediation and protection of groundwater. Remedy identification and evaluations are currently underway as part of a RCRA Corrective Measures Study and IMs are being performed to start reducing contaminant mass loading to groundwater while final remedy evaluations are completed. Cleanup activities implemented and planned as IMs over the next few years include lowering of groundwater levels on the former plant site to reduce contaminant leaching from soils, removal of certain contaminated soils and placement of a soil cap over the smelter plant-site.

Groundwater monitoring will be conducted to monitor the effectiveness of cleanup activities and the need for additional remedial actions in the future. The monitoring program will also track groundwater quality. Cleanup activities are designed to reduce down-gradient groundwater contamination from the former smelter, although the process is expected to take many years. The Custodial Trust is working with the Lewis & Clark County to implement controls that will prevent exposure to contaminated groundwater activities that could inadvertently cause contaminants to spread.

WATER QUALITY PROTECTION DISTRICT

The Water Quality Protection District (WQPD) was created in July 1992 with the fundamental mission of preserving, protecting, and improving water quality within District boundaries. The WQPD includes all of Lewis and Clark County; however, the fee-assessed area includes the areas that recharge the Helena Valley alluvial aquifer, including Helena, East Helena, and the surrounding drainage's within County borders. A map of the WQPD is shown in Figure 8.

Water Quality Protection District Lewis & Clark County

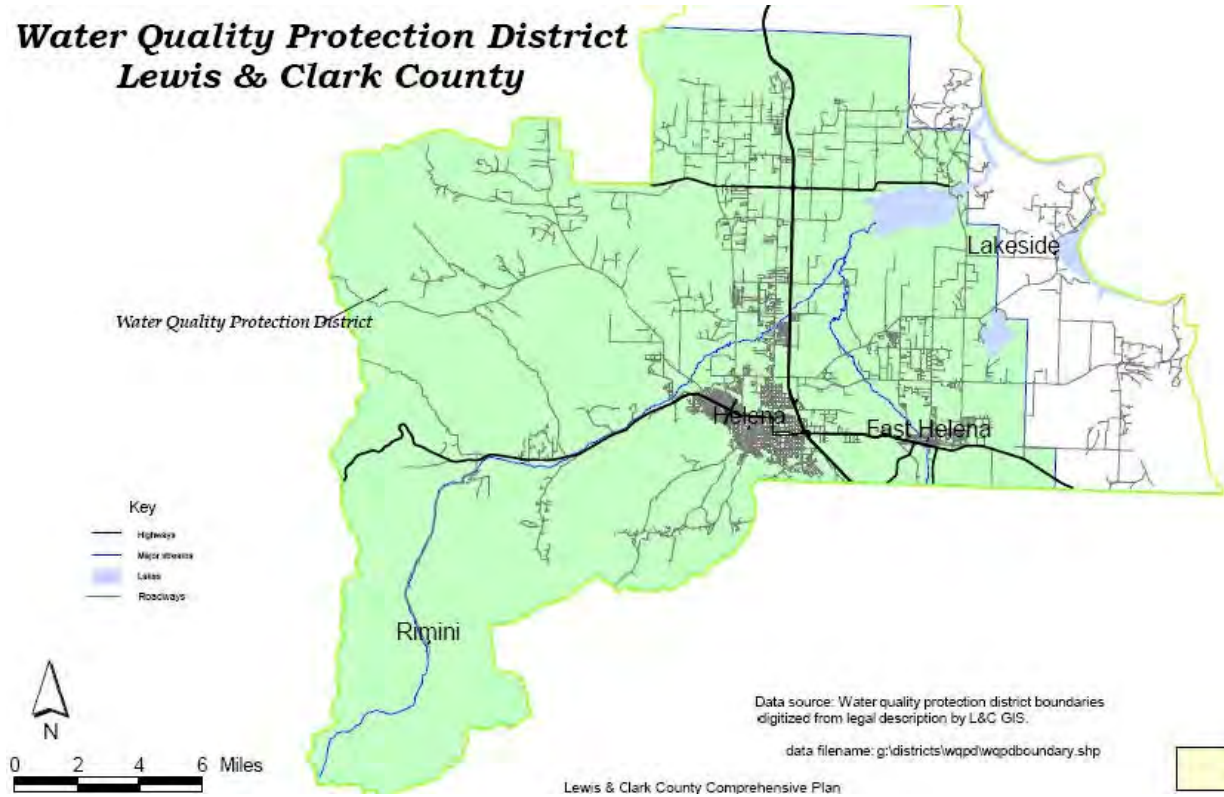


Figure 8: Lewis and Clark County Water Quality Protection District

WATER QUALITY PERMITTING

The MDEQ is the state agency responsible for preserving and maintaining the quality of Montana's water supply. Development activities in or near streams are governed by the Montana Stream Protection Act (124 permit) and the Montana Natural Streambed and Land Preservation Act (310 permit). A 124 permit is required of all governmental agencies proposing projects that may affect the beds or banks of any stream in Montana. The purpose of the law is to preserve and protect fish and wildlife resources in their natural existing state. The Montana Department of Fish, Wildlife and Parks administers this law.

A 310 permit is required of all private, non-governmental individuals or corporations that propose to work in or near a stream. The purpose of the law is to minimize soil erosion and sedimentation, maintain water quality and stream channel integrity, and prevent property damage to adjacent landowners. The Lewis and Clark County Conservation District and the Montana Department of Natural Resources and Conservation (DNRC) administers this permit.

The primary federal regulatory program for safeguarding surface water quality is Section 404 of the Clean Water Act jointly by the U.S Army Corp of Engineers and the U.S.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

EPA. This program regulates discharges of dredge and fill materials into the jurisdictional waters of the United States including perennial and intermittent streams, irrigation ditches with connections to surface waters, and wetlands. Developments within the Planning Area affecting jurisdictional waters or wetlands are subject to 404 permit requirements from the Corp of Engineers – Montana Regulatory Office.

FLOODPLAINS

Floods are typically classified as 2-year, 10-year, 50-year, 100-year and 500-year events to provide an indication of the likelihood for floods of a given size to occur once during the designated period. These re-occurrence intervals above represent the long-term average period between floods of a specific magnitude. The recurrence interval of most interest is the 100-year flood which has a 1.0 percent chance of being equaled or exceeded during any year. It should be noted that floods can and do occur at shorter intervals and it is possible (although very unlikely) to have several 100-year flood events in the same year.

Large floods in Lewis and Clark County are typically the result of heavy rainfall combined with snowmelt, although in some areas rainfall or snowmelt alone can be the cause of flooding. Historic records show that widespread flooding has occurred on most major streams in the County in the past, including Prickly Pear Creek. Rapid snowmelt events in the past have also caused flooding problems at various locations within the East Helena Planning Area.

The Federal Emergency Management Agency (FEMA) prepared detailed floodplain maps for Lewis and Clark County in 1981 and revised them in 1985. The 1985 revisions were updated on June 17, 2002 and were updated again on September 19, 2012 to incorporate new approximate flood hazard information for the Prickly Pear Creek and its overflow channels. The revised Flood Insurance Rate Map (FIRM) panels #3049C23333E, #3049C2331E, #3049C2327E, and #3049C2332E show 100-year and 500-year floodplains on lands within the East Helena Planning Area and within the City of East Helena.

These FIRM's identify three overflow branches of Prickly Pear Creek floodplain crossing Canyon Ferry Road within the Planning Area. These branches are identified as the East Branch of Prickly Pear Creek, the North Overflow of Prickly Pear Creek, and the Valley Drive Branch of Prickly Pear Creek. A 100-year floodplain, known as the Lake Helena Drive Branch, crosses Canyon Ferry Road just east of Lake Helena Drive.

These new community panels identify the 100-year floodplains and other flood prone lands within the East Helena Planning Area. These lands are generally located adjacent to Prickly Pear Creek within the city.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

The floodway is the channel of a stream and adjacent bank areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than 0.5 feet. Development of permanent structures such as homes and businesses are prohibited in areas shown on FEMA maps as Floodway. Placement of fill or culverts, excavation, storage of equipment or materials, and bridge construction require a Floodplain Development Permit, issued by the Lewis and Clark County Floodplain Administrator (for areas outside the City of East Helena) and by the City of East Helena Floodplain Administrator (WWC Contract Floodplain Administrator). Construction of permanent structures is possible within Zone A or AE on FEMA maps, but only after the issuance of a Floodplain Development Permit. The permit may require flood proofing or other mitigation measures. Zone X on FEMA maps represents areas that may be subject to minimal flooding. Figure 9 shows floodplains with the East Helena Planning Area, additional larger maps are located in Appendix L Maps.

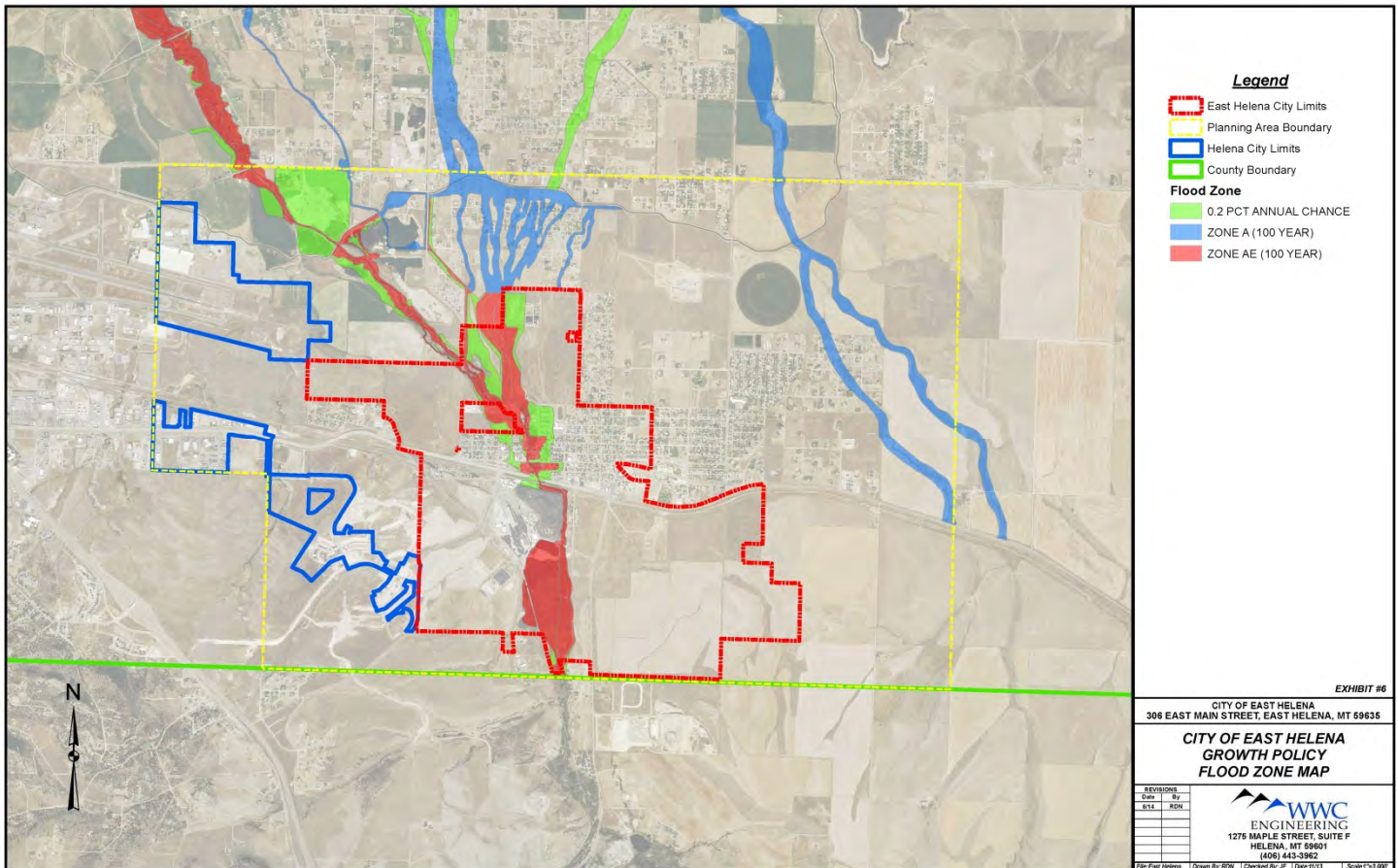
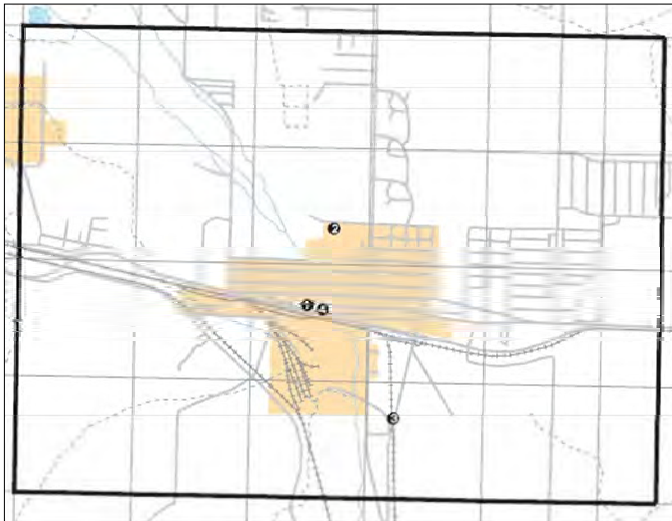


Figure 9: Floodplains in the East Helena Planning Area

AIR QUALITY

Overall, air quality within the planning area can be described as good. However, violations of federal and state air quality standards occurred in the past due to emissions from the ASARCO East Helena Plant. The operation of the ASARCO smelter resulted in violations of air quality standards for lead and sulfur dioxide. Consequently, the East Helena area was designated as a non-attainment area for both lead and sulfur dioxide by the U.S. Environmental Protection Agency (EPA). These non-attainment areas are shown below in Figures 10 & 11.



**Figure 10 - EAST HELENA LEAD
NON-ATTAINMENT AREA**



**Figure 11 - EAST HELENA SULFUR
DIOXIDE NON-ATTAINMENT AREA**

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Federal and state air quality standards have not been exceeded in the area since 1996. The non-attainment designations remain in effect even though operations at the ASARCO East Helena Plant and the primary source of lead and sulfur dioxide pollution were suspended in April 2001.

The Board of County Commissioners adopted the Lewis and Clark County Clean Air Ordinance in June 1985, in conjunction with the State Board of Health and also established the Lewis and Clark Air Quality Protection District. The East Helena Planning Area is located entirely within the Air Quality Protection District. The purpose of the ordinance and the District is to protect and improve air quality in the greater Helena Valley. The Ordinance prohibits the operation of wood, coal or paper burning devices on "Poor" Air Quality days, during the monitoring season that extends from November 1 to March 1 of each year.

VEGETATION

Lands within the East Helena Planning Area support a variety of grasses, shrubs, forbs, trees and noxious weeds. Much of the Planning Area is located within a flat valley bottom that has undergone extensive residential and commercial development over the past 20 years. Relatively few native vegetative communities remain intact within the Planning Area. Native rangeland plant communities found in the general area are comprised primarily of sagebrush, blue grama, Idaho fescue, wheatgrass, cheatgrass, licorice, and prickly pear.

Residential landscaping dominates within the City of East Helena and nearby subdivisions and includes various ornamental flowers, native and introduced trees and shrubs, and manicured bluegrass lawns.

The primary vegetation type found in rural portions of the Planning Area is semi-arid herbaceous grasses including bluebunch wheatgrass, crested wheatgrass, needle and thread grass, and western wheatgrass. Forbs such as Yarrow, pussytoes, cudweed, sagewort and plains prickly pear cactus are also present in this general area. Buffaloberry shrub thickets are found in some of the drainages in this area.

Dry-land crop and grazing land is found throughout the rural portions of the Planning Area. Some native rangeland exists through this area, although a majority has been disturbed by agricultural practices and on-going residential development. Alfalfa production is common near Lake Helena Drive and wheat and hay production is common in the non-irrigated land through much of this segment.

Threatened or Endangered Plants - The United States Fish and Wildlife Service (USFWS) lists water howellia (*Howellia aquatilis*) and the Ute ladies'-tress orchid

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

(*Spiranthes diluvialis*) as threatened plant species in Montana under the Endangered Species Act. Habitat for these species does not occur in the East Helena Planning Area.

Plant Species of Concern - Species of Concern are native plant species that are at-risk due to declining population trends, threats to their habitats, restricted distribution, and/or other factors. Designation as a Montana Species of Concern or Potential Species of Concern is based on the Montana Status Rank and is not a statutory or regulatory classification.

The Montana Natural Heritage Program identified five plant species of concern within the East Helena Planning Area. Table 1 provides the common names of the species and their current status.

Table 1: Plant Species of Concern in the East Helena Planning Area

Species of Concern	Status	Typical Habitat
Lesser Rushy Milkvetch <i>Astragalus convallarius</i>	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Grasslands (Intermountain)
Wedge-leaf Saltbush <i>Atriplex truncata</i>	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Wetland/Riparian
Linear-leaf Fleabane <i>Erigeron linearis</i>	At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state.	Sagebrush/Grasslands (Foothills to Montane)
Pale-yellow Jewel-weed <i>Impatiens aurella</i>	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Riparian Areas
Divide Bladderpod <i>Physaria klausii</i>	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Slopes (Open, Montane/subalpine)

Source: MNHP Species of Concern Reports for City of Helena with a 10-mile buffer (including City of East Helena), Accessed January 15, 2021.

Invasive Plants/Noxious Weeds - The Montana Department of Agriculture has classified noxious weeds in the state based on the number acres affected and identified management criteria. Category 1 noxious weeds are weeds that are currently established and generally widespread in many counties of the state. Category 2 noxious weeds have recently been introduced into the state or are rapidly spreading from their

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

current infestation sites. Category 3 noxious weeds have not been detected in the state or may be found only in small, scattered, localized infestations. Category 4 noxious weeds are invasive plants and may cause significant economic or environmental impacts if allowed to become established in Montana.

According to the Invaders Database System (maintained by the University of Montana) and the state's weed list, Category 1 noxious weeds found in Lewis and Clark County include: Canada thistle, common tansy, dalmatian toadflax, diffuse knapweed, field bindweed, hoary cress, houndstongue, leafy spurge, oxeye daisy, Russian knapweed, spotted knapweed, sulfur cinquefoil, and yellow toadflax. Category 2 noxious weeds found in the County include orange hawkweed, perennial pepperweed, tall buttercup, and tamarix. Lewis and Clark County has also identified three other weed species of concern including common burdock, common mullein, and black henbane.

Lewis and Clark County subdivision regulations require a five-year weed management plan to be completed by the landowner and approved by the Weed District prior to groundbreaking on the subdivision property. Once this plan has been completed and submitted and fees paid, a site inspection by the Weed District or Lewis and Clark County Extension Service is required. Further, the East Helena Subdivision Regulations require a weed management plan through Lewis and Clark County.

THREATENED AND ENDANGERED SPECIES

Threatened and endangered species include those species listed or proposed for listing by the U.S. Fish and Wildlife Service (USFWS) as threatened or endangered. Under Section 7 of the Endangered Species Act, activities conducted, sponsored, or funded by federal agencies must be reviewed for their effects on species federally listed or proposed for listing as threatened or endangered.

The USFWS online summary of listed species (accessed via the Montana Ecological Field Offices website on January 15, 2021) shows the following species as occurring in Lewis and Clark County:

- Grizzly Bear (*Ursus arctos horribilis*) – **Threatened**
- Canada Lynx (*Lynx Canadensis*) – **Threatened, Critical Habitat**
- Bull Trout (*Salvelinus confluentus*) – **Threatened, Critical Habitat**
- Red Knot (*Calidris canutus rufa*) – **Threatened**
- Wolverine (*Gulo gulo luscus*) – **Proposed**

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

- Whitebark Pine (*Pinus albicaulis*) - **Candidate**

Using the USFWS's IPaC system, the East Helena Planning Area includes possible habitat for Grizzly Bear and Canada Lynx. IPaC indicated that there are no critical habitats for these endangered species. The potential occurrence of these species in the East Helena Planning Area is discussed below.

Grizzly Bear - The grizzly bear would be unlikely to occur in the Planning Area due to a lack of suitable habitat. A portion of the Northern Continental Divide Ecosystem (NCDE), a designated grizzly bear recovery zone, exists within the extreme northwestern Lewis and Clark County (west of the Continental Divide). The Natural Heritage Tracker available from the Montana Natural Heritage Program (MNHP) website was consulted for information about past observations of grizzly bears in the general project area. The MNHP data showed no observations of grizzly bears in the area. Since the Planning Area is more than 40 miles from the NCDE and there have been no recent observations of the species in the East Helena area, future development activities within the Planning Area would be unlikely to affect the species.

Canada Lynx - Canada lynx typically occur in mesic coniferous boreal, sub-boreal, and western montane forests that are subject to cold, snowy winters and support a prey base of snowshoe hare. In Montana, lynx are most frequently found in thick stands of lodgepole, or in stands of Douglas fir or western larch between 4,920 and 7,380 feet in elevation.

The USFWS recently (February 24, 2009) made a final critical habitat designation for the Canada lynx. Maps showing proposed critical habitat within Lewis and Clark County, show lands in the northwestern portion of the county and along the Continental Divide west of Helena fall within the Unit 3-Northern Rockies proposed critical habitat area. The East Helena Planning Area does not fall within the proposed final critical habitat for Canada lynx in the Northern Rockies; does not occur at an elevation where lynx typically occur; and does not contain any coniferous forest habitat favored by lynx. For these reasons, development activities within the Planning Area would be unlikely to impact the Canada lynx or its habitat.

WILDLIFE AND FISHERIES

Wildlife habitat within the East Helena Planning Area has undergone incremental yet significant change in recent years as rural lands have become increasingly urbanized. New residential and commercial development has replaced native range and cropland and reduced habitat and migration corridors for big game species in the general Helena area. Despite the development, large undeveloped parcels still exist that provide limited habitat for a variety of wildlife and small mammals.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

White-tailed deer are occasionally seen utilizing habitat associated with Prickly Pear Creek, and mule deer are also occasionally seen near the beginning of the project, using habitat near the gravel pit operated by Helena Sand & Gravel. This large gravel pit, partially filled with ground water, also provides habitat for numerous species of waterfowl and shore birds.

The large, irrigated fields immediately east of Lake Helena Drive attract pronghorn antelope, mule and white-tailed deer, fox, and feeding waterfowl in the fall. The dryland crops and pastureland likely support small numbers of antelope, deer, and small rodents, which are preyed upon by red fox, coyotes, and various raptors. The Prickly Pear Creek drainage provides the only major area of wetland and riparian habitat within East Helena Planning Area. Wildlife species associated with these habitats include various songbirds, raptors, mule and white-tailed deer, small mammals, and herptiles.

Amphibians likely to occur near wetland and riverine habitats within the project area include the long-toed salamander, western toad, and spotted frog. Painted turtles, rubber boa, racer, western rattlesnake, gopher snake, and garter snakes are reptiles likely to inhabit the area.

Between 1991 and 1995, the Montana Bird Distribution Committee compiled observations of 187 bird species within the Helena Valley. Much of the species diversity is likely due to the presence of the Missouri River and Canyon Ferry, Hauser, and Holter Reservoirs within the general area. An extensive list of possible species occurring in the project area is not presented here. However, birds commonly seen in the project area include waterfowl and shorebirds near the Helena Sand and Gravel Canyon Ferry Road gravel pit; woodpeckers, flycatchers, warblers, raptors, finches, grouse and thrushes along Spokane Creek and western meadowlarks, sparrows, crows, ravens, magpies, bluebirds, and blackbirds in various other habitats represented along the project route.

