From: <u>Lisa C. Kunz</u>

To: Darcy Dea; Krista Artis; Bill Bronson; Bob Kelly; Mary Sheehy Moe; Owen Robinson; Tracy Houck

Cc: <u>Greg Doyon; Charles Anderson; Sara Sexe; Craig Raymond</u>

**Subject:** FW: MTDA Chair, David Weissman written testimony WRE 5 March 2019

**Date:** Monday, March 4, 2019 8:11:51 AM

Good Morning – see correspondence below from Mr. Dave Weissman, Montana Defense Alliance Chairman, pertaining to Wheat Ridge, Agenda Item 16. Hard copies will also be provided for the Commission, agenda file, and posting to the web.

#### Lisa

From: David Weissman <subwaymt@gmail.com>

Sent: Sunday, March 3, 2019 12:10 PM

**To:** Lisa C. Kunz < lkunz@greatfallsmt.net>; Bob Kelly < bkelly@greatfallsmt.net>; Bill Bronson <br/> <br/> <br/> bbronson@greatfallsmt.net>; Mary Sheehy Moe < msheehymoe@greatfallsmt.net>; Owen Robinson < orobinson@greatfallsmt.net>; Tracy Houck < thouck@greatfallsmt.net>

Cc: Shane Etzwiler < setzwiler@greatfallschamber.org>

**Subject:** MTDA Chair, David Weissman written testimony WRE 5 March 2019

Greetings! Please excuse my absence as I attending the Association of Defense Communities Conference this week. Please consider the following:

As you are nearing a decision on Wheat Ridge Estates, which is proving to be a challenging balancing act as you are tasked with helping the City overcome a perception and making the smart, long-term, big picture choice that will have the most positive affect on the majority of Great Falls.

We hope you consider the following carefully as you zero in on what could be one of the most important, altering decisions in recent history for our future.

We realize the two issues that need to be resolved for this development do not include Malmstrom Air Force Base.

Tonight we hope to convince you to please take Malmstrom into consideration.

At the hearing September last year there were some letters submitted

and referred to briefly.

We would like to highlight that two of them came from former Malmstrom Commanders, both ultimately asking us to to continue protecting the area around Malmstrom from being encroached.

This is a quote from former Commander Mike Fortney who considers himself, "an old friend and partner of the great city of Great Falls."

This quote from Mike really strikes home, "As a previous commander having served in various senior leader capacities, I have seen how seemingly small encroachments can erode a base's flexibility for flight operations and future mission growth.

I have seen seemingly benign encroachments have cumulative effects on a mission over time.

Protecting the airspace around Malmstrom to allow maximum flexibility for UH-N1 operations, (aka the current Huey), and the next generation helicopters as well as Montana Air National Guard uses needs to be carefully considered."

Sandy Finan also a former Malmstrom Commander wrote this, "You have to consider the importance of having a Military installation in your community.

Based on new technologies and capabilities, the future will bring a different Military with different capabilities.

The more you develop close in to an installation, the less potential there will be to participate in those future missions."

Congressman Gianforte and Senator Daines also submitted a joint letter for the hearing.

This quote highlights why we are here, "For 76 years its people, capacity, and location have demonstrated continuous strategic worth, even as individual missions have come and gone with changes in

technology and shifts in foreign policy.

And while the existing runway sits idle in a deactivated status, it remains certified as a Class B runway capable of supporting 47 different attack, fighter, bomber, refueling, cargo, training, and remotely piloted aircraft missions (including nuclear and stealth) as soon as the need arises. And history suggest that it will."

We work closely with Senator Tester, Senator Daines, and Congressman Gianforte to protect our existing missions and to gain new missions.

Together, we have done this by saving the Red Horse Squadron on Malmstrom and gaining the C-130 mission at MANG.

The fact that Malmstrom and MANG have a much larger impact on Montana's economy than just Great Falls is just one reason our Delegation feels compelled to appeal to you in this critical decision process.

That, and that we have very real reason to believe that we will be considered for additional missions based on the "Air Force We Need" defined as a 25% increase in operational squadrons by the Secretary of the Air Force Heather Wilson last September.