Fisheries - According to the Montana River Information System (MRIS), Prickly Pear Creek within the East Helena Planning Area has been assigned “moderate” or “limited” fisheries resource values. According to the Montana Fisheries Information System (MFISH) maintained by the Montana Department of Fish, Wildlife, and Parks, reaches of Prickly Pear Creek may support rainbow trout, brook trout, brown trout, longnose sucker, white sucker, and mottled sculpin. The Helena Valley Canal and its associated laterals are not managed as fisheries.

Species of Concern - The MTNHP database query identified an occurrence of seventeen wildlife species of concern as potentially occurring on lands within the East Helena Planning Area. This is an increase from four identified in the 2014 Growth Policy. These species are identified in the following table.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Table 2: Animal Species of Concern in the East Helena Planning Area

Species of Concern	Status	Typical Habitat
Hoary Bat	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	During the summer, Hoary Bats occupy forested areas. Often captured foraging over water sources embedded within forested terrain, both conifer and hardwood, as well as along riparian corridors. Probably most common throughout summer in Montana at lower elevations.
Spotted Bat	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Cliffs with rock crevices.
Little Brown Myotis	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Generalist
Grizzly Bear	At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state.	Conifer forest.
Golden Eagle	BLM-Sensitive species. Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Golden Eagles nest on cliffs and in large trees (occasionally on power poles), and hunt over prairie and open woodlands.
Great Blue Heron	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Great Blue Herons are equally at home in urban wetlands and wilderness settings. Most Montana nesting colonies are in cottonwoods along major rivers and lakes; a smaller number occur in riparian ponderosa pines and on islands in prairie wetlands. Nesting trees are the largest available.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Veery	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Generally inhabits damp, deciduous forests in the east. Has a strong preference for riparian habitats in several regions, including the Great Plains. Prefers disturbed forest, probably because denser understory is not found in undisturbed forests. In Montana, Veerys are often associated with willow thickets and cottonwood along streams and lakes in valleys and lower mountain canyons.
Long-billed Curlew	BLM-Sensitive species. Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Not much is known about the habitat for this species.
Evening Grosbeak	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Conifer forest.
Bobolink	At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.	Summer range is the entire state of Montana. Nests are typically built in tall grass and mixed-grass prairies.
Pinyon Jay	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Pinyon Jays are closely associated with pinyon-juniper habitat in the southwestern U.S., but in Montana they occur in low-elevation ponderosa pine and limber pine-juniper woodlands.
Cassin's Finch	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Cassin's Finches occur in every major forest type and timber-harvest regime in Montana, including riparian cottonwood, but are especially common in ponderosa pine and postfire forests; they occur less often in lodgepole pine, sagebrush, and grassland.

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Brewer's Sparrow	BLM-Sensitive species. At risk because of very limited and/or declining numbers, range, and/or habitat, making it vulnerable to global extinction or extirpation in the state.	Summer range is the entire state of Montana. Typically found in sagebrush areas in central Montana.
Clarks Nutcracker	Potentially at risk because of limited and/or declining numbers, range, and/or habitat, even though it may be abundant in some areas.	Nutcrackers in Montana typically occupy conifer forests dominated by whitebark pine at higher elevations and ponderosa pine and limber pine along with Douglas firs at lower elevations, relying largely on seeds of these species for food
Lewis's Woodpecker	At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state.	Riparian forest
Green-tailed Towhee	Potentially at risk because of limited and/or declining numbers, range and/or habitat, even though it may be abundant in some areas.	Shrub woodland
Westslope Cutthroat Trout	USFS – Sensitive, BLM-Sensitive species. At risk because of very limited and/or potentially declining population numbers, range and/or habitat, making it vulnerable to global extinction or extirpation in the state.	Spawning and rearing streams tend to be cold and nutrient poor. Westslope cutthroat trout seek out gravel substrate in riffles and pool crests for spawning habitat. Westslope cutthroat trout also require cold water, although it has proven elusive to define exact temperature requirements or tolerances. Likewise, cutthroat trout tend to thrive in streams with more pool habitat and cover than uniform, simple habitat.

Source: MNHP Species of Concern Reports for Township 10 North, Range 2W and Township 10 North, Range 3 West, Accessed January 15, 2021.

Bald eagles, once listed as a threatened species under the Endangered Species Act and listed as a species of concern, could potentially occur within the Planning Area. As of August 8, 2007, the bald eagle was de-listed, and the species is no longer subject to the Endangered Species Act. Bald eagles remain protected under the federal Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

WETLANDS

The United States Fish and Wildlife Service (USFWS) defines wetlands as “lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is covered by shallow water. For the purposes of the definition, wetlands must have one or all of the following three attributes:

- At least periodically, the land supports a prevalence of vegetation typically adapted for life in saturated soil conditions;
- The substrate is predominately undrained hydric soils; and
- The substrate is non-soil and is saturated with water or covered by shallow water during the growing season each year.”

Wetlands provide economic benefit; improve water quality, and support fish and wildlife. The most noticeable benefits of wetlands include flood and storm water damage protection, erosion control, water supply, groundwater recharge, scenic open space, and recreation. Destruction of wetlands eliminates or severely minimizes their functions and values. Drainage of wetlands prevents surface water storage and reduces their water quality enhancement function, while accelerating the flow of water downstream which may cause increased flood damages. Wetland filling has similar impacts and also destroys vital habitats for fish and wildlife species.

The USFWS is the principal federal agency providing information to the public and other agencies on the extent and status of the Nation’s wetlands. The agency has developed and currently maintains National Wetlands Inventory (NWI) maps with digitized wetland site information for many areas of the country. NWI mapping for the East Helena area is shown on Figure 12.

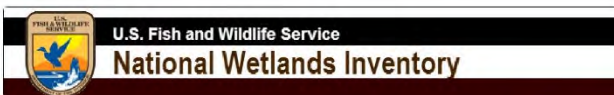
The USFWS's classification system groups wetlands into five systems according to their ecological characteristics. Wetlands associated with two of these systems—Riverine and Palustrine—are found within the East Helena Planning Area. The Riverine system is limited to freshwater river and stream channels. It is mainly a freshwater, deepwater habitat system, but has non-persistent marshes and aquatic beds along its banks. The Palustrine system encompasses the vast majority of non-tidal wetlands, such as swamps and bogs.

Figure 12 shows the presence of isolated wetlands along Prickly Pear Creek, at the southern edge of the ASARCO property (Upper and Lower Lakes), and in the gravel pit excavations southwest of the Wiley Drive and Canyon Ferry Road intersection. Further Figure 13 shows wetlands delineated by METG in a Wetland Delineation Data

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

Summary Report for the East Helena Smelter RCRA Site. These wetlands are located within the City of Helena limits.

The primary federal regulatory program covering wetlands is Section 404 of the Clean Water Act. The program regulates discharges of dredge and fill materials into the jurisdictional waters of the United States, including wetlands. The Section 404 program is administered jointly by the U.S Army Corp of Engineers and the U.S. EPA. Developments within the Planning Area affecting jurisdictional waters or wetlands are subject to 404 permit requirements from the Corp of Engineers, Montana Regulatory Office. As noted earlier, the Montana Department of Fish, Wildlife and Parks and the MDEQ Water Quality Bureau have permitting requirements for projects and actions affecting the beds and banks of streams and other surface waters.



City of East Helena Wetland Map



January 15, 2021

Wetlands	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Other
	Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NW Mapper

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

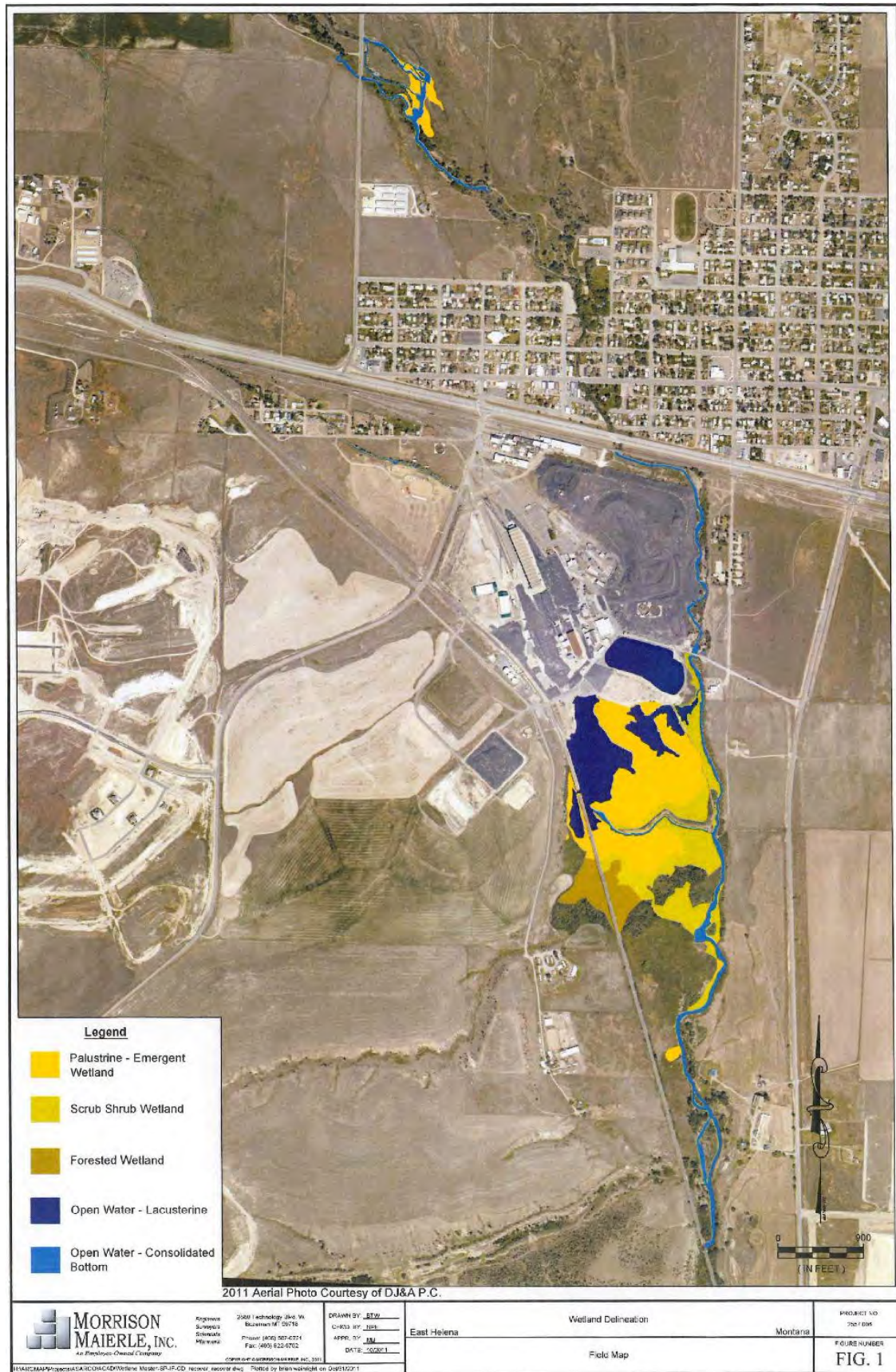


Figure 13: Wetlands Delineated by METG

CULTURAL RESOURCES

Within the East Helena planning area there have been a number of cultural resources inventories conducted in accordance with state and federal statutes, in association with specific projects including:

- Construction of the Helena City Gate/East Helena Gas Line
- Canyon Ferry Road Highway construction
- Helena Valley Water Services Contract
- The Missouri-Madison Hydroelectric Project Pedestrian Survey
- Helena Airport Expansion
- Wylie Drive Construction
- Inventory of Concrete T-Beam Bridges
- Inventory of AT&T Fiber Optic Facilities in Montana
- Various water well wells

These inventories include historic, archeological, and paleontological sites. Properties that contain sensitive archeological and paleontological resources are not specifically identified in this document.

In addition, a variety of individual sites have been evaluated for their status with respect to the National Register of Historic Places.

- Helena Valley Irrigation Unit
- Stockburger Ditch
- Peopping Ditch
- Peopping Farmstead (3963 Canyon Ferry Road)
- Prickly Pear Ditch
- Earthen Irrigation ditches
- Company Slough Ditch

- John Oitzinger Ditch
- Petek Homestead
- Victor Vincent Ditch
- 3157 Canyon Ferry Road
- Prickly Pear Creek Bridge
- East Helena Smelter

Several of the historic irrigation systems have received state support for listing on the National Register of Historic Places (NRHP). The status of the remaining properties is either “undetermined” or “unresolved”.

SAND AND GRAVEL RESOURCES

HB 486, signed into law in May 2009, requires growth policies to include maps and text addressing sand and gravel resources as part of the discussion of existing characteristics and features of the planning area. The 2009 Legislature determined that this inventory requirement will help ensure local governments have the information necessary to create regulations for the separation of incompatible uses such as residential housing and gravel pits, while ensuring an economically viable source of gravel to facilitate future development.

Sand and gravel particles are created by the actions of water, heat, cold and wind on exposed rock. These particles wash downhill, ending up in streams and rivers where they are swept along until deposited in slow-moving sections of the watercourse. Streams meander within a floodplain, sometimes depositing material and sometimes cutting through earlier deposits. Stream action naturally sorts sand and gravel by size. Coarser gravel particles settle out first, while finer sand is carried further downstream. Sand and gravel beds within the active portion of a streambed are called floodplain deposits. Terrace deposits occur above floodplain levels and generally are remnants along valley sides of previous floodplains.

Sand and gravel are “high-weight, low-value” resources and are extremely sensitive to handling and transportation costs. Sand and gravel are in constant demand in growing urban areas but cannot be transported economically for great distances. Therefore, it is not uncommon to find gravel pits close to urban markets. Gravel that meets asphalt or concrete mix specifications has the highest commercial value to producers. Clean and fairly uniform gravel requiring little processing is particularly attractive. Gravel with excess silt must be cleaned and graded to industry standards for high specification use

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

resulting in increased production costs. Clean sand is a valuable resource, but it has a limited market outside of construction. Sand is used primarily to complete required gradations for concrete and asphalt mixes.

The Helena Valley was formed in sediments and alluvial deposits from volcanic rocks, shale, and sandstones in surrounding uplands. Gravels and sands of low terraces and associated alluvial fans are the parent material for surface soils commonly found in the East Helena area within the Helena Valley. Considerable portions of the East Helena Planning Area are located in soil complexes underlain by materials consisting of alluvial sands, gravels and cobbles. Attewan and Nippt soil complexes are found on more than half of the land within the Planning Area. Typically, the material underlying these soils consists of deposits that could yield sand and gravel.

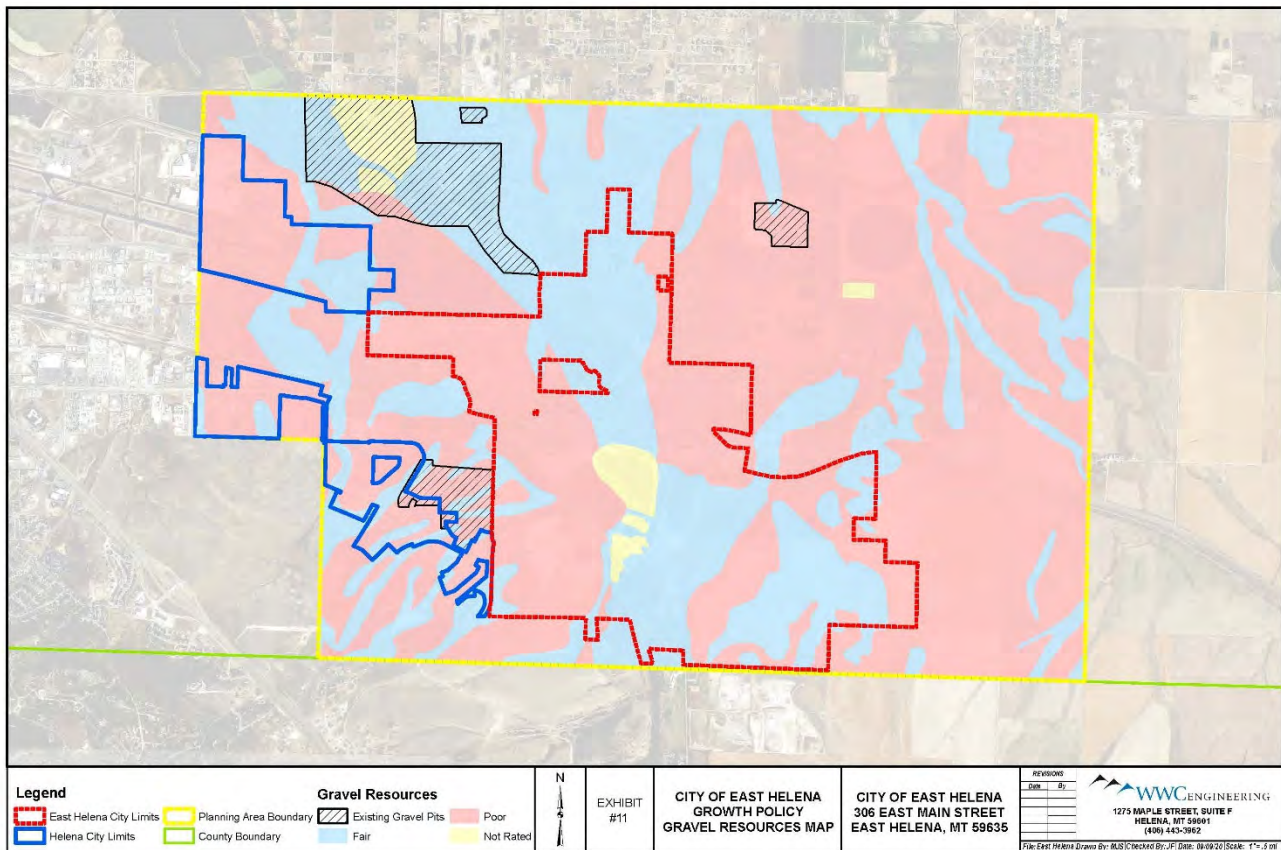


Figure 14: Gravel Resources in the East Helena Planning Area

Figure 14 shows areas comprising sand and gravel resources within the East Helena area. The figure shows that sand and gravel extraction is presently occurring in a large area located south of Canyon Ferry Road and west of Wylie Drive along the Prickly Pear Creek drainage. Sand and gravel operations also exist on a large tract generally

ENVIRONMENTAL CONDITIONS IN THE PLANNING AREA

bounded by Valley and Lake Helena Drives, the Helena Valley Canal, and the La Casa Grande Subdivision and residential properties located north of the City of East Helena.

In Montana, sand and gravel operations are subject to various permitting and regulatory oversight procedures at both the state and local levels. These regulatory processes include:

- Montana open cut mining laws that regulate sand and gravel operations (MCA Title 82- Ch 4) and require guidelines for reclamation procedures (ARM Title 17- Ch 24).
- The Montana Environmental Policy Act, which requires the Montana Department of Environmental Quality (MDEQ) to conduct environmental assessments on proposed sand and gravel operations.
- MDEQ-issued permits for all gravel operations which specify the “conditions” under which they operate.
- Zoning and land use regulations approved by local governments that can impose conditions on gravel operations.

APPENDIX I

Fire & Wildland Fire Hazard

This page left blank intentionally.

FIRE AND WILDLAND FIRE HAZARD

Wildfire risk is the potential for a wildfire to adversely affect things that resident’s value—lives, homes, or ecological functions and attributes. Wildfire risk in a particular area is a combination of the chance that a wildfire will start in or reach that area and the potential loss of human values if it does. Human activities, weather patterns, wildfire fuels, values potentially threatened by fire, and the availability (or lack) of resources to suppress a fire all contribute to wildfire risk. Reducing wildfire risk is a complex task involving efforts to prevent fires from starting, and also activities to reduce the amount and arrangement of fuels that allow fires to grow and spread once they start.

Lewis and Clark County, like much of western Montana, is at substantial risk of wildfire during the summer fire season due to typical low rainfall amounts, high temperatures, low humidity, and summer thunderstorms. The Tri-County Fire Working group has been important in establishing areas within Lewis and Clark County subject to wildfire risk. Mapping efforts have been completed to assess the wildland fuel hazard risk within the county. This effort showed that while adjacent recreation and scenic areas, wildlife habitat and community watersheds may be at risk, the East Helena Planning Area is generally at a low risk from wildfire. The Planning Area does not include wildland-urban interface areas where rural residences and other development co-exist with forest areas with significant wildfire fuels. Figure 1 shows fire fuel hazards in the vicinity of East Helena.

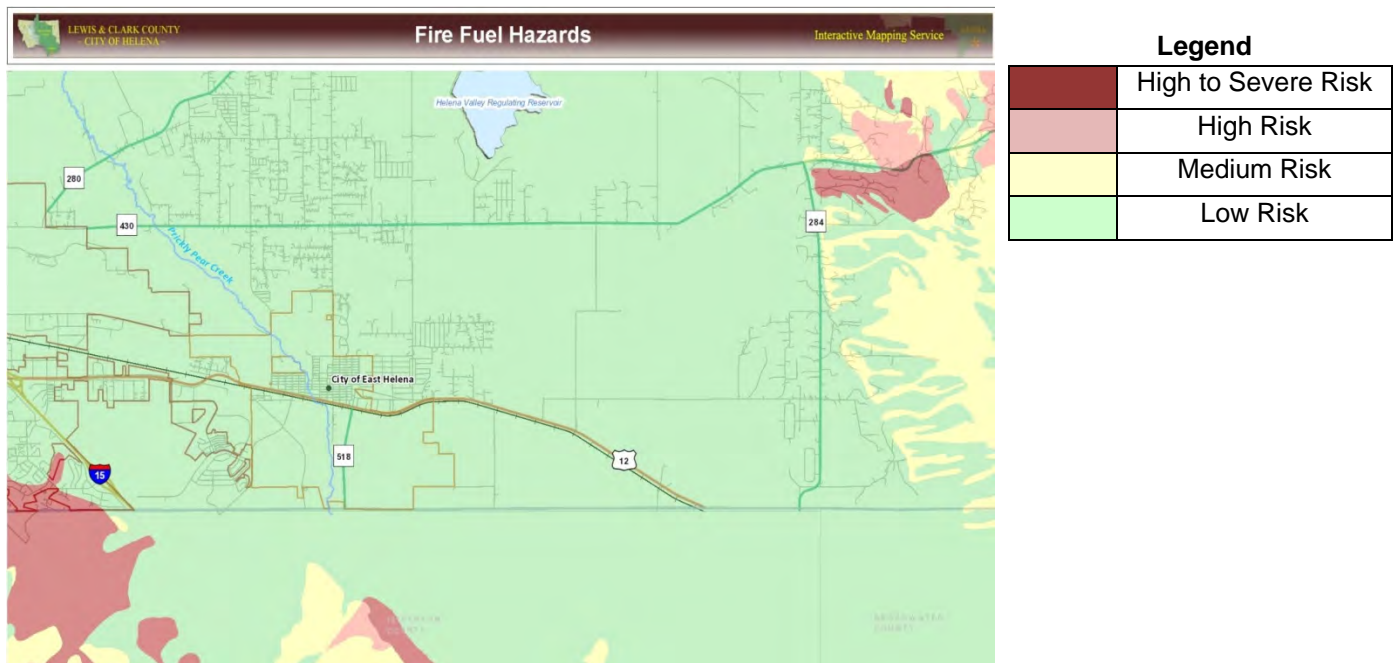


Figure 1: Fire Fuel Hazards within the East Helena Planning Area

This page left blank intentionally.

APPENDIX J

Subdivision Review

This page left blank intentionally.