During the original hearing, the question was asked, "where is the Air Force in all of this?"

It is unprecedented that the Air Force get involved in what they believe are local issues.

Issues they believe we as an Air Force community should handle before it is too late.

The Montana Defense Alliance is well connected with the highest ranking Air Force officials, to include the Secretary of the Air Force, Chief of Staff of the Air Force, Secretary of the Air Force Installations, Environment, and Energy, Twentieth Air Force's Commander, and Global Strike Command's Commander, just to name a few.

We do not represent the Air Force and would never project otherwise.

The Air Force does, however, share information with us giving us the freedom to do what they cannot.

This is one of the roles of the MTDA.

When we discuss this pending development with Air Force Leadership they pointedly ask why Great Falls would consider incompatible development.

Air Force Leadership must believe this is problematic as they have submitted a letter to the Mayor stating, "the Air Forces continues to support recommendations found through the JLUS process."

This letter came from Secretary Henderson, Assistant Secretary of the Air Force: Installations, Environment, and Energy. Please do not take this letter lightly.

The MTDA applauds Spencer for proposing this housing development.

One like it would certainly be a good addition to Great Falls.

We can't help but think there are other options, options that do not involve incompatible land use that could ultimately end a 76 year relationship with Malmstrom AFB.

Some of these options may even be on land currently proposed.

If this were to happen, we would ask that the guidelines set by the JLUS for compatible land use are taken into consideration so we do not hinder our ability to land new missions, or worse, lose Malmstrom all together.

If we allow this development to move forward, there will be no going back and no stopping further development.

Where would it end? When Malmstrom is completely surrounded?

If it were not a problem for a base to be surrounded by population Malmstrom would have been built in the middle of town instead of miles away from it.

Thank you for your consideration of what we hope you find compelling reasons not to allow for incompatible land use around Malmstrom.

David J. Weissman Chair, Montana Defense Alliance Cell (406) 868-3004 From: <u>Lisa C. Kunz</u>

To: <u>Bill Bronson; Sara Sexe</u>
Cc: <u>Darcy Dea; Krista Artis</u>

Subject: RE: Wheat Ridge Estates hearing - Tuesday 3/5 @ 7:00pm

**Date:** Monday, March 4, 2019 4:42:11 PM

Attachments: <u>image005.png</u>

image006.png image008.png image009.png image012.png

Thank you, Bill. We will get it disseminated and posted to the packet for the meeting tomorrow morning.

#### Lisa

From: Bill Bronson

Sent: Monday, March 4, 2019 4:11 PM

**To:** Lisa C. Kunz < lkunz@greatfallsmt.net>; Sara Sexe < saras@greatfallsmt.net>

**Subject:** FW: Wheat Ridge Estates hearing - Tuesday 3/5 @ 7:00pm

Importance: High

## Lisa/Sara:

This e-mail came into my commission box from the Chamber; I think that's because I am on the Board, although I have not been privy to their conversations regarding Wheat Ridge. I have not read this, but wanted documentation that I forwarded it on to the Commission so that all could read it, if that is desired.

## Bill Bronson, City Commissioner

Silver State Building, No. 18--6th Street North, Suite 35 Great Falls, MT 59401 Mailing Address: P.O. Box 3485 Great Falls, MT 59403

Tel: (406) 315-1181 or (406) 799-9373

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## me on a matter not related to my work as a commissioner, please e-mail me at bill.bronson@bresnan.net.

**From:** Shane Etzwiler [setzwiler@GreatFallsChamber.org]

Sent: Monday, March 04, 2019 1:33 PM

To: Bill Bronson

Cc: bill.bronson@bresnan.net

**Subject:** Wheat Ridge Estates hearing - Tuesday 3/5 @ 7:00pm

Good afternoon everyone,

Brett mentioned in Wednesday's meeting about the Chamber board weighing in on business issues. This will be a very important City Commission meeting on Tuesday, March 5<sup>th</sup> at 7:00pm about the Wheat Ridge Estates Annexation and we will need board members there to speak in opposition.

The Chamber Board of Directors voted that the Chamber should take the position that the City should oppose the annexation due to the encroachment on the Accident Potential Zone (APZ). We decided the need to protect the APZ and Malmstrom AFB because the \$300 million of direct economic impact is too large of a driver of our economy to put at risk for this particular housing development project.

We are for housing, we are for construction, we are for continued development in the Great Falls area – especially when it relates to affordable workforce housing – however this project will have a detrimental impact on future missions, and potentially to the entire base in the future. We simply cannot risk it – until we have another large scale industry or business that would be another driver of our economy to the tune of \$200-\$300 million EVERY year!

Due to travel schedules of many of the MTDA members – we will not have very many (if any at all) available to testify in Opposition to the Annexation.

Please keep in mind that protecting Malmstrom didn't seem to be an issue at the first meeting in September – but it was the emergency ingress/egress access along with dealing with storm water. In a quick summary – they want those two issues resolved before making a vote. Malmstrom wasn't even mentioned as a concern and in fact it was said by one commissioner that it is time for the community to move ahead. City staff had in September 2018, recommended a no vote to annex based on 4 issues, but that didn't seem to sway the commission. The city staff is again recommending a no vote based on two things – no new information has been presented concerning the emergency ingress/egress and there are still concerns about the storm water issues.

The vote on Tuesday could change the entire direction and future economy of our community, Central Montana and the entire state!

Please make plans to attend the hearing tomorrow night, Tuesday March 5<sup>th</sup> at 7:00pm and share with the commission how you and your business currently benefit from having MAFB here, and what the potential impact would be if the base wasn't here and why you are in opposition to the annexation.

Click here for the Agenda packet and the Wheat Ridge Estates portion begins on page 69 through page 115.

## Agenda Packet

Thank you!

Shane Etzwiler President/CEO Great Falls Area Chamber of Commerce 100 1<sup>st</sup> Avenue North Great Falls, MT 59401

Phone: 406-761-4434 Cell: 406-750-9600 Fax: 406-761-6129 www.greatfallschamber.org www.choosegreatfalls.com

Like us: <a href="https://www.facebook.com/GreatFallsChamber/?fref=ts">https://www.facebook.com/GreatFallsChamber/?fref=ts</a>

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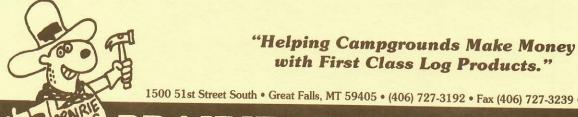






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# AIRIE KRAFT SPECIALTIES

March 5, 2019

**Great Falls City Commission** 

Subject: Annexation of Wheat Ridge Estates - Phase 1, Planned Unit Development.

For use in Public Hearing March 5, 2019 - KYSO Corporation

My name is Loren Smith, and I am the owner of the Great Falls KOA Campground and Prairie Kraft Specialties. I am a direct neighbor to the West of this proposed development, sharing a land boundary with KYSO Corporation.

I am in support of this Development proposal, and strongly recommend its approval.

A previous letter was submitted by myself in September 2018, for the last hearing. All the statements I made back in September are still accurate. I have attached a copy of that letter, dated September 14, 2018, for reference.

When I attended the September 2018 hearing it was obvious that the supporters for Wheat Ridge Estates outnumbered those opposed by a significant margin. In fact, the only one who really seemed opposed was the head of the Planning Department!

This reminded me of my own experience 40+ years ago, when the head of the Great Falls Planning Department opposed my idea to have a KOA Kampground in Great Falls due to what he called "Leap Frog Zoning." If his opinion was allowed to preside, we would never have had a KOA Kampground in Great Falls, a business that has been successful and added to the city for over 40 years!

Thank goodness our Democratic Government allows for Elected Officials to preside over Bureaucratic Departments and Department Heads.