SUBDIVISION REVIEW CRITERIA PER 76-3-608(3)(A), MCA

State and local subdivision statutes regulate the process of dividing land and providing public facilities and services to the newly created lots. The platting and creation of lots is not only the first phase of development, the action establishes long term patterns of land use for the community. Therefore, proper public review of proposed land division is vital. In Montana, local government subdivision regulations must evaluate a proposed subdivision's impact on the natural environment, wildlife, public health and safety, local services and other factors.

The Montana Subdivision and Platting Act requires all units of local government to adopt and enforce subdivision regulations, and to review and decide on development proposals. Also, in reviewing subdivision proposals, local officials must issue written findings of fact that consider the effect the development would have on a series of criteria set forth in 76-3-608, (3) (a) of the Montana Code Annotated (MCA). These include agriculture, agricultural water user facilities, the natural environment, wildlife and wildlife habitat, local services and public health and safety. Local officials must prepare written findings of fact that detail the impacts, which the proposed subdivision has on each of these elements.

According to 76-1-601, MCA, the community's Growth Policy must include a series of statements as to how the criteria will be defined and used to evaluate proposed subdivisions within its jurisdiction. More particularly, per 76-1-601 (3) (h), MCA, a growth policy must include a statement explaining how the governing body will:

- Define the criteria in 76-3-608 (3) (a); and
- Evaluate and make decisions regarding proposed subdivisions with respect to the criteria in 76-3-608 (3) (a); and
- A statement explaining how public hearings regarding proposed subdivisions will be conducted.

This section of the Growth Policy addresses the requirements of this statute.

REVIEW CRITERIA DEFINITIONS

The basis upon which the local governing body makes a decision to approve, conditionally approve, or disapprove a subdivision is whether the preliminary plat, environmental assessment, hearing and planning board recommendations demonstrate that development of the subdivision meets the requirements of the Montana statute as set forth in 76-3-608, MCA. The statute requires that subdivisions must undergo review under a set of criteria as delineated in 76-3-608 (3) (a), MCA. Local governments must

define the criteria within the growth policy. Per this requirement, the City of East Helena will use the following definitions for each of the criteria listed:

Agriculture: Montana Code Annotated contains definitions for the words “agriculture” and “agricultural” as follows:

- 41-2-103, MCA. Definitions: As used in this part, the following definitions apply: (1) “Agriculture” means: (a) all aspects of farming, including the cultivation and tillage of the soil; (b)(i) dairying; and (ii) the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, including commodities defined as agricultural commodities in the federal Agricultural Marketing Act (12 U.S.C. 1141j(g)); (c) the raising of livestock, bees, fur-bearing animals, or poultry; and (d) any practices, including forestry or lumbering operations, performed by a farmer or on a farm as an incident to or in conjunction with farming operations, including preparation for market or delivery to storage, to market, or to carriers for transportation to market.
- 81-8-701, MCA. Definitions: Unless the context requires otherwise, in this part the following definitions apply: (1) “Agricultural and food product” includes a horticultural, viticultural, dairy, livestock, poultry, bee, other farm or garden product, fish or fishery product, and other foods.

Agricultural Water User Facilities: Those facilities which provide water for agricultural land as defined in 15-7-202, MCA, or which provide water for the production of agricultural products as defined in 15-1-101, MCA including, but not limited to, ditches, pipes, and head gates.

Local Services: Any and all services or facilities that local government entities are authorized to provide directly or through a contractor.

Natural Environment: The physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, noise, and objects of historic, prehistoric, cultural, or aesthetic significance.

Wildlife: Living things, which are neither human nor domesticated.

Wildlife Habitat: Place or type of site where wildlife naturally lives and grows.

Public Health and Safety: A condition of optimal well-being, free from danger, risk, or injury for a community at large, or for all people, not merely for the welfare of a specific individual or a small class of persons.

EVALUATION METHODOLOGY

The City of East Helena will evaluate and make decisions regarding proposed subdivisions with respect to the criteria identified in 76-3-608 (3) (a) as follows:

- Subdivision applications will include written documentation as to whether and to what extent the proposed subdivision will impact agricultural, agriculture water user facilities, local services, natural environment, wildlife, wildlife habitat and public health and safety, as defined in this Growth Policy.
- The Planning Board will evaluate each proposed subdivision with respect to the criteria set forth in 76-3-608 (3) (a), MCA, and as defined in this Growth Policy. The evaluation will be based upon the extent of any and all expected impacts to each of the elements, and the degree to which the applicant proposes to mitigate any adverse impacts. In turn the local governing body will evaluate the proposed subdivision with respect to the findings of fact as prepared by the City of East Helena Planning Board, public hearings and other information as appropriate.
- Upon completion of its review and evaluation, the City of East Helena will render a decision on the proposed subdivision with respect to the requirements of the Subdivision Regulations of The City of East Helena, the outcome of the public hearing(s) and the City of East Helena Growth Policy.

PUBLIC HEARINGS ON PROPOSED SUBDIVISIONS

The City of East Helena will conduct public hearings on proposed subdivisions in a manner that will assure that members of the public, the local government and the applicant have adequate opportunity to express their interests and concerns. Such opportunity will be afforded in a manner that complies with the time constraints set forth in the Subdivision Regulations of the City of East Helena.

This page left blank intentionally.

APPENDIX K

Institutional Controls

This page left blank intentionally.

East Helena Institutional Controls Program (ICP)

*Implementation Recommendations for the
City of East Helena*

February 2013

Prepared By:

Robert Peccia & Associates, Inc.
Community Development Services

CONTENTS

	<i>Page No.</i>
Background	1
Types of Institutional Controls	2
Implementing ICs.....	3
City of East Helena’s Role in the ICP	5
ICP Administrative Area	5
Figure 1: Proposed East Helena Superfund OU2 ICP Administrative Area	6
The City’s Available IC Tools	7
Table 1: Administrative and Legal Tools Available to the City	7
Recommendations for ICP Implementation by the City.....	8
Recommended Phase I Actions	8
1. Agree to Participate in the East Helena ICP and Develop MOU with County Board of Health.....	8
2. Modify City’s Construction Permit Application Form and Process.....	8
3. Develop Database to Identify and Track Construction Permits	9
4. Provide LEAP Informational Notice to Applicants Seeking Permits for Re-roofing	10
4. Modify the City’s Floodplain Permit Regulations.....	11
5. Create New “Institutional Controls” Link on the City’s Website	11
6. Develop New ICs Work Plan and Cooperative Agreement with EPA.....	13
Recommended Phase II Actions	14
1. Develop and Adopt Subdivision Regulations.....	14
2. Update the City’s Growth Policy	15
3. Modify the City’s Zoning Ordinance.....	16
4. Modify the City’s Business License Process to Distribute ICP Informational Materials at Time of Issuance or Renewal	17
5. Modify City Website to Provide Links to ICP Education Information	18
6. Ensure City Staff is Familiar with ICP Requirements and Trained to Use ICP’s GIS Database.....	18
Other Considerations.....	19
Funding Support for Implementing and Administering ICs	19
Future Annexations by the City	19
City of East Helena Capital Improvements Plan (CIP).....	19

BACKGROUND

In 1984, the US Environmental Protection Agency (EPA) listed ASARCO's East Helena Smelter and adjoining property, including the City of East Helena, on the National Priorities List (NPL) of federal superfund sites. The smelter, which began operations in 1888, left extensive metals contamination in the soils, sediments and groundwater on the plant property and surrounding lands. Pursuant to the EPA's authority under the Comprehensive Environmental Response, Compensation & Liability Act (CERCLA), the agency required ASARCO to begin cleanup actions during 1991 on areas with elevated levels of lead, arsenic and other constituents on the smelter property and on residential yards and other lands in and around the City of East Helena.

The principal method of addressing the contamination within the City since 1991 has involved removing soils in yards of existing qualifying residences, parks and school playgrounds, unpaved streets and alleys, commercial areas, the railroad right-of-way and remaining irrigation channels and ditches adjacent to residences. The majority of the soil removal actions in the City and surrounding area were completed between 1991 and 1996. However, soil removals have annually been conducted and are now winding down in 2011. CERCLA will continue to be the governing authority for cleanup of residential and agricultural soils, as well as any surface water or surface water source that may require cleanup.

The EPA's September 2009 *East Helena Superfund Site Operable Unit (OU) 2 Residential and Undeveloped Lands Final Record of Decision (ROD)* recognizes that residual levels of lead and other contaminants will remain in place (sometimes at levels that pose health risks) beneath foundations, sidewalks and temporary structures, in unfinished basements or attics, and on undeveloped lands that surround the community. For this reason, the ROD concluded that Institutional Controls (ICs) are a necessary component of the final remedial action for the East Helena Superfund Site. Cleanup objectives are achieved by a more practical approach that combines permanent remedies with IC mechanisms that limit exposure to the hazardous substances that remain at a site. This approach is based on the notion that by limiting exposure to hazardous substances through land use restrictions, the same amount of protection of human health and the environment can be achieved without undertaking costly and time consuming cleanups.

ICs are often referred to as remedy protection measures and may be implemented by a governmental entity, by a private property owner, or by a combination of the two. They often are used in conjunction with, or as a supplement to, other corrective measures (such as treatment or containment) to help prevent or reduce exposure to contaminants.

The East Helena Lead Education and Abatement Program (LEAP), established in July 1995 administered by the Lewis and Clark City-County Health Department, is also recognized as an important part of the ICs component of the overall remedy in the EPA's ROD. The primary role of LEAP's staff is to continue to conduct the educational component within the community and supervise blood lead testing for children. However, the LEAP will also act as a liaison for other city, county or state governmental entities that administer or enforce ICs and will be responsible for collecting and managing data relevant to long-term planning and administration of ICs.

As part of the 2009 reorganization plan resulting from ASARCO's bankruptcy filing in 2005, ASARCO transferred all of its land holdings in Montana (including their lands in and around the City of East Helena) and funds for the cleanup and restoration of these properties to the Montana Environmental Custodial Trust. The Montana Environmental Trust Group (METG) acts as the Trustee for the Custodial Trust and is the entity responsible for investing and disbursing the trust funds and overseeing the clean-up and redevelopment of former ASARCO sites.

The cleanup of ground and surface water contamination, the slag pile, and the disposition of former ore processing facilities and storage areas at the East Helena smelter site are regulated under the Resource Conservation and Recovery Act (RCRA). The METG is currently conducting investigations to determine appropriate remediation measures for groundwater contamination as part of RCRA compliance activities. As work continues and a remedy is identified to address groundwater concerns, other ICs beyond those focused on soil contamination will likely be identified and implemented within the East Helena area.

TYPES OF INSTITUTIONAL CONTROLS

ICs are administrative or legal controls that help minimize the potential for human exposure to contamination and protect the integrity of a remedy by limiting land or resource use. Generally, the mechanisms for creating ICs fall within the four categories listed below and discussed in the following paragraphs:

- Proprietary controls;
- Governmental controls;
- Enforcement and permitting tools; and
- Informational devices.

Proprietary Controls. This category of ICs is based on real property law and includes legal instruments placed in the chain of title to a property. Typically, proprietary controls involve the conveyance of a property interest to a second party with the intention of restricting land or resource use in the future. Proprietary ICs "run with the land" and provide long-term protectiveness because they establish binding and transferable agreements on following owners through the chain of title.

Examples of proprietary controls include covenants, which are written contracts that can prohibit specific types of development or construction on the land, and easements, which can grant property access or restrict the owner to land uses that are compatible with the intended use. An easement could provide access rights to a property so the Potentially Responsible Party (PRP), facility owner/operator, or regulatory agency may inspect and monitor treatment remedies or systems.

The City of East Helena does not have any programs, policies or regulations in place that fall within this IC category.

Governmental Controls. These ICs involve restrictions that generally fall within the traditional police powers of state and local governments. Governmental controls on the use of land are among the most common ICs and can be among the most effective. Examples include land use regulations such as zoning codes, ordinances, statutes,

building permits, and other provisions designed to restrict land or resource use on a property. To restrict land use and activities, local governments may enact a variety of measures ranging from simple property use restrictions to more sophisticated measures like overlay zones and planned unit development zoning.

EPA has little oversight responsibility over the design, implementation, modification, termination, or enforcement of land use controls since these powers are delegated only to state and local governments. These controls may require coordination and agreements among various governing bodies to establish how they will interact and communicate to manage ICs within each jurisdiction.

The City of East Helena has a variety of governmental controls in place that can be modified to help implement the ICP. These measures will be discussed later.

Enforcement and Permitting Tools. Enforcement and permit tools can be used to compel the land owner to limit certain site activities at both Federal and private sites. This category of ICs includes land use and activity restrictions authorized under CERCLA or RCRA and are established by the federal oversight agency (EPA in this case). They include administrative orders, consent decrees, and permits that limit certain activities or require landowners to meet a performance standard. Although they provide for federal enforcement options, these agreements are only binding on the parties named in the enforcement document and do not transfer to future property owners with subsequent property transactions.

The City of East Helena does not have the authority to implement these measures.

Informational Devices. These ICs provide information that residual contamination exists in some form on a property or that a remedy has been undertaken on a property. These ICs are not legally enforceable, so they are best used in conjunction with other ICs as a secondary means of notifying the public and interested parties of onsite contamination and existing land use controls or activity restrictions. Typical examples of these tools include state registries of contaminated properties, deed notices, and public advisories.

Deed notices are mechanisms for ensuring that parties to a real estate transaction (purchasers, tenants, and lenders) have an opportunity to become aware of the environmental status of the property prior to finalizing a transaction. Because they do not convey any real property interests, information devices have no effect on the property owner's legal rights regarding the use of the property.

The City of East Helena has several potential informational devices in place that can be modified for ICP purposes. These devices will be discussed later in this memo.

IMPLEMENTING ICs

Institutional controls are intended to help return a site to safe and productive uses by minimizing the potential for human exposure to contamination and protecting the integrity of the selected remedy. ICs protect human health and the environment by restricting property activity, use, or access. ICs also provide information to modify behavior by making the public aware of soil contamination concerns and restricted uses on properties.

All institutional controls have strengths and weaknesses and are often more effective if they are “layered” or implemented in series. Layering institutional controls means using more than one IC at the same time on a given property or properties. By using multiple controls, local governments can help to ensure that if one measure is ineffective or fails, backup controls are in place. An example of layering might be the use of environmental covenants coupled with zoning measures that restrict future uses of the property.

Implementing institutional controls can affect future development at a site and it is important that the community’s preferences for the desired types of land uses be taken into account. Institutional controls can identify possible uses for a site, and communicate use limitations to present and future users. For example, a site may be suitable for industrial use but not for residential development. East Helena should be (and has been) involved communicating with appropriate decision makers about the types of land use they think will be best for the community. Such input has been solicited through activities like development of the City’s first Growth Policy in 2009 and by the community redevelopment design workshop held by EPA in May 2011. The METG also recently started work on plans and studies related to the potential future sale, reuse and redevelopment of Trust properties in East Helena.

As mentioned earlier, the EPA identified ICs as a necessary component of the final remedial action for the East Helena Superfund Site because lead in the environment cannot be completely eliminated or contained. In Section 12.4 of the ROD, it conveys that as part of the selected remedy, local governments would, when applicable:

- adopt and administer local regulations designed to prevent or reduce recontamination of areas already cleaned up;
- adopt and administer regulations that require, or policies that encourage, coordination of planning and zoning efforts;
- adopt and administer local use and permitting requirements;
- continue to provide oversight of cleanup activities and monitor areas previously cleaned up; and
- administer restrictions and requirements at the EPA-approved soils repository.

The ROD indicates EPA is committed to funding additional sampling and maintenance of all institutional controls to the extent allowed by law or policy.

Work to establish an ICs Program (ICP) as called for in the ROD has been underway for several years and involved many stakeholders including the EPA, MDEQ, Lewis and Clark County, City of East Helena, City of Helena, Jefferson County, METG, and other interest groups. Based on input from these stakeholders, the following overall goals have been established for the East Helena ICP:

- Protect public health and the cleanup actions;
- Accommodate various land uses, development, zoning, and property exchanges;
- Minimize inconvenience and cost to property owners and local governments;
- Utilize, to the maximum extent practicable, existing and applicable governmental processes, local expertise, and local agencies; and
- Gain assurance for long-term funding for ICP implementation.

While the principal purposes of the ICP are to protect public health and the selected

remedy, stakeholders have emphasized that providing opportunities for continued community and economic development within Administrative Area established for the ICP.

Guidance from the stakeholders has emphasized the importance of using existing policies, plans, and programs to help implement ICs. Stakeholders have also clearly stated the desire to minimize inconvenience and cost to property owners and local governments and to ensure the ICP does not add excessive new regulations or administrative burdens to involved municipal and county governments. There has also been an expressed desire for cleanup standards and actions on contaminated lands to be consistent across jurisdictions. The ICP is necessary to ensure the integrity of the selected remedy at the site, while providing opportunities for continued community and economic development within the ICP Administrative Boundary.

CITY OF EAST HELENA'S ROLE IN THE ICP

Local governments are often the only entity that has legal authority to implement certain types of ICs (such as zoning restrictions) chosen as part of the selected site remedy. While EPA and the MDEQ may take the lead on response actions, local governments like the City of East Helena play an important role in determining the future use of land at the site and consequently need to play an active role in implementing, monitoring, and enforcing some ICs.

As currently envisioned, Lewis and Clark County will be the lead agency for oversight and administration of the East Helena ICP through the authority of Lewis and Clark County Board of Health. LEAP personnel, employed by Lewis and Clark County, will be charged with implementing and operating the daily activities of the ICP and will serve as the clearinghouse for all ICP information.

In coordination with LEAP, Lewis and Clark County and the City of East Helena will be the primary local governments implementing measures to support the ICP. As the program develops, it is anticipated that the City of Helena and Jefferson County will also develop ICs for lands under their jurisdiction to help support the goals of the ICP.

The City of East Helena and each local government stakeholder must formally agree to be part of the ICP and develop intergovernmental agreements that will outline responsibilities for items including administration, maintenance, funding, and enforcement required from each government and involved oversight agencies.

The City of East Helena (as well as other participating local governments) will be responsible for modifying existing programs, plans, policies, and regulations to reflect the adoption of the ICP and to support its overall program goals. Over time, it may also be necessary or desirable for involved governments to develop new administrative and legal tools to help support the ICP.

ICP ADMINISTRATIVE AREA

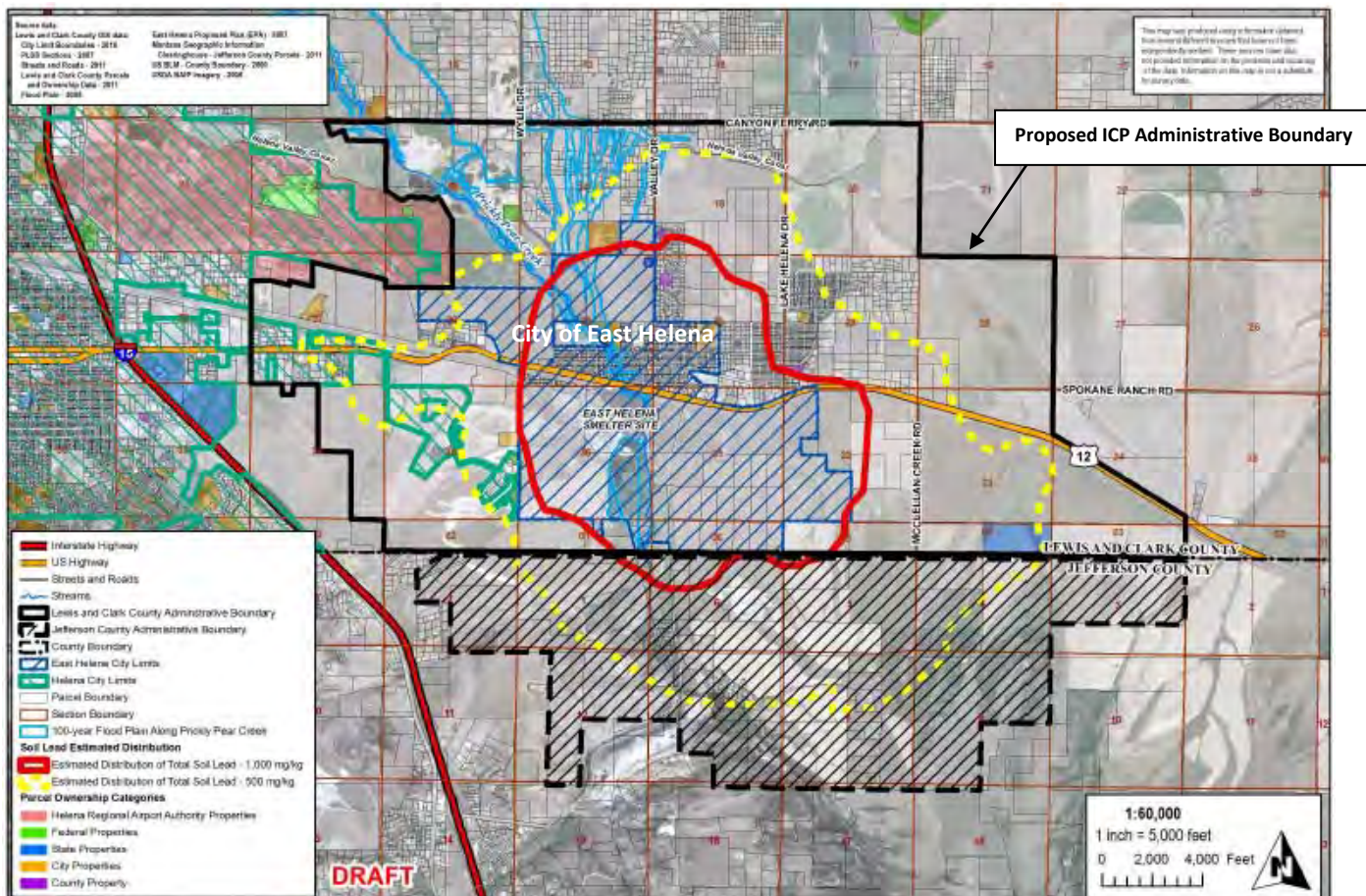
The proposed East Helena Superfund OU2 ICP Administrative Area includes lands within portions of Lewis and Clark County, Jefferson County, the City of Helena and all of the City of East Helena (see FIGURE 1). The corporate limits of the City of East

Helena are identified by the blue line. Former ASARCO lands that were recently annexed into the City of East Helena are highlighted in yellow. The proposed ICP Administrative Area includes all areas depicted in the ROD with an estimated distribution of total soil lead ranging from 500 milligrams per kilogram (mg/kg) and 1,000 mg/kg. For reference, mg/kg is the same as parts per million (ppm).

The boundary was refined based on previous lead sampling results, section lines and land ownerships, the potential inclusion of lands within parts of Jefferson County and the City of Helena; and a decision to exclude lands administered by the Helena Regional Airport Authority.

Since the City of East Helena’s jurisdictional powers do not extend to lands in other jurisdictions, IC measures implemented by the City will apply only to lands within the incorporated city limits (including lands administered by the METG). However, there may be other measures implemented as part of the ICP that would apply to lands in City. Examples of this would be requirements for coordination and reviews of proposed development activities in the City by the LEAP and the establishment of regulations is to control the displacement and disposal of soils contaminated with lead and arsenic that would apply to lands within the Administrative Area.

FIGURE 1: PROPOSED EAST HELENA SUPERFUND OU2 ICP ADMINISTRATIVE BOUNDARY



The administrative boundary shown above is preliminary and may change as the ICP

is implemented. When the ICP is established, the administrative boundary must be legally described and formally adopted by the Lewis and Clark County Board of Health. Jefferson County would need to follow the same procedure to establish an ICP administrative boundary.

THE CITY'S AVAILABLE IC TOOLS

The City's existing programs, plans, policies, and regulations were reviewed as a first step in determining administrative and legal tools that can be used to help support the East Helena ICP. The table below summarizes these available tools and identifies the types of IC control measures or purposes that may be possible through these measures.