In the September hearing, it seemed one of the major concerns was Run-off to Gibson Flats. This is legitimate; however, I can assure you it will not be a problem. How do I know this? I have an Engineering background and personal experience dealing with the "Run-off" from the 35 acre Great Falls KOA Kampground. The Great Falls KOA Kampground, with all its paving and parking, discharges no "Run-off." Why? All the bushes, trees and shelter belts planted around it capture and use any water available. In fact, the Great Falls KOA Kampground has to massively supplement water to grow our trees and bushes.

The Great Falls KOA Kampground has planted extensive 75' wide shelter belts and plantings on all the KOA property bordering the future Wheat Ridge Estates. As such, we are feeding a lot of irrigation water to these plantings and would happily take <u>all</u> the collected "Run-off" from Wheat Ridge Estates and apply it to our shelter belts. Even with all this new "Run-off," we would need to supplement watering for the growth of our trees and bushes.

Unfortunately, I am currently out of town and won't be able to attend the hearing this evening. I strongly support this proposed development and urge all the Commissioners to do the same.

Sincerely,

Loren Smith

Owner, Great Falls KOA Campground (Neighboring Property)

Owner, Prairie Kraft Specialties (Neighboring Property)

1500 51st St S

Great Falls, MT 59405

(406) 727-3192

Encl: Letter to Great Falls City Commission dated September 14, 2018



1500 51st Street South • Great Falls, MT 59405 • (406) 727-3192 • Fax (406) 727-3239 • www.pkscabins.com

## PRAIRIE KRAFT SPECIALTIES

September 14, 2018

**Great Falls City Commission** 

Subject: Annexation of Wheat Ridge Estates - Phase 1, Planned Unit Development.

For use in Public Hearing September 18, 2018 - KYSO Corporation

My name is Loren Smith, and I am the owner of the Great Falls KOA Campground and Prairie Kraft Specialties. I am a direct neighbor to the West of this proposed development, sharing a land boundary with KYSO Corporation.

I am in support of this Development proposal, and strongly recommend its approval.

It seems a major concern is: Malmstrom and its closed runway. I am a current pilot and aircraft owner and do a LOT of business flying throughout the United States. Our business requires we visit KOA Campgrounds, and we have for 40+ years. As such, I offer the following very realistic comments:

- 1. There will never be a flying mission coming to Malmstrom. It's ludicrous to think there ever will be. "Flying Missions" are on the decline in the Air Force and have been for many years.
- 2. One of the military's largest issues is taking care of their personnel, and they do a great job. In reality, "personnel" generally means a husband and wife (often with a family), typically with only one of the pair enlisted in the military. In the case of Great Falls, military means the Air Force. Both the husband and wife are generally professional people (in the case of a flying mission, think pilots/navigators) and both wish to have meaningful employment. As such, major metropolitan areas offer a significant advantage for the non-military partner. This ability to have gainful and meaningful employment in their area of interest or expertise supersedes the idea of of 500+ mph.
- 3. I have had the privilege of flying into practically every state in the Union on multiple occasions, and almost every state has a major military base that has been closed over the past 20-30 years. In short, there are a LOT of big unused runways and facilities think Glasgow, MT, in nearly all states.
- 4. Local communities see this "High Dollar Abandoned Military Base" and think, "There must be a use for this." The reality is, there isn't. Sad, but true. A Military Air Force Base is a Military Air Force Base, not a residential home site.

- 5. There absolutely, positively should be no impediment to this project in order to "Protect the Base."
- 6. Today's Aircraft are extremely reliable including Military Aircraft. In addition to being reliable they are very well maintained and taken care of. As such, you very seldom hear of an Aircraft crashing, which is good new for all. Todays Military Aircraft are extremely expensive, and the loss of one is a huge financial cost hence the Military goes to great lengths to avoid it. Knowing this, they also know the potential of an accident off the end of a Runway is extremely low.
- 7. By way of example: The Colorado Springs Airport is a joint use Airport, shared by both the Airforce and the Civilian. Hence, there is an "Airforce Side" and a "Civilian Side" to this Airport. There is a fair amount of "Airforce Flying" at this Airport including Student Flying as this is the home of the Airforce Academy. Off the end of one of the Runways, (Military side) the Airforce has built a Daycare Center for the Military folks! The Military knows the probability of an accident is so low that it is not a major consideration what lies off the end of a Runway.

The taxpayers in Great Falls will benefit from this proposed development. When implemented, it will bring <u>significant</u> increase in property taxes to the State of Montana, Cascade County and the City of Great Falls. A "Runway Protection Zone," for a closed runway (20+ years) brings <u>NO</u> increase in taxes paid. Every property owner in Cascade County should be in favor of this project.

Thank you for your consideration. Please feel free to call if I may be of any help.

Sincerely,

Loren Smith

Owner, Great Falls KOA Campground Owner, Prairie Kraft Specialties 1500 51<sup>st</sup> St S Great Falls, MT 59405 (406) 727-3192



## Abigail J. St. Lawrence

Attorney at Law

City of Great Falls, Planning Advisory Board/Zoning Commission To:

From: Abigail St. Lawrence, on behalf of KYSO Corporation and C&W Development

Date: March 5, 2019

Wheat Ridge Estates—Phase 1 Re:

Thank you to the Mayor Kelly, the Great Falls City Commission, and the City of Great Falls staff for the opportunity to present a response to the March 5, 2019 commission agenda report prepared by Tom Micuda for Agenda Item #16, the public hearing on Resolution 10268 to annex a 21.10-acre tract identified as parcel 1 on the Certificate of Survey #5162, Ordinance 3180 to establish Planned Unit Development zoning, and Preliminary Plat for a Major Subdivision to create 40 lots for Wheat Ridge Estates, Phase 1. Particular thanks go to Planning and Community Development Director Craig Raymond for his efforts to communicate clearly with the applicants and myself prior to tonight's meeting, as well as City Attorney Sara Sexe for taking the time to make sure the procedure for tonight was crystal clear. Although the applicants disagree with the procedure suggested by Mr. Raymond and Ms. Sexe, we will adapt accordingly and appreciate the advance notice.

## **Response to Commission Agenda Report**

The purpose of this memo is primarily to address those issues raised in the commission agenda report prepared by Mr. Micuda. The applicants have submitted copious information into the record previously and do not wish to repeat themselves or put that burden on the Mayor, City Commission, or City Staff. However, please do consider the previously submitted information as if fully presented herein. Additionally, the applicants are happy to address any questions about any of the previously presented information.

## Ingress/Egress Issue

At an approximate cost of \$45,000, the applicants agree to pay the emergency service access drive. The applicants apologize for the latent response, but the City now has the applicants' commitment. All other "reminders" on page 4 of the commission agenda report regarding ingress/egress have been previously addressed in the record. The applicants appreciate the Mayor's and the City Commission's referral to the prior record.

## Revised Stormwater Drainage Plan

The applicants engaged Big Sky Civil & Environmental, Inc. ("BSC&E") to provide an unbiased third-party evaluation of the proposed stormwater drainage plan. The applicants strongly urge review of the February  $15^{\text{th}}$  design narrative submitted by BSC&E , as it addressed all of the concerns identified on pages 5 and 6 of the commission agenda report prepared by Mr. Micuda. At the risk of repeating BSC&E but for the convenience of the Mayor and City Commission, the applicants will briefly respond to the remaining concerns enumerated in the staff report.

## 1. Creation of point discharge flow

The proposed pond system will not be creating an additional point discharge, as the pond is strategically placed within an existing drainage channel with existing concentrated flow characteristics. Please see Section 2.5 of the BSC&E design narrative for further details.

## 2. Groundwater impacts

The applicants did not cause and cannot address existing litigation to which it is not a party. The applicants have requested the expert opinion submitted by the plaintiffs in the L. Johnson matter and have not been provided with that opinion. The applicants simply cannot be expected to defend against the unknown and undisclosed or to be made liable for problems they did not cause and will not exacerbate, nor to defend themselves in litigation to which the applicants are not a party. Consequently, the applicants simply cannot respond to allusions that the proposed stormwater drainage plan will somehow exacerbate existing litigation. If City legal staff or the L. Johnson private counsel would like to share further details of the litigation with the applicants and their legal counsel, who has litigated water rights matters before the Montana Department of Natural Resources and Conservation, the Montana Water Court, Montana District Courts across the state, and the Montana Supreme Court for 15 years, the applicants would be more than happy to provide input.