TABLE 1: ADMINISTRATIVE OR LEGAL TOOLS AVAILABLE TO THE CITY

ADMINISTRATIVE OR LEGAL TOOLS <i>(IC Category)</i>	POSSIBLE CONTROLS OR ICP PURPOSE
CONSTRUCTION PERMITS <i>(Governmental Control and Informational Device)</i>	Help identify ground-disturbing activities; Provide applicant contact information to LEAP; Recommend applicants contact LEAP
FLOODPLAIN PERMITS <i>(Governmental Control and Informational Device)</i>	Require permit applicants to provide proof of coordination with LEAP as a permit approval condition
BUSINESS LICENSE <i>(Governmental Control and Informational Device)</i>	Provides opportunity to distribute ICP information to City business owners
GROWTH POLICY <i>(Governmental Control and Informational Device)</i>	Enables Zoning Ordinance; Informs Public Policies and Plans (Annexation Policy, Subdivision Regulations, Economic Development Plan, Tax Increment Financing Programs including urban renewal and industrial development, Historic Preservation Plan, etc.). Provides background on site contamination and implementation of ICP.
ZONING ORDINANCE <i>(Governmental Control)</i>	Zoning Permit for appropriate land use zoning classifications; Meet development standards for zones; Require ICP Coordination and ICP compliance measures to be met
SUBDIVISION REGULATIONS <i>(Governmental Control)</i>	Easements; Covenants; Public Infrastructure and property design requirements; Require Best Management Practices (BMPs) for erosion and sediment control; Require ICP coordination and ICP compliance measures to be met
ANNEXATION POLICY/PROCESS <i>(Governmental Control and Informational Device)</i>	Encourage developers/landowners to coordinate with LEAP; Ground Water Use Restrictions and Requirement to use city water; Require BMPs; Require ICP compliance measures be met
CAPITAL IMPROVEMENT PROGRAM <i>(Informational Device)</i>	Identifies and manages funding priorities for infrastructure, public facilities and community services.
CITY WEBSITE <i>(Informational Device)</i>	Provide information about East Helena ICP and its requirements, links to site cleanup information

The review showed that the City of East Helena currently has a limited number of administrative and legal tools in place. The identified tools are all considered to be Governmental Controls and/or Informational Devices based on the four identified IC types.

RECOMMENDATIONS FOR IC IMPLEMENTATION BY THE CITY

The East Helena ICP will be implemented in a phased approach by participating local governments. Consistent with one of the primary ICP goals, local governments have been asked to develop controls that build on existing administrative structures and processes to the extent possible rather than creating new layers of regulation. The implementation of the ICP is also meant to be flexible—if an implementing measure is not effective at helping to meet ICP goals, it will be dropped or modified to be more effective. With these considerations in mind, recommendations to help integrate the ICP into the City of East Helena’s existing administrative processes and structures were developed and are presented on the following pages.

The recommendations are focused on actions that can be implemented by the City in the near term (Phase I Actions) and actions that will require more time and effort to implement (Phase II Actions).

RECOMMENDED PHASE I ACTIONS

1. Agree to Participate in the East Helena ICP and Develop MOU with the Lewis and Clark County Board of Health outlining City’s roles and responsibilities.

As an initial step in implementing the ICP, it is recommended the City of East Helena develop a Memorandum of Understanding (MOU) with Lewis and Clark County Board of Health outlining how the parties will work together. The MOU should establish the overall roles and responsibilities for each party in implementing the ICP and how ICP regulations would be administered and enforced within the City. The MOU should acknowledge LEAP as the principal ICP administrator and endorse the use of regulations to control the displacement and disposal of soils and the 811 One-Call Utility Notification System within the City. The City Council would be required to take formal action to approve the MOU.

2. Modify the City’s Construction Permit Application Form and Process to help identify ground disturbing activities, provide project notifications to LEAP, and inform applicants about the ICP.

Recommended Modifications to Construction Permit Application Form:

- Add a YES/NO item to identify whether proposed project will involve ground disturbing activities. This determination will be the responsibility of the Applicant.
- Add a new informational notice explaining the City is located within the ICP Administrative Area and encouraging Applicants to contact LEAP to determine compliance needs (if any).
- Add a line item to verify LEAP notification has been completed.

A copy of the revised permit application form is provided below.

CONSTRUCTION PERMIT APPLICATION
City of East Helena, Montana – Department of Building & Safety

PROJECT INFORMATION (to be completed by Applicant)	
Building Address:	_____
Owner's Name:	_____
Owner's Mailing Address:	_____
Owner's Phone #:	_____
Architect/Engineer:	_____
Architect/Engineer's Address:	_____
Architect/Engineer's Phone #:	_____
Contractor:	_____
Contractor's Address:	_____
Contractor's Phone #:	_____
Description of Project:	_____
Will project require ground disturbing activities of any kind?: YES <input type="checkbox"/> NO <input type="checkbox"/>	

VALUATION OF PROJECT	
TYPE OF WORK	ESTIMATED VALUATION
Building	_____
Electrical	_____

OWNER-BUILDER & WORKER'S COMPENSATION DECLARATION:

- I, as Owner of the property, or my employees with wages as their sole compensation, will do the work.
- I, as Owner of the property, am exclusively contracting with a licensed contractor(s) to construct the project.
- I hereby affirm that I have a certificate of Worker's Compensation Insurance; if not, check _____.

Issuing Officer:	Applicant (Printed Name):
Date:	Applicant (Signature):

FOR OFFICIAL USE ONLY
 LEAP Notified of Application by: Phone Email Copy Date _____

APPLICANT NOTICES:

Separate permits are required for building, electrical, plumbing, and mechanical work.

This permit becomes null and void if work or construction authorized is not commenced within 180 days or if construction or work is suspended or abandoned for a period of 180 days after work is commenced. When the time between required inspections will exceed 180 days, a progress inspection must be requested within 180 days of the last inspection to assure keeping the permit active. When a permit has expired, work is not to recommence without first obtaining a new permit. When changes have been or will be made to the original plans or specifications or abandonment has exceeded one year, a new plan review and full fees are required.

Applicant does hereby covenant and agree that in consideration of said permission being granted, applicant will indemnify and save harmless the City of East Helena, Montana from all liability of every nature whatsoever which may arise from, or grow out of or accrue against it in any manner whatsoever, by reason of any work done or condition created or permitted under or connected with work done under such permit. Applicant agrees that such work will be done in strict conformity with the laws of the State of Montana and the ordinances of the City of East Helena even if the necessity for compliance is discovered after the issuance of the permit.

Applicant hereby certifies that he/she has read and examined this application and knows the information to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provision of any other State or local law regulating construction or the performance of construction.

By issuing the building permit, the City of East Helena makes no warranty or representation of any kind or in any manner as to the suitability of the Applicant's site for construction of the improvements authorized hereby. The builder, owner, or their agents are encouraged to investigate the suitability of the site to house the improvements authorized herein. Particularly, the owner and the builder are encouraged to investigate the availability of water and sewer services, and the freedom of the site from storm water runoff problems.

All work done shall comply with the ordinances of the City of East Helena and the State of Montana. Any building, electrical, plumbing, or mechanical installation may be inspected during normal working hours. When a check is tendered for payment of fees and the check is not honored when presented for payment, this permit will be revoked.

By submitting this application, Applicant is obligated to pay the plan review portion of the total permit fee within 30 days of being notified that plan review is complete, even if the Applicant elects not to initiate construction. In order to initiate construction, Applicant is required to pay 100% of the total permit fee prior to beginning any work.

The City of East Helena is located within the Administrative Area for the East Helena Superfund Site Institutional Control Program (ICP). Applicants are encouraged to coordinate their construction project with the East Helena Lead Education and Abatement Program (LEAP) staff to determine if ICP compliance measures are needed. The LEAP office is located in Room 201 of the East Helena City Hall and staff may be contacted at 406-457-8583.

SEE REVERSE SIDE FOR INSPECTION REQUIREMENTS

Recommended Changes to Processing of Construction Permit Applications:

- City staff (or the City's permit administrator) would need to provide LEAP with a copy of the Applicant's completed permit form or email the Applicant's contact information to LEAP and enter pertinent information into a new tracking system for the permits (see Recommendation 3 below). LEAP's location in the East Helena City Hall will facilitate this coordination.
- Require City staff (or the City's permit administrator) to verify LEAP notification by signing and dating the form.

Implementation Considerations/Costs:

The recommendations presented above can be implemented immediately at little or no extra cost to the City. The current permit application form has been revised to reflect the new changes. Craig Jenneskens of RPA, who oversees the processing of these permit applications for the City, implemented use of the revised permit application form and processing recommendations at the beginning of 2013.

3. Develop a database to identify Construction Permits issued by the City and to help track future permits.

The Work Plan associated with the City's Cooperative Agreement with EPA for the development and implementation of ICs identifies a database to track construction permits within the City so the information can be incorporated into the County's GIS

system as a desired element. This information will supplement the GIS and database system being developed by Lewis and Clark County which will enable LEAP staff and others to view records and data related to management of lead and arsenic in soils for parcels located within OU2.

This database is listed as a deliverable in the Work Plan and has been compiled by RPA. The database consists of an Excel format spreadsheet with the following information listed for each permit approved since mid-2002:

- Applicant
- Property Address
- Geocode Number
- Proposed Work
- Permit Approval Date
- Final Inspection Date

The summary of permit information covers the period from July 2002 through the end of 2012. RPA processed a total of 224 permit applications over this period. 2005 was most active year with 46 permits being processed and 2008 was the least active year with only 5 permits processed.

In addition, the database includes an item identifying whether or not the proposed work requires any ground disturbing activities. Applicants were not previously required to provide this information; however, the modifications to the application form discussed previously will allow this information to easily be collected and documented in the future.

Implementation Considerations/Costs:

Keeping the database of building permits up-to-date is essential and will require that information from Construction Permit applications be entered at regular intervals. We recommend this information be entered by the City (or its permit administrator) as applications are received and processed. It should be sufficient to provide information about approved Construction Permits on an annual basis since LEAP will be notified of permit applications as the City receives them.

Tracking new construction permits should not result in any significant new administrative costs for the City since this information can be quickly entered into the permits database by City administrative personnel or its permit administrator. Adding information about Construction Permits issued prior to July 2002 would likely require up to 5 days of City staff or consultant time to collect and review permit files and transfer necessary permit information to the permits database.

4. Provide LEAP Informational Notice to Applicants Seeking Permits for Re-roofing.

The City currently requires those seeking to re-roof their residences or buildings to obtain a \$25 permit from the City Clerk. Due to the potential for old roofing materials to carry contaminants, it is recommended that an informational sheet with suggestions about safe handling of old roofing materials be provided to applicants (or their contractors). LEAP has produced a short informational sheet titled "Lead: Construction and Remodeling Projects" that provides suggestions about the safe handling of shingles, siding and other exterior building components. Copies of this informational sheet should be kept on file at the City Clerk's office. Alternately, those seeking to re-roof can be referred to the LEAP office for precautionary suggestions.

5. Modify the City's Floodplain Permit Regulations to Require Applicants to Provide Proof of Coordination with LEAP.

Recommended Modification to City Floodplain Regulations:

- Add the following informational requirement to Paragraph B. of Section 10-4-2:
6. Verification that the applicant has coordinated the proposed activity within the floodplain with East Helena Lead Education and Abatement Program (LEAP) staff to determine compliance with the requirements of East Helena Institutional Controls Program (ICP). The LEAP office is located in Room 201 of the East Helena City Hall and staff may be contacted at 406-457-8583."

Implementation Considerations/Costs:

The City Council would need to take action to modify Section 10-4-2 of the City Code to include proof of LEAP coordination as a condition of receiving a Floodplain Permit. Proof of coordination could be accomplished by written correspondence (including email) between LEAP staff and the Applicant or through verbal communication between LEAP staff and the Floodplain Administrator. Since the Applicant must provide proof of LEAP coordination, this change would not result in additional administrative costs for the City.

6. Create a New "Institutional Controls" Link for the City's Website and Post ICs Recommendations for the City and Information about Soil Regulations.

It is recommended that a new item titled "Institutional Controls" be added to the City of East Helena homepage (<http://www.easthelenamt.us/>) to provide a location for sharing ICs information with the public. Adding an Institutional Controls link (navigation bar) to the left side of the homepage instead accessing ICs information from one of the "pull-down" tabs in the header at the top of the page is suggested. Making ICs a standalone item on the homepage would make it easier for webpage viewers to find information about the topic.



After the soil regulations are adopted by the County Board of Health, it is recommended that a link be added to the scrolling announcements shown on the

homepage reminding residents to use the 811 One Call service before to digging. It is assumed that IC educational information will be developed in the near future as part of a broader public outreach effort within the IC administrative area.

City of East Helena ICs Web Page

RPA has developed an initial ICs Web Page for the City which includes the following items:

East Helena ICs Home Page

- News/Program Updates
- East Helena IC Program
- Links of Interest
- ICP Contacts

The home screen for the ICs Web Page RPA created is shown below. We encourage you to access and review the website and its content using this link:

www.rpa-hln.com/EHICs_website/



For simplicity, it is recommended that the new ICs item on the City's website be linked to a site hosted and updated by RPA. This will just require that the link from the City's homepage be kept current.

Implementation Considerations/Costs:

The City's website developer (or knowledgeable City staff) would be required to make changes to the homepage and add appropriate links to ICs information. This recommendation can be implemented immediately and more information can be added to the ICs Web Page as it becomes available.

7. Develop a New ICs Work Plan and Cooperative Agreement with EPA.

EPA's claim regarding environmental cleanup during ASARCO's bankruptcy reorganization was resolved in December 2009 and two settlements were reached for the East Helena Superfund Site—one for CERCLA claims and one for RCRA claims. Approximately \$15 million was set aside in a special account for cleanup under CERCLA, including the development and implementation of the ICP. This fund is available in part for the continued administration and operation of LEAP and to help administer current and future IC programs and activities.

The City of East Helena applied for and received funding from the special account during 2010 through a Cooperative Agreement between the City and EPA. The City used the funds to pay for administrative costs and hire a consultant to begin the development of an IC program in the community. The 2010 Cooperative Agreement will be closed out by the end of March 2013 when the key elements of the Work Plan associated with the agreement are fulfilled.

It is recommended the City develop a new Work Plan identifying actions and funding needed to help implement and administer ICs within the City for the 2013-2014 period. This Work Plan would provide the basis for a new Cooperative Agreement between the City and EPA.

RECOMMENDED PHASE II ICP IMPLEMENTATION ACTIONS

1. Develop and Adopt Subdivision Regulations.

The Montana Subdivision and Platting Act requires the governing body of every county, city, and town to adopt and enforce subdivision regulations, and to review and decide on development proposals that would divide land into parcels of less than 160 acres, construct one or more condominiums, or provide multiple spaces for mobile homes or recreational camping vehicles. The use of subdivision regulations to guide development is an integral part of obtaining the goals and objectives in the Growth Policy. The Act requires that when a growth policy has been approved, the subdivision regulations adopted must be made in accordance with the growth policy.

The Montana Subdivision and Platting Act establishes minimum requirements for local subdivision regulations. Local subdivision regulations include both procedural and substantive requirements. Among other requirements, the regulations must include standards for design of lots, streets, and roads; grading and drainage; and for water supply, sewage and solid waste disposal at least as stringent as Montana Department of Environmental Quality rules. These standards are intended to help protect the health, safety, and general welfare of residents, conserve natural resources, and comply with applicable state statutes.

The City of East Helena does not currently have subdivision regulations. However, the East Helena City Planning Board, with assistance from Lewis and Clark County's Community Development and Planning Department, has begun work on a set of draft subdivision regulations. The Planning Board is currently in the process of working on a set of draft regulations and the City is currently seeking consultant services to finalize the regulations.

In addition to fulfilling statutory requirements for content, the City's Subdivision Regulations should acknowledge the establishment of the East Helena ICP and its associated requirements including notifying LEAP to determine the cleanup status of the subject property, necessary soil sampling, the need for a soil displacement and disposal permit, and performing cleanup activities if necessary.

The City's Subdivision Regulations should also provide guidance on Best Management Practices (BMPs) for grading and controlling erosion and sediment transport. These BMPs will help ensure runoff does not adversely affect past cleanup actions.

Implementation Considerations/Costs:

Developing and adopting Subdivision Regulations will require the following actions by the City Planning Board and the City Council.

Future Planning Board Actions for Subdivision Regulations

- Provide input and review during development of draft Subdivision Regulations.
- Hold public hearing on draft Subdivision Regulations and forward resolution with determination of accordance with the Growth Policy to City Council.

Future City Council Actions for Subdivision Regulations

- Identify/secure funding source(s) for developing subdivision regulations - Done.

- Issue a Request for Proposal for consultant planning services and select a planning consultant to do the work.
- Direct consultant to prepare subdivision regulations and establish a process for their adoption.
- Review, comment on, and amend draft Subdivision Regulations.
- Act on recommendation from City Planning Board to adopt Subdivision Regulations.

2. Update the City's Growth Policy.

The City's Growth Policy serves as a general guide for decisions about the community's physical development and enables the City's Zoning Ordinance and other plans, programs, policies, and regulations (including future City Subdivision Regulations).

While important, the implementation of the East Helena ICP is not the principal reason why updating the City's Growth Policy should be done. The update is needed because the annexation of former ASARCO lands occurred after the Growth Policy was adopted in 2009 and guidance for the future development of these new lands within the City is lacking. Undertaking a Growth Policy Update provides an opportunity to develop the necessary land use guidance for the newly annexed properties and recognize other changes in community conditions, including the implementation of the ICP.

Recommended Modifications or Additions to the Growth Policy:

- Acknowledge the annexation of more than 1,500 acres of Trust lands through map and text revisions.
- Consider input from EPA's May 2011 community design charrette, results of ongoing redevelopment planning studies by METG, and new community input to identify desired future land uses for annexed Trust lands.
- Include language that would enable the City to implement programs like tax-increment financing (TIF) for identified districts or new planning activities (like historic preservation or downtown redevelopment planning).
- Identify and describe any changes in community conditions.
- Revisit and modify community goals and objectives if necessary.
- Provide population and demographic information from the 2010 Census and update economic data for community.
- Acknowledge the implementation of the ICP, its administrative area, program goals, and ICP requirements including the potential need for sampling, soil displacement and disposal permits, and cleanup actions.

Implementation Considerations/Costs:

The City is currently seeking consulting services to prepare an update to the Growth Policy. The City has been awarded a planning grant from the Montana Department of Commerce and has also agreed to provide matching funds to accomplish the work.

The process will also require new citizen input and actions by the City Council and City Planning Board. These actions are highlighted below.

Future City Council Actions for the Growth Policy Update

- Identify and secure funding source(s) for updating the Growth Policy - Done.

- Issue a Request for Proposal for consultant planning services and select a planning consultant to do the work.
- Direct consultant to prepare revisions to the Growth Policy and establish a process for its adoption.
- Act on recommendations from City Planning Board to adopt update to Growth Policy.

Future Planning Board Actions for the Growth Policy Update

- Work with consultant to define process/timeline for Growth Policy Update.
- Provide input and review during update of Growth Policy.
- Hold public hearing on amendments to Growth Policy and forward resolution of recommendation to City Council.

3. Modify the City’s Zoning Ordinance.

The City of East Helena adopted its Zoning Ordinance in late 2009 after approval of the Growth Policy and prior to annexation of former ASARCO lands. As with the Growth Policy, revisions to the City’s Zoning Ordinance are necessary to reflect proposed future reuse and redevelopment concepts for the recently annexed Trust lands. Appropriate zoning for these lands may facilitate redevelopment activities on these lands. The results of the Trust’s redevelopment planning and the City’s efforts to update the Growth Policy will dictate the kinds of modifications that may be needed for the Zoning Ordinance.

The City’s selected planning consultant will need to determine if the City’s existing zoning districts and associated development standards and requirements are sufficient or if new zoning districts are necessary.

The following recommendations should be included with future revisions to the City’s Zoning Ordinance to reflect the establishment of the ICP.

Recommended ICs Modifications to the City’s Zoning Ordinance:

- Add a section to “Chapter 1 General Provisions” of the City’s Zoning Ordinance that recognizes the existence of the ICP and associated regulations or requirements and acknowledges these ICP-specific requirements apply in all designated zoning districts. Suggested wording for this zoning ordinance text addition follows.

01.110 DEVELOPMENT IN THE EAST HELENA INSTITUTIONAL CONTROLS PROGRAM (ICP) ADMINISTRATIVE AREA.

The City of East Helena is located within the Administrative Area for the East Helena Superfund Site Institutional Control Program (ICP). Proposed development within the ICP Administrative Area requires coordination with the East Helena Lead Education and Abatement Program (LEAP) staff to determine if ICP compliance measures are necessary. Compliance measures may include soil sampling, obtaining an ICP soil displacement and disposal permit, and soil cleanup actions. ICP coordination and compliance requirements apply in all designated zoning districts within the City of East Helena. The LEAP office is located in Room 201 of the East Helena City Hall and staff may be contacted at 406-457-8583.

Recommended Modifications to the City’s Zoning Map:

- Add a note to the Official Zoning Map stating the City lies entirely within the Administrative Area for the East Helena Superfund Site ICP.

- Revise the City’s Zoning Map to reflect newly annexed lands and show the current city limits and zoning districts.

Recommended Modifications to City Zoning Forms and Guidance Materials:

- Add a new item (#18) to the list of criteria the city is to consider during Site Plan Reviews. Suggested language for the new review criterion is provided below.

18. Recommendations from East Helena Lead Education and Abatement Program (LEAP) staff for measures necessary to comply with requirements of the East Helena Superfund Site Institutional Control Program (ICP).

- Add a new bullet item to the list of conditions under Item 7 of the Conditional Use Permit Requirements in the City’s Conditional Use Permit Checklist. Suggested language for the new condition is provided below.

- Compliance with recommendations from the East Helena Lead Education and Abatement Program (LEAP) to meet the requirements of the East Helena Superfund Site Institutional Control Program (ICP).

Implementation Considerations/Costs:

The City is currently seeking consulting services to make appropriate changes to the Zoning Ordinance, as well as updating the Growth Policy and creating Subdivision Regulations. Revising the Zoning Ordinance will require input and the following actions by the City Council and Zoning Commission.

Future City Council Actions for Amendments to Zoning Ordinance

- Identify and secure funding source(s) for updating the Zoning Ordinance - Done.
- Issue a Request for Proposal for consultant planning services and select a planning consultant to do the work.
- Direct consultant to prepare amendments to the Zoning Ordinance and process for adoption
- Act on recommendations from City Zoning Commission to adopt amendments to Zoning Ordinance.

Future Zoning Commission Actions for Amendments to Zoning Ordinance

- Provide input and review on draft Zoning Ordinance changes.
- Hold public hearing on amendment to Zoning Ordinance and forwards resolution with recommendation (final report) to City Council.

The cost of making the suggested ICs-related changes to the Zoning Ordinance and Conditional Use Permit Checklist will be minimal and the language can be readily incorporated into the revised Zoning Ordinance by the selected planning consultant.

4. Change City General Business License Process to include distribution of ICP informational materials at time of issuance or renewal.

Recommended Changes to Processing of Business Licenses:

- City staff would provide copies of ICP educational materials to business owners as they apply for or renew their business licenses each year.

Implementation Considerations/Costs:

This recommendation can be implemented as soon as directed by the City Council and can be accomplished with little or no cost to the City. LEAP will be the primary agency responsible for developing ICP educational materials.

It is assumed LEAP would provide copies of appropriate ICP informational materials to the City of East Helena. City staff would be obligated to distribute ICP materials to business owners at the time that business license applications and renewals are processed.

5. Modify City Website to Provide Links to ICP Education Information and Notices.

- It is recommended that the City’s website be modified over time to provide “links” to ICP educational materials developed by LEAP and relevant program notices.