### a. Liner options

Clay liners have historically been utilized for storage ponds and are an effective means of limiting infiltration while minimizing construction costs. Additionally, the clay liners proposed are native materials. In the event that somehow a competent liner cannot be built with clay, the applicants anticipate a synthetic liner would be utilized. Please see Section 2.3 of the BSC&E design narrative for further details.

b. Groundwater dewatering system and HOA-enforced covenants

Groundwater capturing is not a typical requirement of residential subdivisions because it is simply not possible to control groundwater impacts, flow direction, etc. That said, the applicants' proposal for homeowner association ("HOA") enforced covenants is the best possible, albeit not required, option, which will benefit the City as well as downstream properties. Please refer to Section 2.3 of the BSC&E design narrative for further details.

- 3. Alleged missing or inadequate details in storm drainage reports
  Unfortunately, the commission agenda report was the first notice the applicants received of further complaints regarding missing or inadequate details in the storm drainage reports.
  Given the short notice, the applicants will endeavor to do their best to respond.
- a. 2-hour and 24-hour duration and back-to-back storm events

  It is true that 24-hour and back-to-back storm events were not modeled. A 24-hour storm event would likely increase pond volumes. The applicants' proposal generally attempted to combat back-to-back storm events by the addition of the second pond downstream of the first

to allow for additional storage in the events of back-to-back storms. Please see pages 99-100 of the commission agenda report for March 5<sup>th</sup> for further information.

## b. Detention/retention facilities

Please see pages 97-98 of the commission agenda report for March 5<sup>th</sup> for available calculations.

## c. Stormwater runoff facility sizing

Please see pages 97-98 of the commission agenda report for March 5<sup>th</sup> for available calculations.

### d. Erosion protection

The applicants are unsure what City staff are anticipating be shown at the annexation phase for downstream erosion protection. No regulation, rule, or other recorded requirement is cited in the commission agenda report to which the applicants could refer for clarification. Given that the applicants can rip-rap the channel to ensure erosion protection, the applicant is unclear what further information it can provide.

The bottom line is that the applicants' stormwater drainage proposal meets or exceeds all applicable city and DEQ design standards. Downstream properties will ultimately experience less overall storm water at a slower rate than at present. The applicants have answered all questions presented and, most importantly, met or exceeded every applicable legal standard, only to be presented with even more questions. The time has come to make a decision.

While the applicants understand the City's desire to avoid litigation, the fact is that the City cannot prevent lawsuits, but only have a good defense. A stormwater plan presented is an excellent defense, and the applicants have full faith in the City's capable legal staff and contract attorneys to be able to proffer that defense should the it ever come to that.

#### **Community Needs Survey**

In the March 5<sup>th</sup> Commission Work Session, the Mayor and City Commission will be discussion the community development block grant community needs survey. The applicants have requested a copy of this needs survey, but to date, only have the Power Point presentation available. However, a few relevant results are worth pointing out:

- Over 40 percent of survey respondents identified new construction of single-family homes as the number one priority in the house initiative. Wheat Ridge Estates meets this priority, without detracting from the other two top priorities—single-family home rehab (just over 60 percent) and housing education and counseling (just over 50 percent).
- 2. Economic development for new and expanding businesses that will create decent paying jobs with benefits for person from low-to-moderate income households was identified as the top economic development community need. Construction jobs such

- as those that would be needed to build Wheat Ridge Estates are just such decent paying jobs.
- 3. Enhancing public infrastructure such as sidewalks, curb ramps, City park accessibility and playground equipment to enhance ADA access to further the City's ADA transition plan were identified as top public improvement community needs. Again, Wheat Ridge Estates meets these needs.

### **Closing Argument**

In his September 14, 2018 letter to the City already in the record, Mr. Daniel Rice stated far better than I could the reasons why it is time to approve Wheat Ridge Estates, Phase 1, so I will let his words close.