Implementation Considerations/Costs:

This recommendation can be implemented as soon as ICP educational materials or other guidance becomes available.

The costs of modifying the website to include links would be minimal since other agencies would generally be responsible for developing the information. The City’s website developer (or knowledgeable City staff) would be required to occasionally add web links and verify that links are still valid.

6. Ensure City staff is familiar with ICP requirements and trained to make use of the ICP’s GIS Database.

To help ensure the effectiveness of the ICP, it is essential that staff from the City of East Helena be knowledgeable of program goals and requirements. Staff from Lewis and Clark County or LEAP (as the administrators of the ICP) will need to provide key City staff with training and educational materials about the ICP. LEAP’s office in the East Helena City Hall should facilitate the transfer of ICP information to City staff.

Lewis and Clark County’s IC consultant has developed a Draft Data Maintenance and Quality Control Plan to support long-term records maintenance for the ICP. The Plan is intended to be adopted by the Lewis and Clark County Board of Health as part of the overall ICP to regulate cleanup of surface soils within the Administrative Area. The type of data maintained for the ICP will include:

Sampling/Remediation Data

Location Information
Sample Results
Remedial Actions
Property Status

Cadastral Data

Ownership/Ownership Changes
Owner Name and Address
Parcel Identification Numbers

The GIS database will be maintained by Lewis and Clark County’s IT/GIS staff and updated primarily with information provided by LEAP. The City of East Helena will not have any direct responsibility for records management associated with the ICP’s GIS database. The City will be required to provide records of approved Construction Permits to the County GIS department once a year (or more frequently if requested).

As envisioned, the City (and other participating local governments) will be able to access the ICP's GIS database. Appropriate City staff will need training from LEAP or the County's IT/GIS department about how to access and query the ICP database.

OTHER CONSIDERATIONS

Funding Support for Implementing and Administering ICs

The City may need to develop Work Plans and new Cooperative Agreements with EPA to address IC administration costs and implementation efforts over the foreseeable future. As noted earlier, it is recommended that a new Cooperative Agreement be established to cover IC activities and administration during the 2013-2014 period.

Future Annexations by the City

It is recommended that landowners or prospective developers who contact the City Council or City Planning Board to discuss development adjacent to the City be advised of the ICP. In addition to being made aware of the City's requirements for annexation, developers need to know their projects would be subject to ICP review and they need to comply with the remediation standards for land uses as outlined in the ROD. City staff or Planning Board members should refer landowners/developers to LEAP so they can coordinate their proposed projects.

City of East Helena Capital Improvement Plan (CIP)

Capital improvements plans are short-range plans that list capital projects and equipment purchases, provide a planning schedule, and identify options for funding. The City's CIP process does not need to be revised to reflect the implementation of the ICP. However, City administrators and department heads should be aware that public works projects need to be coordinated with LEAP. The City's Growth Policy Update will also inform future CIPs.

This page left blank intentionally.

**THE REGULATIONS GOVERNING
SOIL DISPLACEMENT AND
DISPOSAL IN THE EAST HELENA
SUPERFUND AREA IN LEWIS AND
CLARK COUNTY, MONTANA.**

2013

Lewis & Clark City-County Health Department

Lead Education and Abatement Program
306 East Main, Room 201, East Helena, MT 59635
(406)-457-8583

TABLE OF CONTENTS
FOR REGULATIONS GOVERNING SOIL DISPLACEMENT AND DISPOSAL IN THE
EAST HELENA SUPERFUND AREA IN LEWIS AND CLARK COUNTY, MONTANA

SECTION 1. AUTHORITY, DEFINITIONS AND SCOPEPage 1

- 1.1 Title**
- 1.2 Authority**
- 1.3 Findings**
- 1.4 Definitions**
- 1.5 Scope**

SECTION 2. PERMIT PROCEDURES AND REQUIREMENTSPage 4

- 2.1 Prohibited Activity**
- 2.2 Application Process for Permit**
- 2.3 Inspections**
- 2.4 Permit Fees**
- 2.5 Control Excess Soil Disposal and Replacement Soil Standards**
- 2.6 Clean-up Action Level**

SECTION 3. CERTIFICATION PROGRAMPage 7

- 3.1 Certification**

SECTION 4. VIOLATIONS AND ENFORCEMENTPage 8

- 4.1 Violations**
- 4.2 Penalties for Violations**
- 4.3 Injunctions**

SECTION 5. ACCESS, APPEAL AND SEVERABILITYPage 9

- 5.1 Access Rights**
- 5.2 Appeal**
- 5.3 Severability**

SECTION 6. REVISION, REPEALER AND EFFECTIVE DATEPage 10

- 6.1 Revisions**
- 6.2 Repealer**
- 6.3 Effective Date**

ATTACHMENT A. ADMINISTRATIVE BOUNDARYPage 12

SECTION 1.0 AUTHORITY, DEFINITIONS, AND SCOPE

1.1 TITLE

These regulations will be known and cited as: THE REGULATIONS GOVERNING SOIL DISPLACEMENT AND DISPOSAL IN THE EAST HELENA SUPERFUND AREA IN LEWIS AND CLARK COUNTY, MONTANA.

1.2 AUTHORITY

The Lewis and Clark City-County Board of Health promulgates these regulations under the authority of Section 50-2-116(2) (c) (v), Montana Code Annotated (MCA).

1.3 FINDINGS

The Lewis and Clark City-County Board of Health finds that:

- (1) The United States Environmental Protection Agency (EPA) has identified and designated the City of East Helena and the surrounding area as a Superfund site and in 1984 placed the site on the EPA's National Priorities List for clean-up and remediation under the Comprehensive Environmental Response, Compensation, and Liability Act); and
- (2) The East Helena Superfund Site, Operable Unit No. 2, Residential Soils and Undeveloped Lands: Final Record of Decision (ROD), September 2009, identifies institutional controls that have been selected and approved by the EPA; and
- (3) The lead smelter, formerly owned by ASARCO, was the primary source of lead and arsenic soil contamination; and
- (4) East Helena and the surrounding area, as shown on the Administrative Boundary map attached to these regulations as Attachment A, contains lead and arsenic contaminated soils; and
- (5) Regulation of soil displacement within the Administrative Boundary is necessary to prevent lead and arsenic contamination of uncontaminated areas, prevent recontamination of remediated areas, and prevent potential health risks to humans; and
- (6) These regulations are necessary to protect public health and to control environmental lead and arsenic contamination within the Administrative Boundary.

1.4 DEFINITIONS

ADMINISTRATIVE BOUNDARY means the boundary area identified in Attachment A.

BOARD means the Lewis and Clark City-County Board of Health.

CLEANED UP means a property has been remediated to acceptable levels of contamination using EPA approved remediation methods which may be either in-situ treatments, such as deep tilling, or removal and replacement of contaminated soils.

COMMERCIAL PROPERTY OR SITES means property or sites having profit as a chief aim, excluding daycares, schools, and agricultural property.

CONTAMINATED SOIL means soil containing lead and/or arsenic in excess of background concentrations, identified in the “Remedial Investigation of Soils, Vegetation and Livestock for East Helena Site (Asarco), East Helena, MT”;EPA Work Assignment No. 68-8L30.0 May 1987 .

CUBIC YARD means a volume of soil equal to a cube one yard long on each side, which is approximately the size of an average desk or washing machine.

ENVIRONMENTAL SERVICES DIVISION means a component of the Lewis and Clark City-County Health Department

EPA means the United States Environmental Protection Agency.

LEAP means the Lead Education and Abatement Program of the Environmental Services Division of the Lewis and Clark City-County Health Department.

MG/KG means milligram per kilogram and is approximately equivalent to parts per million (ppm).

QUALIFIED RESIDENTIAL YARD means a yard that was in existence prior to the release of the 2009 EPA ROD on September 17, 2009, and any part of that yard has at least one section with lead concentrations at or above 1000 ppm, or an arsenic average concentration at or above 100 ppm.

PERMIT means the written authorization from the Lead Education and Abatement Program to disturb soil within the Administrative Boundary.

PERSON means any individual, corporation, company, association, society, firm, partnership, Joint Stock Company or any branch of state, federal or local government; or any other entity that owns rents, or leases property subject to this regulation.

PROJECT means a plan or proposal resulting in or requiring the displacement of more than one cubic yard of soil.

RCRA means the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq.

RELOCATION means the movement of any volume of soil from one location to another location.

REPOSITORY means an EPA-approved location for the disposition of contaminated soils.

REPRESENTATIVE means a person that is authorized to act as an official delegate or agent for another person.

ROD means the 2009 EPA Record of Decision for the East Helena Superfund Site Operable Unit 2.

SOIL DISPLACEMENT means the relocation of one cubic yard or more of soil. Soil displacement does not include tilling if no excess soil is removed from the area.

SOIL SAMPLING means the collection and analysis of surface soil samples taken either as part of the Superfund clean-up action or taken in response to meeting conditions of this permit process.

TILLING means to prepare land for the raising of crops as by plowing or harrowing, or to cultivate or dig with a rototiller.

1.5 SCOPE

- (1) These regulations apply only to parcels of land lying within the Administrative Boundary of Lewis and Clark County.
- (2) These regulations apply to all persons engaging in soil displacement in excess of one cubic yard within the Administrative Boundary exclusive of tilling when no soil is removed from the parcel.
- (3) These regulations apply to all land use types, including but not limited to residential, commercial, recreational, right-of-ways, and industrial.
- (4) These regulations do not apply to parcels where the undisturbed native, average soil lead levels are less than 500 mg/kg.
- (5) In accordance with Section 9621(e) of Title 42 of the United States Code, nothing contained in this section or these regulations shall require or be construed to require the obtaining of a permit by any agency, employee, or contractor of the United States, the State, or the Montana Environmental Custodial Trust (MECT) for activities conducted entirely within the Administrative Boundary and carried out in compliance with the provisions of the Comprehensive Environmental

Response, Compensation, and Liability Act, 42 U.S. C Section 9601, et seq. and the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., and approved by EPA.

SECTION 2.0 PERMIT PROCEDURES AND REQUIREMENTS

2.1 PROHIBITED ACTIVITY

No person shall displace soil within the Administrative Boundary without first complying with the permit procedures and requirements as provided in this section.

2.2 APPLICATION PROCESS FOR PERMIT

- (1) Application for a permit to displace soil within the Administrative Boundary is made by completing a permit application available at the LEAP office, Room 201, East Helena City Hall, 306 East Main Street, East Helena, MT 59635 or online at LewisAndClarkHealth.org.
- (2) The applicant must submit all information required by these regulations before the LEAP staff must begin review of the application.
- (3) The applicant is required to submit information including, but not limited to:
 - a. Name and address of property owner
 - b. Name and address of applicant, if different than the property owner.
 - c. Address and legal description of location of proposed activity
 - d. Description of the proposed activity
 - e. Depth of any proposed excavation
 - f. Volume of soil to be excavated or displaced
 - g. Describe proposed method for controlling contaminated dust.
 - h. Describe proposed method for handling contaminated soil.
 - i. Location of final disposal site.
 - j. Source of replacement soil.
 - k. Name of contractor or other representative, if applicable.
- (4) Upon receipt of a complete application, LEAP staff must schedule an appointment within 5 working days to finalize the project plan. During the appointment, LEAP staff will develop a project timeline with the applicant or his/her representative. The project timeline will include:
 - a. Start date
 - b. Proposed end date
 - c. Proposed date and time of final inspection
- (5) Prior to permit approval, LEAP must review existing soil sampling and clean-up information for the site, if any exists.

- (6) If no record of sampling or clean-up exists, the applicant or his/her representative must sample soil for lead or arsenic following LEAP/EPA sampling protocol and the requirements of the 2009 ROD. Yards in existence prior to the release of the 2009 EPA ROD on September 17, 2009 will be sampled by LEAP at no cost to the owner.
- (7) The person doing the work must complete training for certification as described in Section 3.
- (8) Upon applicant's compliance with the requirements of this Section, LEAP must issue a permit in writing and the applicant or his/her representative must comply with the terms of the permit.
- (9) Permits are valid for 2 years after date of issue. If work is not completed within 2 years, a new permit must be obtained.
- (10) All permits issued by LEAP must be in compliance with the conditions set forth in the 2009 Record of Decision and must meet the clean-up criteria for the land use identified in Table 2.2.
- (11) Emergency actions may be conducted by an applicant or their representative without a permit. The emergency action taken must be reported to LEAP as soon as possible and by the next business day at the latest. Emergencies may include water or sewer line leaks, natural gas line leaks, hazardous waste spills and other urgent events.

2.3 INSPECTIONS

- (1) Upon completion of the project, the applicant or the applicant's representative must notify the LEAP staff that the project is ready for a final inspection to determine compliance with these regulations.
- (2) Upon notification of project completion, LEAP will perform a final site inspection within 5 working days.
- (3) During the final inspection LEAP staff will:
 - a. verify that work was conducted within the area described on the permit; and
 - b. verify that excess soils generated by the project are properly capped or have been removed to an approved repository; and
 - c. photograph the project site to document that the permit requirements were met; and
 - d. verify that the work has been completed in compliance with the permit requirements by signing and dating the permit.
- (4) Upon final inspection and approval of the project, LEAP staff must file the permit and documentation of project completion in the LEAP office. Summary

information must be entered into the Soils Database by LEAP and will become part of the permanent site record. The permit will be the official record of compliance with the 2009 ROD and will be maintained on file for public review.

2.4 PERMIT FEES

No fees will be charged either to obtain a permit or to participate in the training or certification program held by the Lead Education and Abatement Program (LEAP) of the Lewis and Clark City-County Health Department.

2.5 CONTROL OF EXCESS SOIL DISPOSAL AND REPLACEMENT SOIL STANDARDS

- (1) All excess soils removed from any property within the Administrative Boundary that is determined by LEAP to be contaminated must be transported by the applicant or the applicant's representative to one of the EPA approved repositories identified on the permit.
- (2) Excess soil from residential areas may be reused only on the property of origin if applicant demonstrates that lead concentrations are less than 500 milligrams per kilogram (mg/kg) and arsenic levels are below 100 mg/kg.
- (3) Soil brought in for replacement or backfill will meet the replacement requirements listed in Table 2-1.

TABLE 2-1 REPLACEMENT SOIL REQUIREMENTS

Parameter	Requirements
Lead	≤ 50 mg/kg
Arsenic	≤ 30 mg/kg

2.6 CLEAN-UP ACTION LEVEL

- (1) Soils from qualified residential yards and vacant lots developed prior to the release of the 2009 ROD on September 17, 2009, will have soils excavated and disposed of when any section of a yard is found to have:
 - a. A soil lead concentration greater than 1,000 milligrams/kilogram (mg/kg). All portions of the yard with soil lead greater than 500mg/kg will be cleaned up; or
 - b. An average yard arsenic concentration of greater than 100 mg/kg
- (2) Clean-up criteria for all land uses are listed in Table 2-2

Table 2-2 East Helena Superfund Site Operable Unit 2 Clean-up Criteria

Land Use	Frequency of use	Clean-up Criteria	
		Lead	Arsenic
Existing Residential and Public Use	Frequent or daily	If any sample unit is greater than 1,000 mg/kg, then all areas greater than 500 mg/kg	Yard average greater than 100 mg/kg
Proposed Residential and Public Use	Frequent or daily	Greater than 500 mg/kg	Greater than 100 mg/kg
Roads, Alleys, and Railroad Rights-of-Way (ROWs)	Adjacent to occupied residential or public use	Greater than 1,000 mg/kg	Greater than 100 mg/kg
	Adjacent to Recreational or Industrial/Commercial	See Land Use	See Land Use
Drainages, Floodplains, and Irrigation Ditches	Adjacent to occupied residential or public use	Greater than 1,000 mg/kg	Greater than 100 mg/kg
	Adjacent to Recreational or Industrial/Commercial	See Land Use	See Land Use
Recreational Land	Infrequent	Greater than 3,245 mg/kg	Greater than 794 mg/kg
Industrial and or Commercial	Frequent or daily	Greater than 1,482 mg/kg	Greater than 572 mg/kg
Agricultural and/or Undeveloped Land	Infrequent	Greater than 3,245 mg/kg	Greater than 794 mg/kg
	Frequent or Actively Managed	Greater than 1,482 mg/kg	Greater than 572 mg/kg

Note: mg/kg = parts per million = milligrams per kilogram (mg/kg)

SECTION 3.0 CERTIFICATION PROGRAM

3.1 CERTIFICATION

- (1) Certification means that a person has demonstrated knowledge of these regulations and is able to undertake projects in compliance with these regulations.
- (2) Certification is free.
- (3) Applicants, applicant's representatives, contractors, construction workers, and property owners may obtain certification from LEAP. Certification is a privilege extended to an applicant, contractor, construction worker, and property owner, and is not a right.

- (4) Application for certification must be in writing and must contain the name, address, and phone number of the individual and other information deemed necessary by LEAP.
- (5) To become certified, an individual must attend and satisfactorily complete the LEAP's certification program:
 - (a) Training will be provided by LEAP on an appointment basis, as needed.
 - (b) Training includes, but is not limited to the following topics:
 - Reducing or eliminating exposure to lead from soil during excavation.
 - Information about personal protective clothing.
 - Requirements for covering loads of soils prior to hauling to reduce blowing dust.
 - Methods and best management practices for dust control at construction sites.
 - Proper cleaning of equipment before leaving a construction site.
 - Acceptable disposal or reuse of excess soils.
- (6) Certification will depend upon completion of training.
- (7) Certification is valid for two years.
- (8) Certification is a prerequisite for any excavation of soil.
- (9) Any person may attend training and become certified.

SECTION 4.0 VIOLATIONS AND ENFORCEMENT

4.1 VIOLATIONS

- (1) Failure to have a permit.
- (2) Failure to post the permit at the site.
- (3) Failure to comply with the permit requirements.
- (4) Failure to allow access by Health Department representatives will invalidate the permit and/or other written record of compliance with these regulations which are necessary to document that all work was completed in compliance with the 2009 ROD.

4.2 PENALTIES FOR VIOLATIONS

Violations of any of the provisions of these regulations are a misdemeanor and are punishable as provided for in Section 50-2-124, Montana Code Annotated.

4.3 INJUNCTIONS

The County Attorney may commence an action to restrain and enjoin acts in violation of these regulations. Violation of any such injunction is subject to punishment by the issuing court.

SECTION 5.0 ACCESS, APPEAL AND SEVERABILITY

5.1 ACCESS RIGHTS

- (1) Health Department representatives are authorized and directed to make such inspections as are necessary to determine compliance with these regulations.
- (2) It is the responsibility of the owner, occupant, or contractor of a property to give Health Department representatives free access to the property at reasonable times for the purpose of making such inspections as are necessary for determining compliance with these regulations.
- (3) No person may interfere with representatives of the Health Department in the discharge of their duty.

5.2 APPEAL

- (1) If a permit is denied or the department determines the permit requirements have not been met, the applicant or his/her representative may appeal the denial to the Board.
- (2) A written request for an appeal must be submitted to the Environmental Services Division Administrator at least 10 days prior to the next regularly scheduled board meeting or the appeal hearing. The request must include:
 - (a) A description of the proposed activity
 - (b) The boundaries and location of the proposed activity; and
 - (c) A summary of the reason for the appeal
- (3) Board Chair, in consultation with the Environmental Services Division Administrator and the Health Officer will determine whether the appeal will be heard by the Board or its designated hearing officer.

- (4) The Board or its designated hearing officer will hear the applicant's appeal and the permit requirements at a regularly scheduled board meeting or a specially scheduled appeal hearing, whichever occurs first.
- (5) The Board or its designated hearing officer must provide a decision in writing to the property owner or his/her representative within 10 working days after the hearing.
- (6) Decisions of the Board or the designated hearing officer may be appealed to District Court.

5.3 SEVERABILITY

In the event that any section, subsection, or other portion of these regulations is for any reason held invalid or unconstitutional, such section, subsection, or portion will be considered a separate provision of these regulations and such holding will not affect the validity of the remaining portions of these regulations which will remain in full force and effect.

SECTION 6.0. REVISION, REPEALER AND EFFECTIVE DATE

6.1 REVISION

Revisions to these regulations may be made by the Board as needed to ensure proper administration and to allow for improved mitigation measures or procedures for protecting the previously conducted clean-up activities. The Board must hold a public hearing before any revision to these regulations.

6.2 REPEALER

All previous rules, regulations, resolutions and ordinances as adopted by the Lewis and Clark City-County Board of Health governing soil disturbances within the Administrative Boundary are hereby repealed.

6.3 EFFECTIVE DATE

These regulations must be in full force and effect
on the 1st day of June, 2013.

These regulations will be reviewed and evaluated by the Lewis and Clark City-County Board of Health at least two years from the effective date, and every two years thereafter.

Lewis and Clark City-County Board of Health

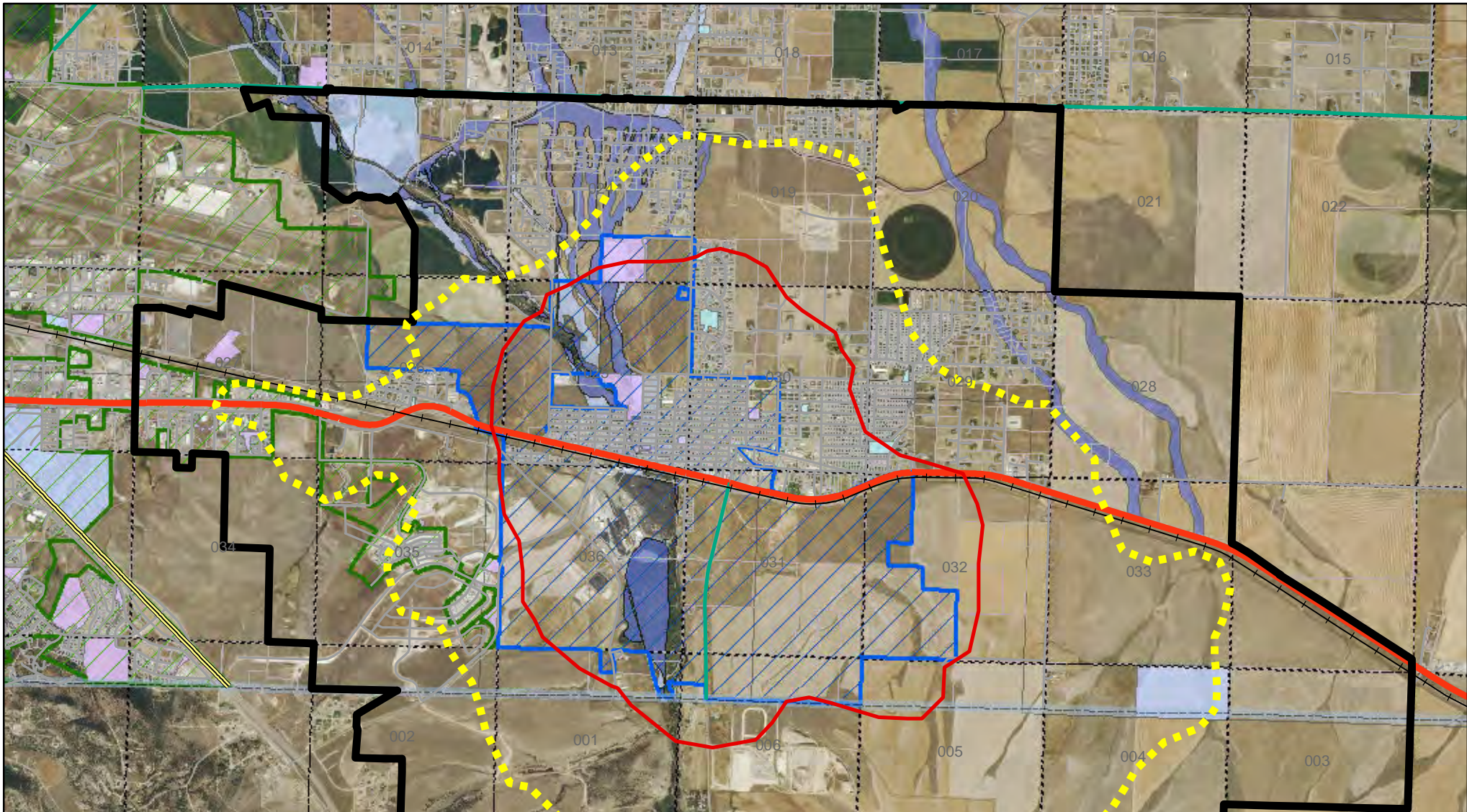


Ken Wallace, Chair
Lewis and Clark City-County



Melanie Reynolds, Health Officer
Lewis and Clark City-County Health Department

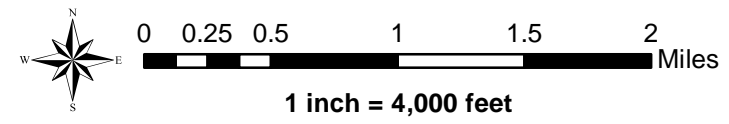
This page left blank intentionally.