The hope a new flying mission is still a broadly-felt emotion and supported by many. That is a good thing. What is not a good thing is to cling to a position that excludes capitalizing on other opportunities. Twelve years ago, we were told there was a potential flying mission just around the corner, but so far, all that has happened it the prevention of a housing development by private parties that don't require public funding.

Another concern is the growing reputation of Great Falls as the "City of No." Regardless of the merit, that reputation is growing. One indicator is what is happening outside of the City. Housing is being developed both to the east and south, but outside the Great Falls city limits.

I understand that mistakes can cause problems (i.e., coal and natural gas power plants owned by the city). We should not let past ventures dictate that Great Falls should be frozen it the past. I ask that the project be approved with the appropriate conditions so that Great Falls can show it can move forward.

The path to tonight has been a long and winding road, and the applicants appreciate the effort the Mayor, City Commission, and City Staff have expended to give everyone involved due process and equal opportunity. However, the time has come to make a final decision. All information has been provided as requested, all applicable regulations at both the state and local level have been not only met, but exceeded. The community needs survey says we need residential housing, economic development, and public improvements. Wheat Ridge Estates, Phase 1 meets all these needs, and meets them now, not maybe someday possibly down the road. The applicants are proud to respectfully ask Mayor Kelly and the City Commission to approve Resolution 10268, Ordinance 3180, and Preliminary Plat for Wheat Ridge Estates, Phase 1 and move Great Falls forward into its future where our best and brightest can come home to Great Falls to stay and build the lives that they and their families have earned with the skills they built in Great Falls. Thank you.

TESTIMONY OF DANA HUESTIS, KYSO CORPORATION
2901 4TH AVENUE NORTH, GREAT FALLS, MT.
CITY OF GREAT FALLS COMMISSION
PUBLIC HEARING, 5 MARCH 2019
ANNEXATION AND ZONING, WHEAT RIDGE ESTATES SUBDIVISION

ONE YEAR AND 10 MONTHS AGO, I SUBMITTED AN APPLICATION FOR ANNEXATION AND ZONING FOR WHEAT RIDGE ESTATES, NEIGHBORHOOD COUNCIL # 5 IS ON RECORD SUPPORTING OUR APPLICATION FOR ANNEXATION AND ZONING.

OUR PETITION HAS BEEN APPROVED BY THE GREAT FALLS PLANNING BOARD IN A 6 - 3 DECISION OF SUPPORT WITH SUPPORTING FINDINGS OF FACT INCLUDED.

THE PLANNING BOARD HEARD 6 HOURS OF DELIBERATION AND EXTRAORDINARY DUE DILIGENCE IN THEIR APPROVAL.

WE RELY UPON DUE PROCESS.

HEREWITH, FOR THE RECORD, I SUBMIT NEW INFORMATION WHICH WAS PUBLISHED BY MALMSTROM ON 29 AUGUST 2018.

MALMSTROM WILL CONSTRUCT A NEW NUCLEAR WEAPONS PROCESSING, ASSEMBLY, MAINTENANCE AND STORAGE FACILITY

AT THE SOUTHWEST EDGE OF MALMSTROM PROPERTY.

MALMSTROM SUPPORTS 150 MINUTEMAN III MISSILES. MINUTEMAN MISSILES EACH HAVE A NUCLEAR WARHEAD.

THE NUCLEAR WEAPONS FACILITY PROCESSES, ASSEMBLES, MAINTAINS AND STORES ALL WEAPONS. THE ACTIVITY IS INTENSE.

THIS WEAPONS PROCESSING CENTER IS A CRITICAL PIECE OF THE EVOLVING GROUND BASED, STRATEGIC DETERRENT, "GBSD".

GBSD IS AN UPDATED MISSION FOR THE MINUTEMAN III ICBM, A WEAPON SYSTEM THAT IS NOW OVER 50 YEARS OLD!

INITIAL CONTRACTS FOR GBSD HAVE BEEN AWARDED.