- | | |
|---|---|
| Lewis & Clark County Administrative Boundary | Public Lands |
| Estimated Distribution of Total Soil Lead - 500 mg/kg | Federal Properties |
| Estimated Distribution of Total Soil Lead - 1,000 mg/kg | State Properties |
| Interstate | County Properties |
| US Hwy | City Properties |
| Montana Hwy | Parcel Boundaries |
| Secondary Hwy | Floodway (No Development Zone) |
| Roadways | Zone A (100 Year) |
| County Boundary | Zone X - .2% Annual Chance Floodplain |
| East Helena City Limits | Zone X - Outside .2% Annual Chance Floodplain |
| Helena City Limits | |



Attachment A - Administrative Boundary East Helena Superfund Area, Lewis and Clark County, Montana

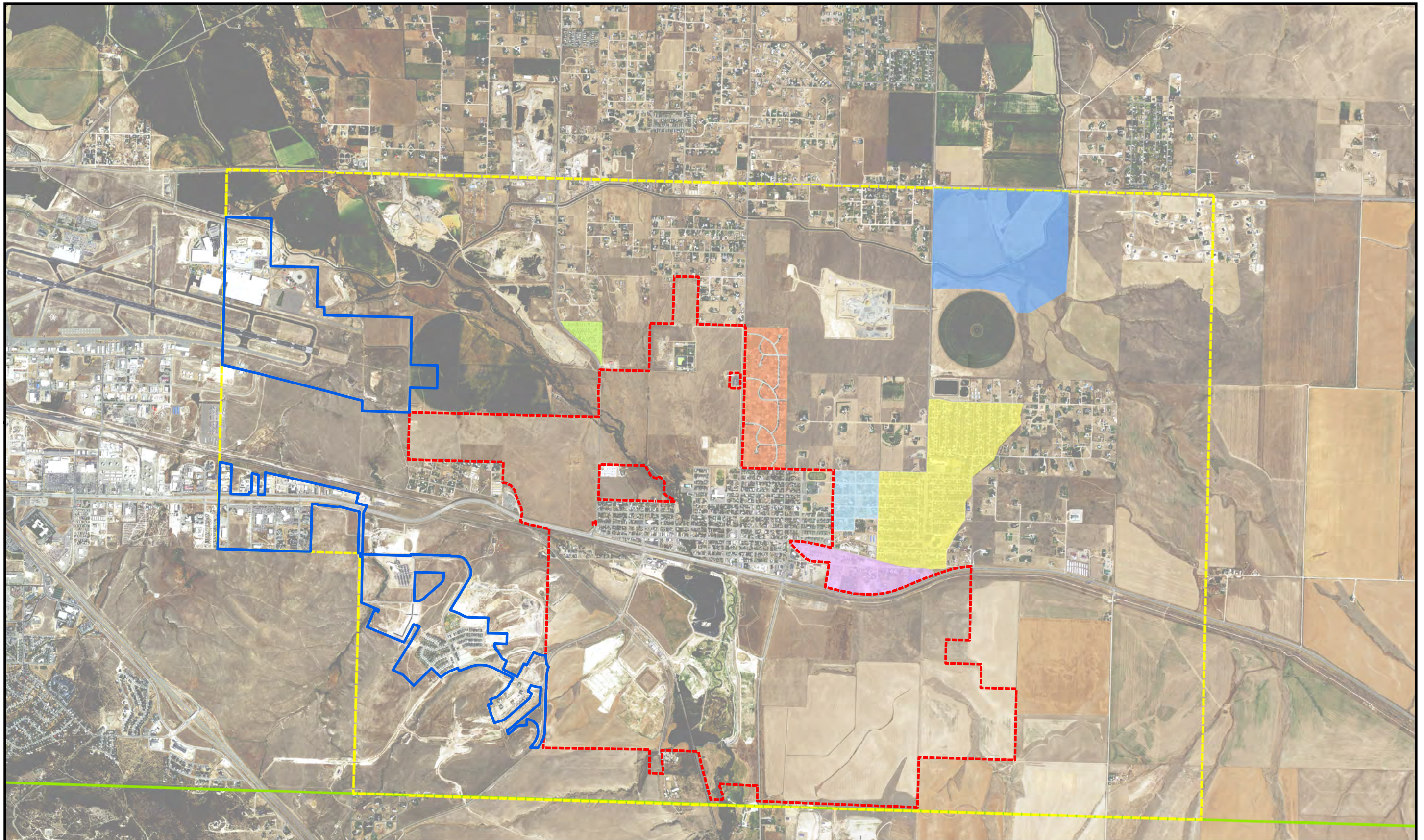


This page left blank intentionally.

APPENDIX L

Maps

This page left blank intentionally.



Legend			
	EH City Limits		County Boundary
	Planning Area Boundary		La Casa Grande
	Helena City Limits C		Clark Street Water and Sewer District
			Sunny Lane Estates
			East Gate Villages I & II
			Twilight Trails Court

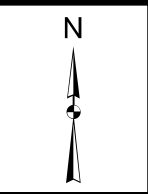


EXHIBIT
#1

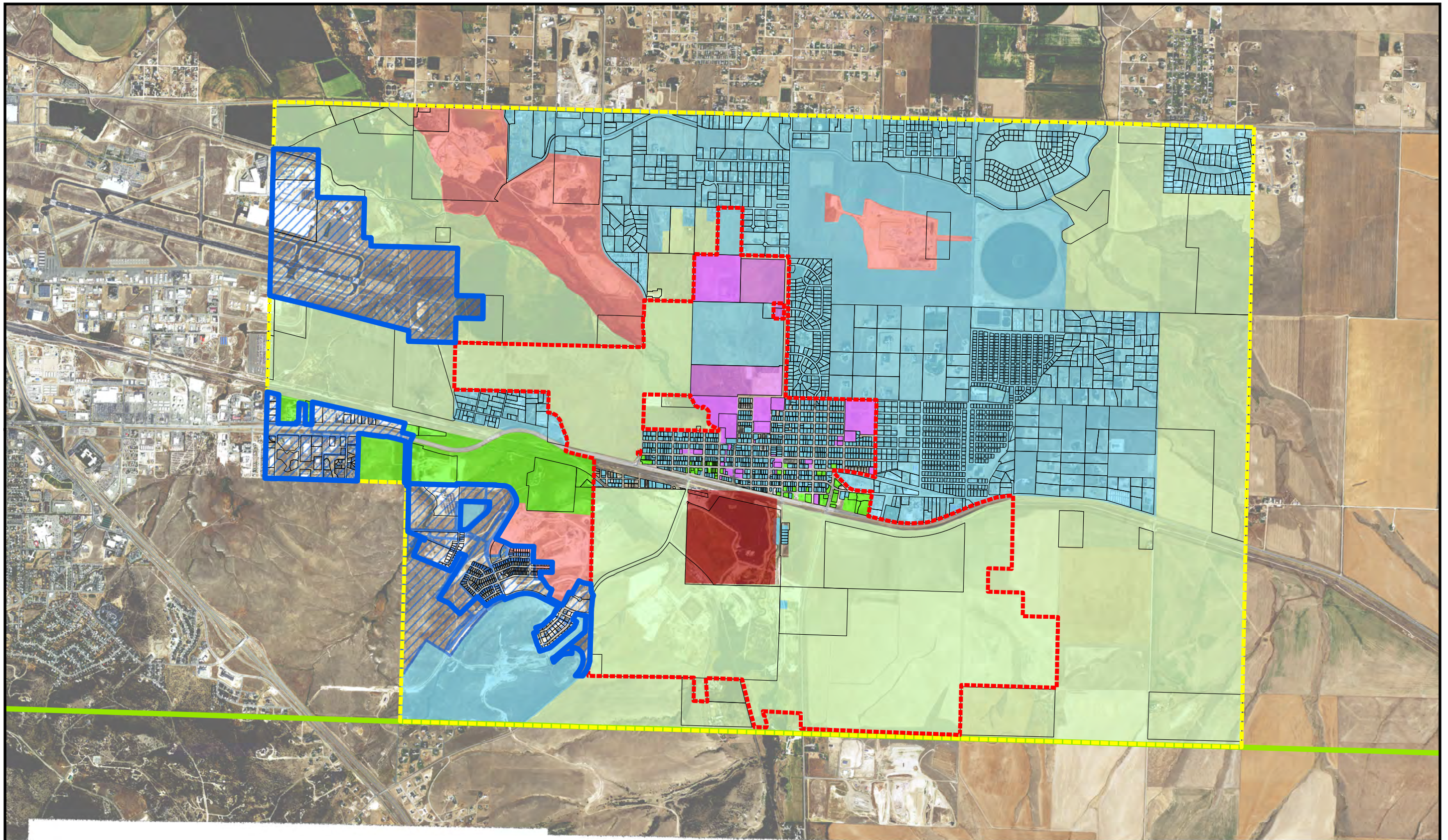
**CITY OF EAST HELENA
GROWTH POLICY
BOUNDARY MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .5 mi



Legend			
	Helena City Limits		Parcel Ownership
	East Helena City Limits		Existing Gravel
	Planning Area Boundary		Existing Commercial
	County Boundary		Existing Residential
	Helena Zoning		Existing Agricultural
	Public Use		Existing Industrial
	Existing County Residential Zoning		

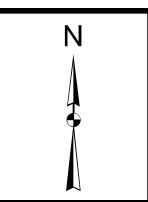


EXHIBIT
#2

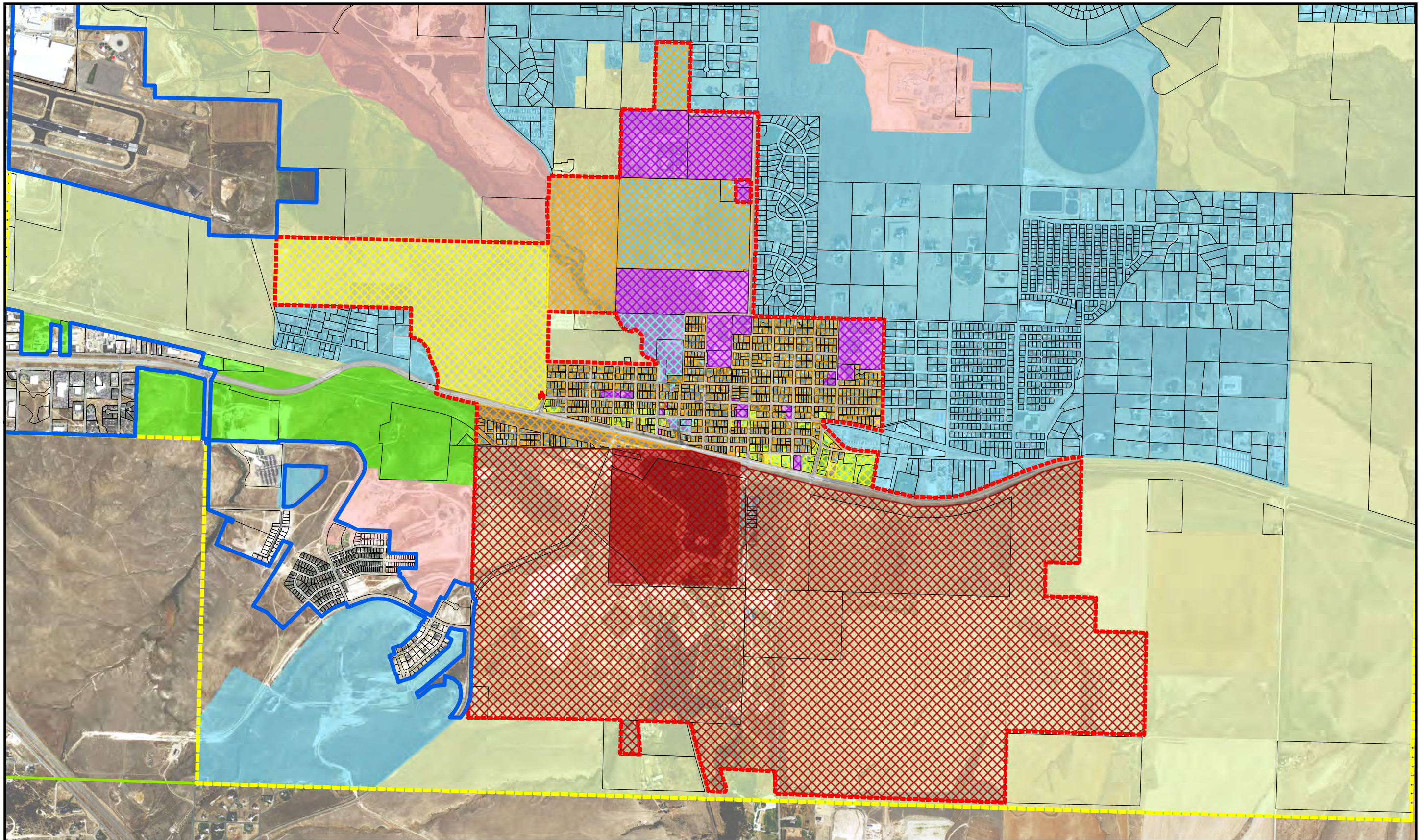
**CITY OF EAST HELENA
GROWTH POLICY
EXISTING LAND USE**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS | Checked By: JF | Date: 09/09/20 | Scale: 1" = .5 mi



Legend

- | | | | |
|-------------------------|---------------------|-----------------------|----------------------|
| Helena City Limits | Parcel Ownership | Proposed Commercial | Existing Commercial |
| Planning Area Boundary | Proposed Industrial | Proposed Residential | Existing Gravel |
| East Helena City Limits | Proposed Public Use | Public Use | Existing Residential |
| County Boundary | Proposed Parks City | Existing Agricultural | Existing Industrial |



EXHIBIT
#3A

**CITY OF EAST HELENA
GROWTH POLICY
PROPOSED LAND USE
WITHIN CITY BOUNDARY**

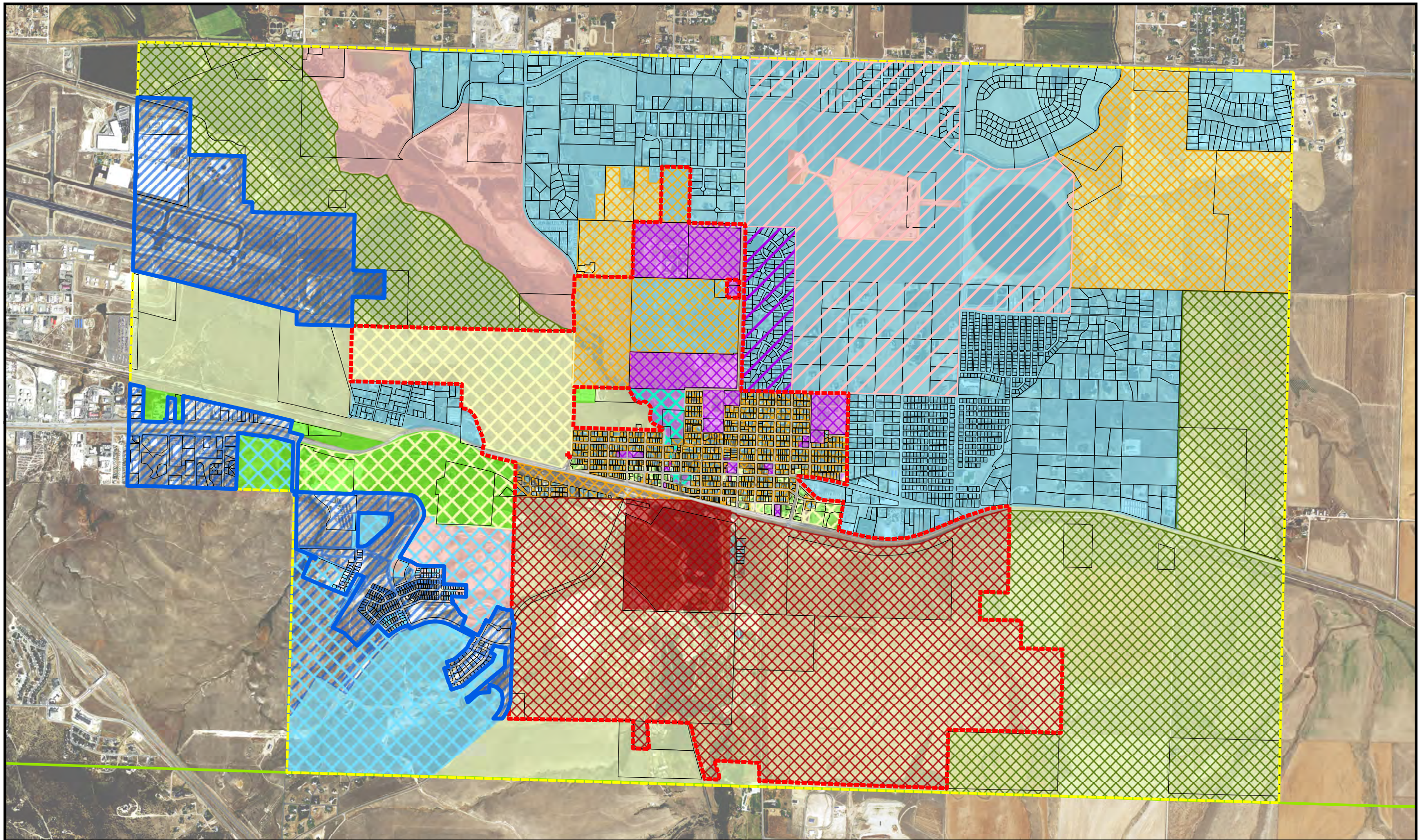
**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS

Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .35 mi



Legend					
East Helena City Limits	Parcel Ownership	Proposed Public Use	Public Use	Existing Industrial	
Planning Area Boundary	East Helena Valley County Zoning	Proposed Parks City	Existing Commercial		
Helena City Limits	La Casa Grande Zoning	Proposed Commercial	Existing Agricultural		
Helena Zoning	Proposed Agriculture	Proposed Residential	Existing Gravel		
County Boundary	Proposed Industrial	Future City of Helena Limits	Existing Residential		



EXHIBIT
#3B

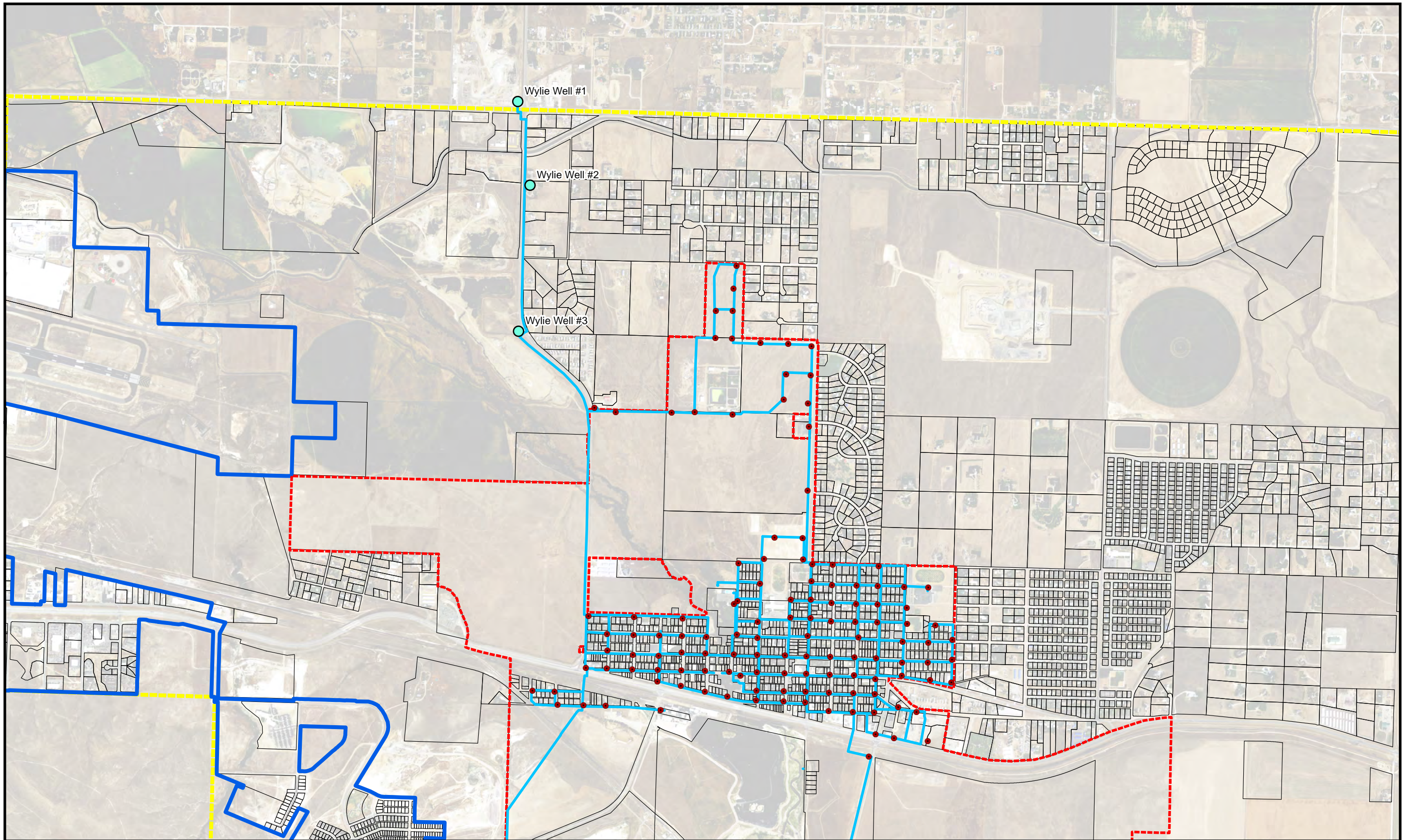
**CITY OF EAST HELENA
GROWTH POLICY
PROPOSED LAND USE
WITHIN PLANNING BOUNDARY**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWCENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File:East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .4 mi



Legend

- East Helena City Limits
- Planning Area Boundary
- Existing Water Pipes
- Helena City Limits
- Parcel Ownership
- Fire Hydrants
- Public Wells
- County Boundary



EXHIBIT
#4A

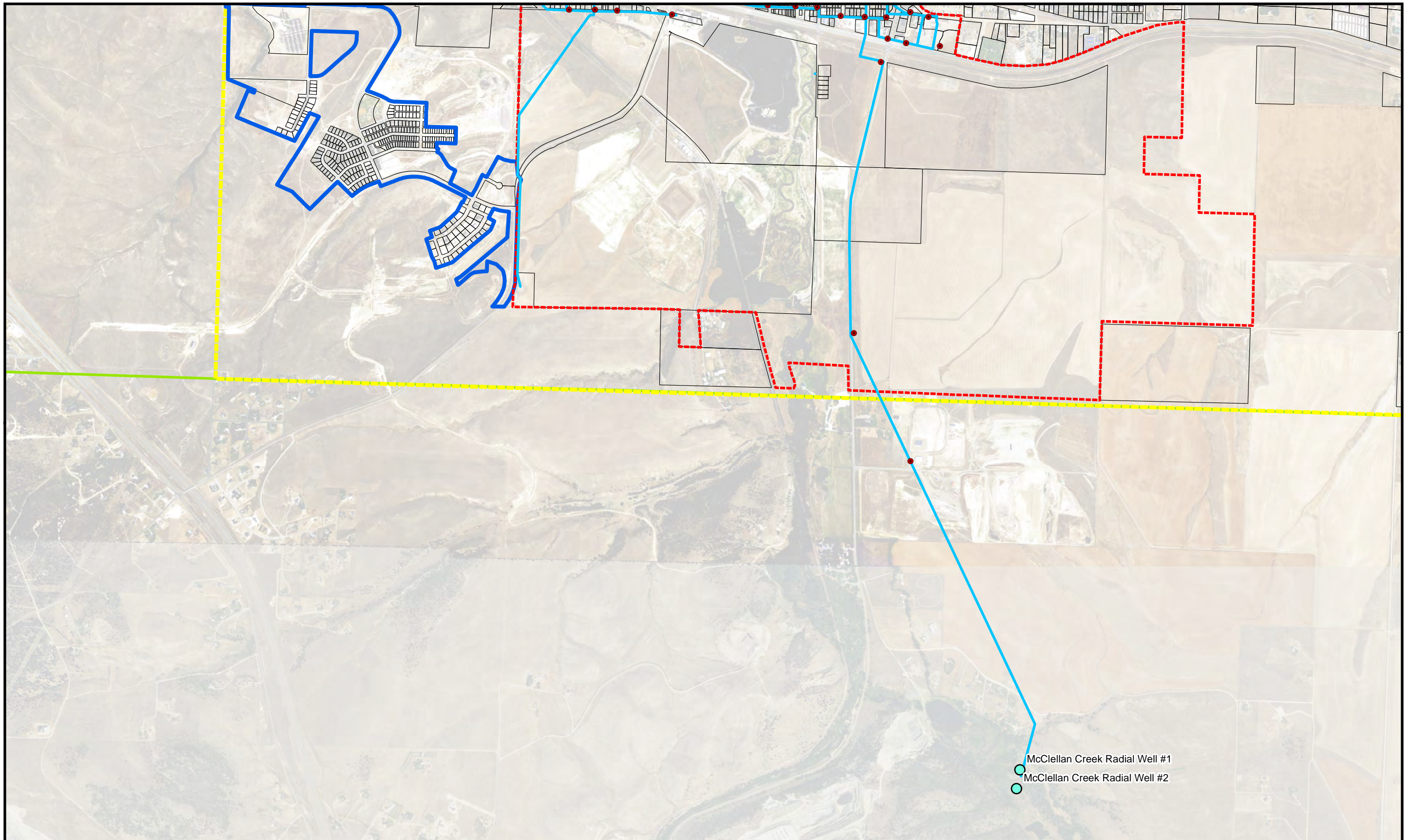
**CITY OF EAST HELENA
GROWTH POLICY
WATER DISTRIBUTION MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWCENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS | Checked By: JF | Date: 09/09/20 | Scale: 1" = .35 mi



McClellan Creek Radial Well #1
 McClellan Creek Radial Well #2

Legend

- East Helena City Limits
- Helena City Limits
- Planning Area Boundary
- Parcel Ownership
- Existing Water Pipes
- Fire Hydrants
- Public Wells
- County Boundary



EXHIBIT
#4B

**CITY OF EAST HELENA
GROWTH POLICY
WATER DISTRIBUTION MAP**

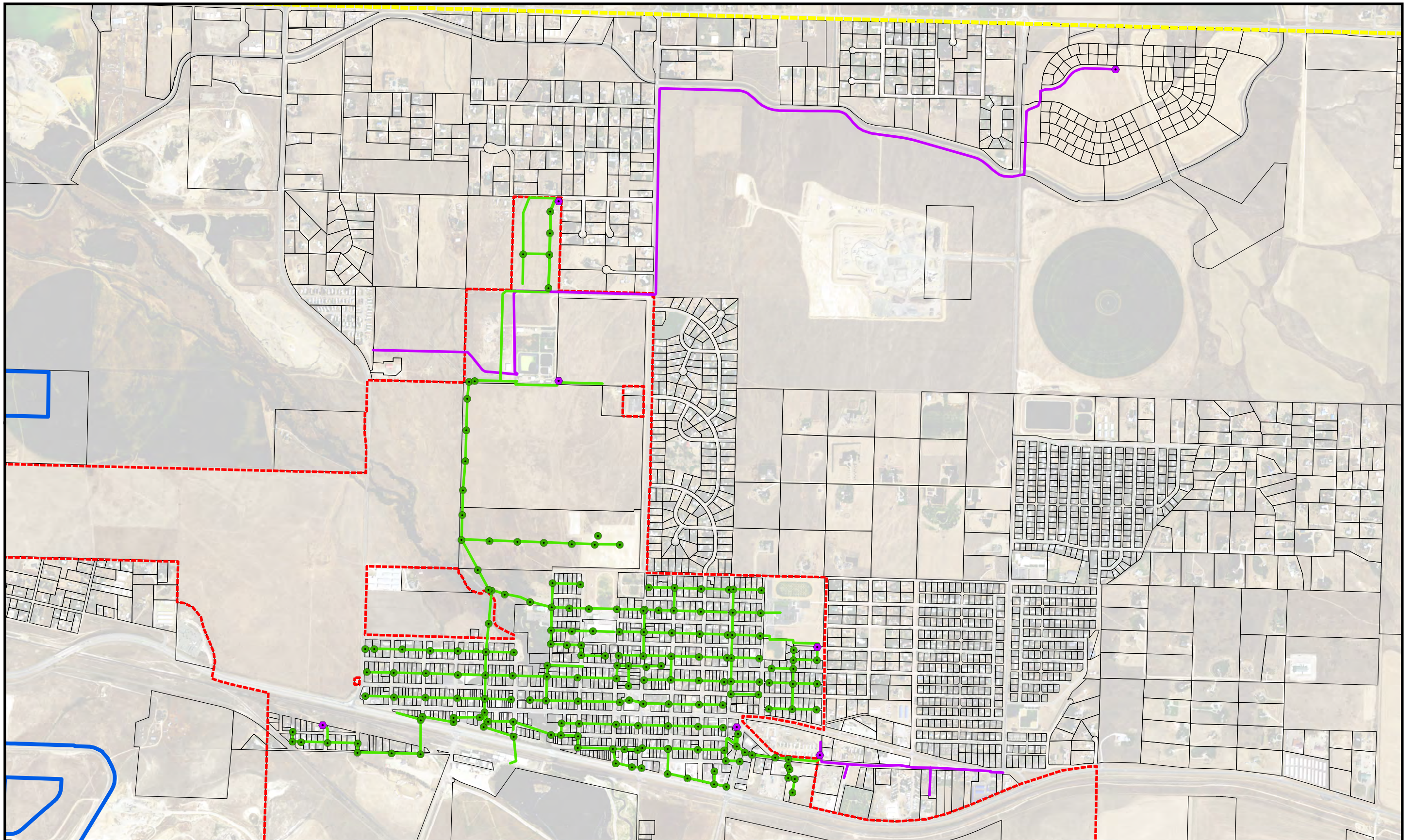
**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS

Date	By

WWCENGINEERING
 1275 MAPLE STREET, SUITE F
 HELENA, MT 59601
 (406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .35 mi



Legend

- East Helena City Limits
- Helena City Limits
- Planning Area Boundary
- County Boundary
- Parcel Ownership
- Existing Sewer Pipes
- External Force Main
- Lift Stations
- Sewer Manholes



EXHIBIT
#5

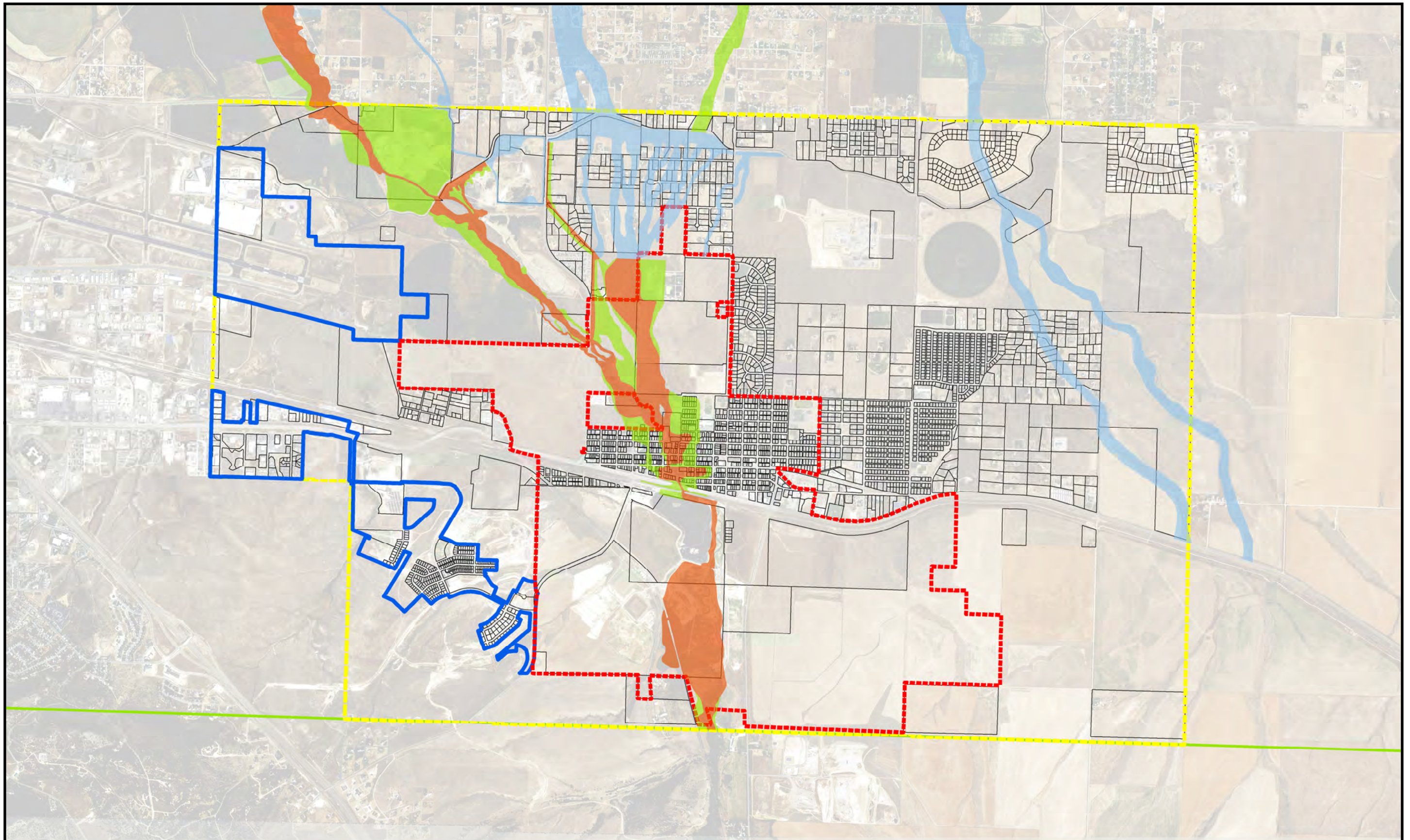
**CITY OF EAST HELENA
GROWTH POLICY
SEWER DISTRIBUTION MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .35 mi



Flood Zone

- 0.2 PCT ANNUAL CHANCE
- A (100 YEAR)
- AE (100 YEAR)

Legend

- East Helena City Limits
- Planning Area Boundary
- Helena City Limits
- County Boundary

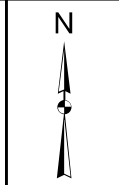


EXHIBIT
#6A

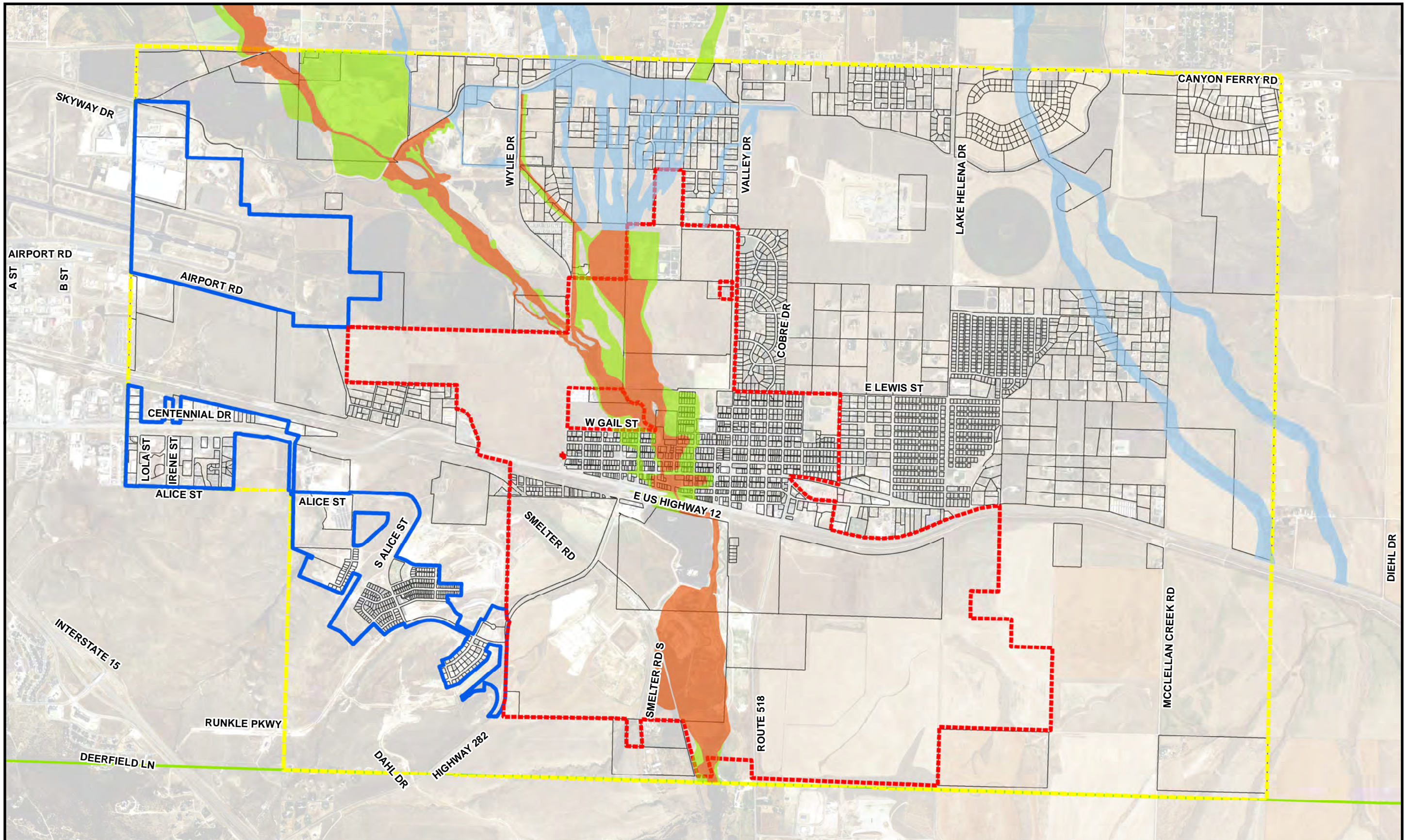
**CITY OF EAST HELENA
GROWTH POLICY
FLOOD ZONE MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .5 mi



Flood Zone

- 0.2 PCT ANNUAL CHANCE
- A (100 YEAR)
- AE (100 YEAR)

Legend

- East Helena City Limits
- Planning Area Boundary
- Helena City Limits
- County Boundary

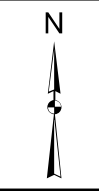


EXHIBIT
#6B

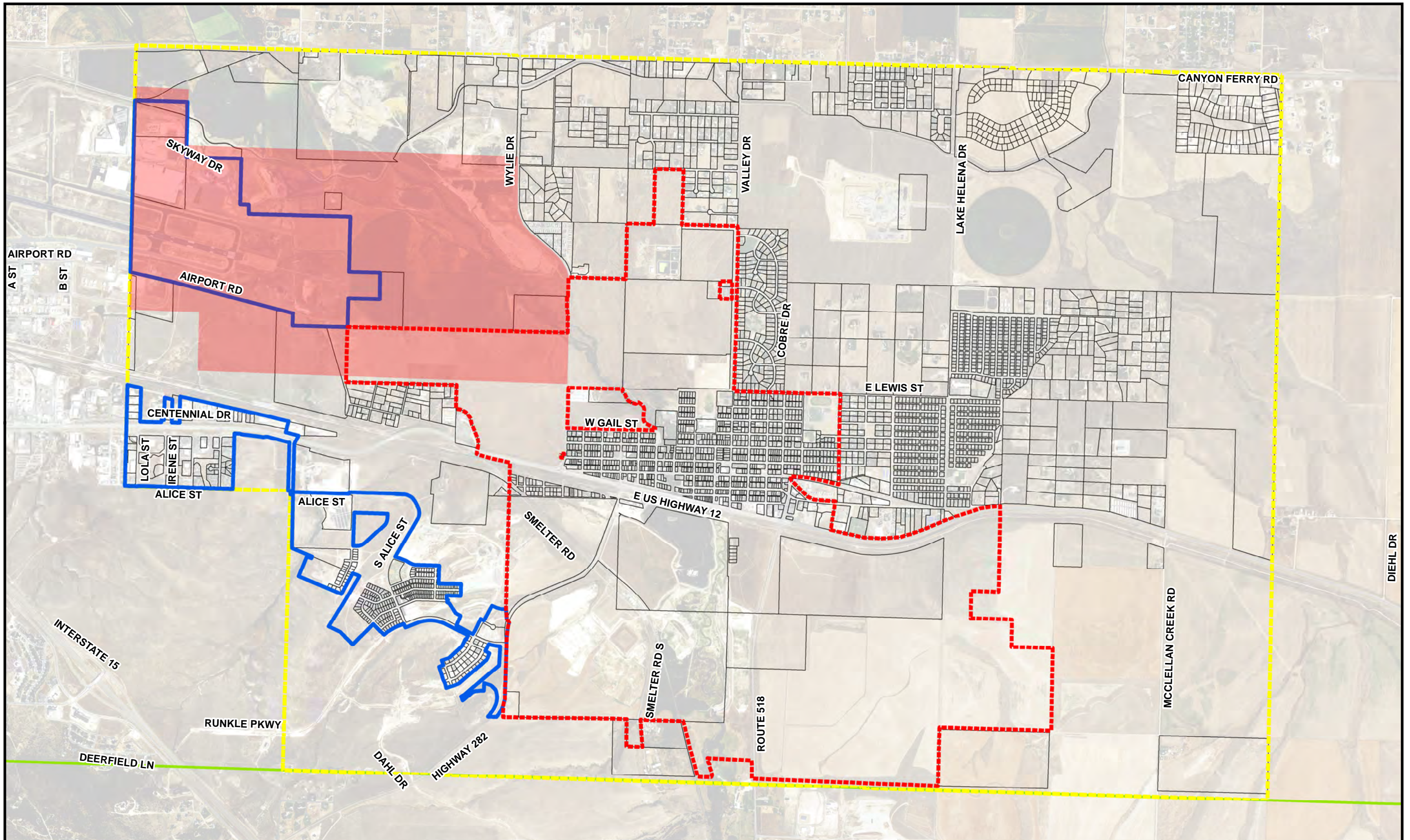
**CITY OF EAST HELENA
GROWTH POLICY
FLOOD ZONE MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .5 mi



Legend

- East Helena City Limits
- Helena City Limits
- Planning Area Boundary
- County Boundary
- Airport Affected Area
- Parcel Ownership



EXHIBIT
#6B

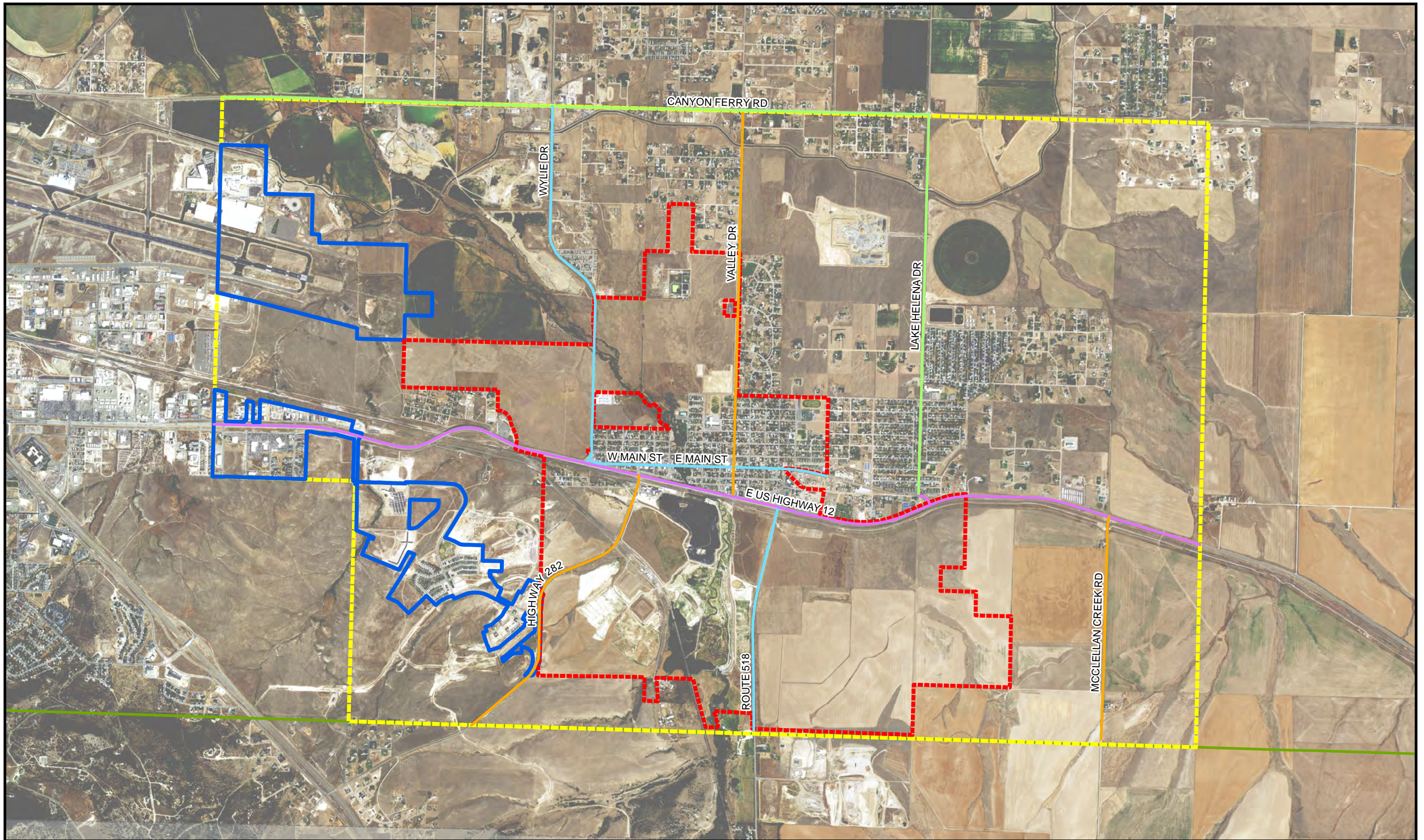
**CITY OF EAST HELENA
GROWTH POLICY
FLOOD ZONE MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .4 mi



Legend

East Helena City Limits	Planning Area Boundary	Principal Arterial	Minor Arterial
Helena City Limits	County Boundary	Major Collector	Minor Collector

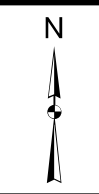


EXHIBIT
#8

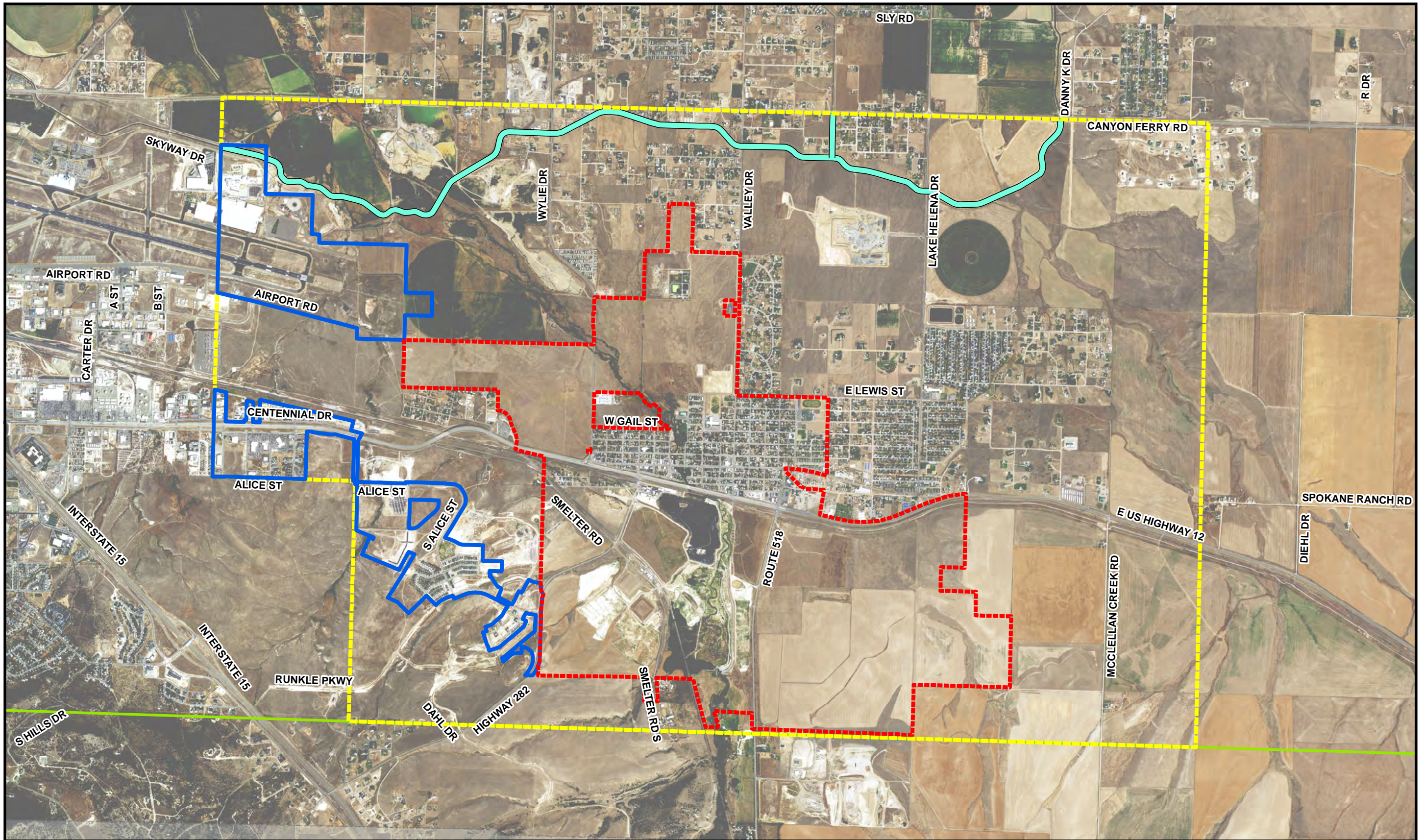
**CITY OF EAST HELENA
GROWTH POLICY
EAST HELENA ROAD MAP**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File:East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .5 mi



Legend

- East Helena City Limits
- Planning Area Boundary
- Canals
- Helena City Limits
- County Boundary

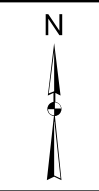


EXHIBIT
#9

**CITY OF EAST HELENA
GROWTH POLICY
WATER USER MAP**

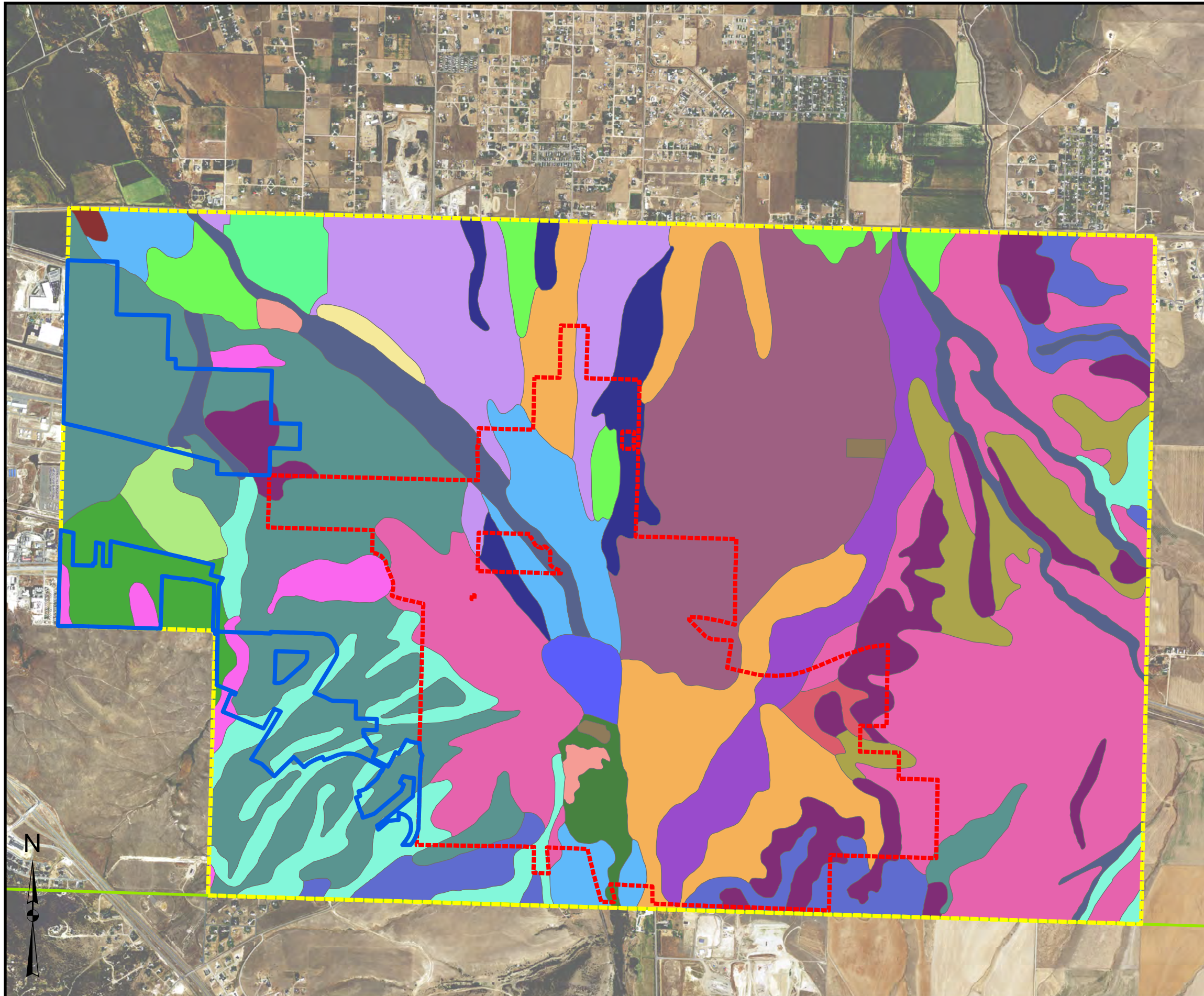
**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By



WWCENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File:East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .5 mi



Legend

- Helena City Limits
- East Helena City Limits
- Planning Area Boundary
- County Boundary

Soils

- Aridic Ustifluvents
- Attewan loam
- Attewan-Nippt complex
- Crago-Musselshell gravelly loams
- Crago-Pensore channery loams
- Crittenden-Tolman complex
- Dumps, mine
- Fluvaquents and Fluvaquentic Haplustolls soils
- Geohrock-Crago very cobbly loams
- Hauz-Sieben-Tolman channery loams
- Meadowcreek-Fairway complex
- Miscellaneous water
- Musselshell-Crago complex
- Nippt gravelly loam
- Nippt very cobbly loam
- Nippt-Attewan complex
- Nippt-Attewan-Beaverell complex
- Pits, gravel
- Rootel-Musselshell loams
- Sappington-Amesha loams
- Sappington-Amesha loams
- Sappington-Musselshell gravelly loams
- Villy silt loam
- Water
- Yamacall-Attewan loams

EXHIBIT #10

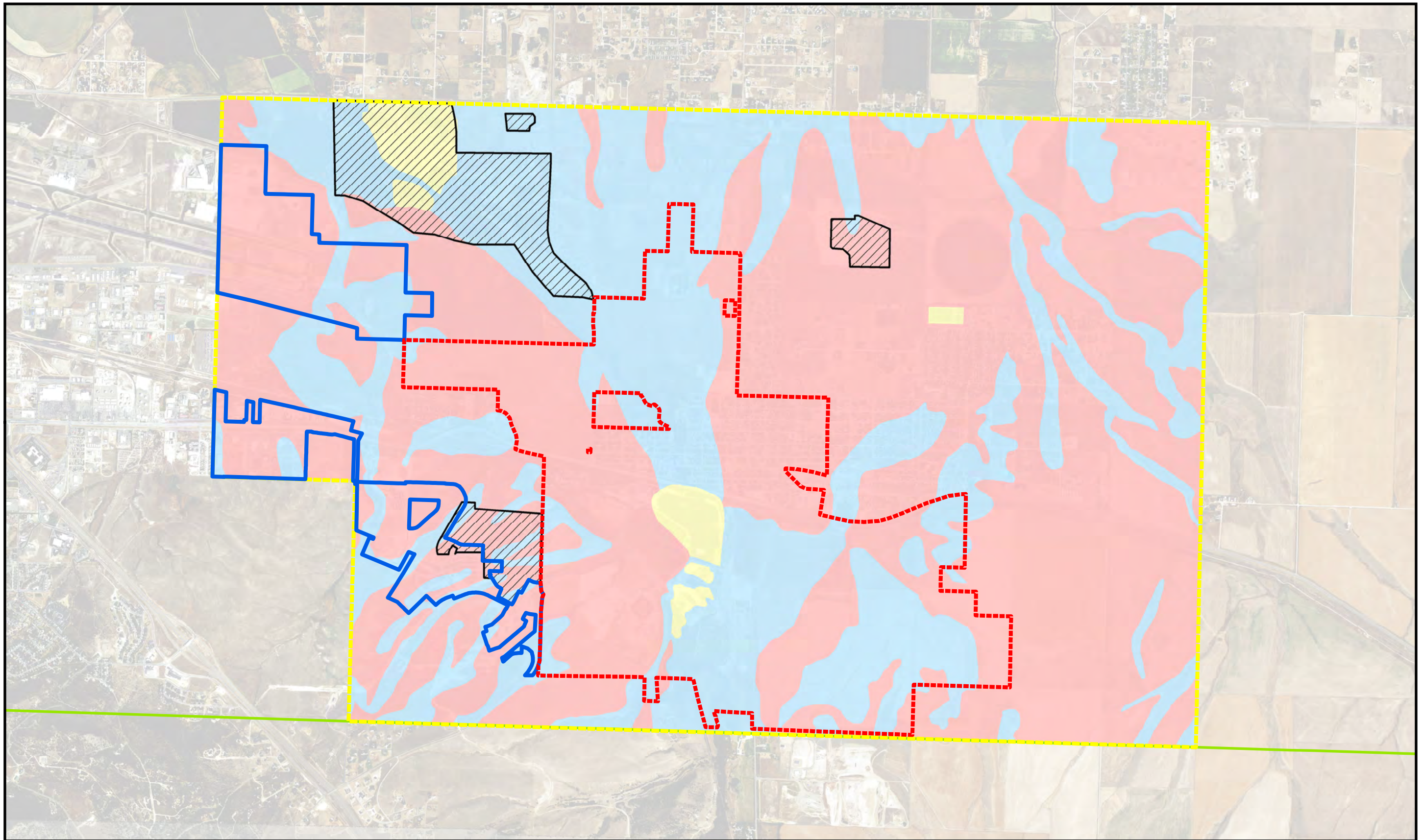
CITY OF EAST HELENA
306 EAST MAIN STREET, EAST HELENA, MT 59635

**CITY OF EAST HELENA
GROWTH POLICY
PROPOSED LAND USE MAP
SOILS MAP**

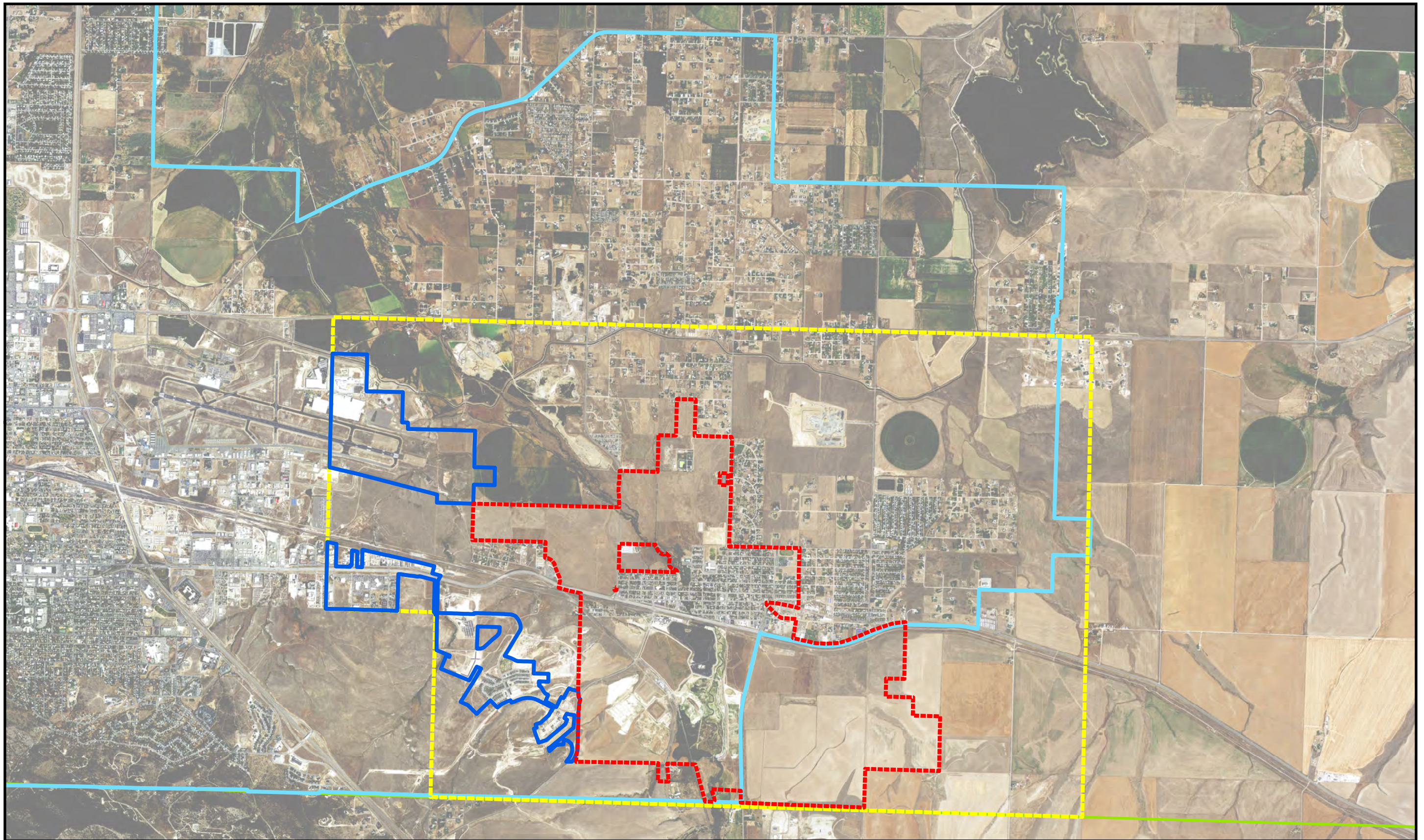
REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

2020170 | Drawn By: MJS | Checked By: JF | Date: 09/09/20 | Scale: 1"= .5 mi



<p>Legend</p> <p> East Helena City Limits Planning Area Boundary</p> <p> Helena City Limits County Boundary</p>	<p>Gravel Resources</p> <p> Existing Gravel Pits</p> <p> Poor</p> <p> Fair</p> <p> Not Rated</p>	<p>N</p>	<p>EXHIBIT #11</p>	<p>CITY OF EAST HELENA GROWTH POLICY GRAVEL RESOURCES MAP</p>	<p>CITY OF EAST HELENA 306 EAST MAIN STREET EAST HELENA, MT 59635</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">REVISIONS</th> </tr> <tr> <th style="font-size: 8px;">Date</th> <th style="font-size: 8px;">By</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table> <p style="font-size: 8px; margin-top: 5px;"> WWCENGINEERING 1275 MAPLE STREET, SUITE F HELENA, MT 59601 (406) 443-3962 </p> <p style="font-size: 8px; margin-top: 5px;"> File: East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .5 mi </p>	REVISIONS		Date	By												
REVISIONS																						
Date	By																					



Legend

- East Helena City Limits
- Helena City Limits
- Planning Area Boundary
- County Boundary
- MDT Urban Boundary

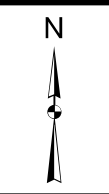


EXHIBIT
#12

**CITY OF EAST HELENA
GROWTH POLICY
MDT URBAN BOUNDARY**

**CITY OF EAST HELENA
306 EAST MAIN STREET
EAST HELENA, MT 59635**

REVISIONS	
Date	By

WWC ENGINEERING
1275 MAPLE STREET, SUITE F
HELENA, MT 59601
(406) 443-3962

File:East Helena Drawn By: MJS Checked By: JF Date: 09/09/20 Scale: 1" = .65 mi

APPENDIX M

References

This page left blank intentionally.

REFERENCES

- 2014 East Helena Growth Policy
- “East Helena and the Big Fire of 1919” by David Cole, April 27, 1998.
- U.S. Bureau of the Census; Decennial Censuses of Population (Title varies per Census), 1890-2010 available through the Census and Economic Information Center, Montana Department of Commerce.
- Montana Department of Health and Human Services, Annual Frequency of Live Births by Mother’s County of Residence, 2000.
- U.S. Census Bureau, Census of Population and Housing, 2010.
- Annual Estimates of the Population for Counties in Montana; April 1, 2000 to July 1, 2007 (CO- EST2007-01-30), Population Division, U.S. Census Bureau; Release Date, March 20, 2008.
- Yearly population estimates (2015-2020) based on the American Community Survey five-year estimates.
- U.S. Census Bureau: Census of Population and Housing, 1990, 2000, 2010.
- Montana Cadastral Mapping Program; East Helena Map.
- U.S. Census Bureau: Building Permits, Annual, 2000-2013.
- Montana Environmental Trust Group website:
<http://www.mtenvironmentaltrust.org/east-helena>
- Montana Regional Economic Analysis Project; Selected Economic Indicators; 1969-2007.
- Research & Analysis Bureau - Montana Department of Labor & Industry, County Profile, Lewis and Clark County.
- Information from Brian Obert, Montana Business Assistance Connection.
- 2018 Lewis and Clark County Growth Policy Update.
- THE REGULATIONS GOVERNING SOIL DISPLACEMENT AND DISPOSAL IN THE EAST HELENA SUPERFUND AREA IN LEWIS AND CLARK COUNTY, MONTANA, 2013, Lewis & Clark City-County Health Department.
- East Helena Institutional Controls Program (ICP) Implementation Recommendations for the City of East Helena, February 2013, by Robert Peccia and Associates.
- Helena Regional Airport Engineer.
- 2017 City of East Helena Capital Improvements Plan.
- 2018 East Helena Water Plan
- 2020 East Helena Wastewater Plan
- 2019 City of East Helena PASER Report
- Interview with Troy Manness, East Helena Fire Chief.
- Helena Area Transportation Plan 2004 Update, Robert Peccia & Associates, accessible at: <http://www.ci.helena.mt.us/index.php?id=399>.
- Interview with Ron Whitmoyer, East Helena School District #9 Superintendent.
- U.S. Department of Justice, Office of Justice Programs, Local Police Departments, 2007, December 2010. Available at:
<http://www.bjs.gov/content/pub/pdf/lpd07.pdf>
- City of Helena-Lewis & Clark County, Geographic Information Services, accessible at: www.co.lewis-clark.mt.us/gis.

- U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), “Soil Survey of Lewis and Clark County Area, Montana, 2003.
- Soil Classifications–Jefferson County Area and Part of Silver Bow County, Montana, and Lewis and Clark County Area, Montana; Natural Resources Conservation Service, Web Soil Survey 2.0, Accessed: June 3, 2008.
- Farmland Classification–Jefferson County Area and Part of Silver Bow County, Montana, and Lewis and Clark County Area, Montana; Natural Resources Conservation Service, Web Soil Survey 2.0, Accessed: June 3, 2008.
- “Framework Water Quality Restoration Plan and Total Maximum Daily Loads (TMDLs) for the Lake Helena Watershed Planning Area: Volume II – Final Report” prepared for MDEQ by the U.S. EPA in August 2006.
- Preliminary Digital Flood Insurance Rate Maps (FIRMs) for Lewis and Clark County; accessible at:
<http://www.montanadfirm.com/status/LewisandClark/prelim.htm>
- Montana Department of Environmental Quality, East Helena Sulfur Dioxide and Lead Nonattainment Area maps, accessible at
<http://www.deq.state.mt.us/AirQuality/Planning/airmaps/EastHelenaMap.pdf>.
- Montana Natural Heritage Program (MNHP) Plant and Wildlife Species of Concern Reports for Township 10 North, Range 2W and Township 10 North Range 3 West, February 2014.
- Invaders Database System (Noxious Weeds and Invasive Species), maintained by University of Montana, accessible at: <http://invader.dbs.umt.edu/>.
- U.S. Fish and Wildlife Service online summary of listed species (accessed via the Montana Ecological Field Offices website February 2014)
- Montana Department of Fish, Wildlife, and Parks, Montana Fisheries Information System (MFISH) database accessible at:
<http://fwp.mt.gov/fishing/mfish/default.aspx>.
- Montana’ Growth Policy Resource Book, Montana Department of Commerce, Local Government Assistance Division, Community Technical Assistance Program, April 2009, accessible at:
<http://comdev.mt.gov/Includes/CTAP/CTAPGPRResource.pdf>.
- City of East Helena Zoning Ordinance.
- City of East Helena Subdivision Regulations.