GBSD DEPLOYMENT IS EXPECTED TO REMAIN IN SERVICE UNTIL 2075

DOCUMENTATION FOR THIS NEW "GROUND BASED STRATEGIC DETERRANT" IS INCLUDED HEREWITH.

THIS UPDATED, 83 ACRE WEAPONS FACILITY CREATES A NUCLEAR FOOTPRINT ON THE AREA THAT HAS BEEN CLOSED BY BASE REALIGNMENT AND CLOSURE FOR 23 YEARS!

83 ACRES IS AN AREA 3,615 FEET X 1,000 FEET.

BASE REALIGNMENT AND CLOSURE, "BRAC", WAS A SPECIFIC ORDER OF THE U.S. CONGRESS MORE THAN TWO DECADES AGO!
BRAC CLOSED THE MALMSTROM AIRFIELD!!!

MALMSTROM HAS BEEN CLASSIFIED A HELIPORT BY FEDERAL AVIATION ADMINISTRATION DIRECTIVE DATED 26 MAY 2016.

A COPY OF THAT DIRECTIVE IS INCLUDED AGAIN IN THIS RECORD. THE F.A.A. SPECIFICALLY REQUIRES HELICOPTERS

TO APPROACH AND DEPART IN THE DIRECTION 026 DEGREES, WHICH IS NORTHEAST, NOT SOUTHWEST OVER

WHEAT RIDGE ESTATES. THE DIRECTIVE SPECIFICALLY DIRECTS THAT ALL FIXED WING AIRCRAFT ARE RESTRICTED FROM USE.

FIXED WING AIRCRAFT OPERATING ON A NUCLEAR FOOTPRINT IS UNTHINKABLEI!! ON 18 MAY 2007 AN AIRCRAFT CRASHED WITHIN THIS VERY SITE FOR THE NEW NUCLEAR WEAPONS AREA. FOR DOCUMENTATION SEE PAGE 3-3 OF THE EA.

AIR FORCE DECISIONS ARE DRIVEN BY SAFETY.

AIR FORCE NUCLEAR SAFETY DECISIONS ARE MANDATORY! READ THIS, THE NUCLEAR FOOTPRINT IS SACRED!!!

THE CITY COMMUNITY DEVELOPMENT STAFF REPORT DOES NOT RECOGNIZE THAT BRAC ELIMINATED FLYING MISSIONS AND DOES NOT RECOGNIZE THAT THE F. A A. HAS DESIGNATED MALMSTROM A HELIPORT AND DOES NOT RECOGNIZE THAT THE F.A.A. PROHIBITS FLIGHTS OVER WHAT WILL BE WHEAT RIDGE ESTATES!

WHEN MALMSTROM WAS AN AIR INSTALLATION THEY ADOPTED A POLICY KNOWN AS AICUZ, "AIR INSTALLATION COMPATIBLE USE ZONE". MALMSTROM IS NOT NOW AN AIR INSTALLATION, IT IS A HELIPORT!

THERE IS NO COMPATIBLE USE ZONE IN A NUCLEAR FOOTPRINT ZONE!

THE CITY COMMUNITY DEVELOPMENT STAFF REPORT DOES NOT RECOGNIZE THAT THERE IS NO "INCOMPATIBLE USE ZONE".

I SERVED FOR YEARS ON ACTIVE DUTY AS AN AIR FORCE CIVIL ENGINEER OFFICER DURING THE PERIOD WHEN THE MINUTEMAN MISSILE SYSTEM WAS CONSTRUCTED.

WHEN THE DEACTIVATION OF THE 50 MISSILE SQUADRON WAS ORDERED IN 2001 THE CITY BECAME ELEGIBLE FOR ECONOMIC READJUSTMENT FUNDS TO REIMBURSE THE CITY FOR ECONOMIC LOSS.

OVER THE ENSUING YEARS, HUNDREDS OF THOUSANDS OF DOLLARS WERE INSTEAD DIRECTED AT A "JOINT LAND USE STUDY" THE GREAT FALLS AREA CHAMBER OF COMMERCE FAILED TO REALIZE THE ECONOMIC READJUSTMENT FUNDS WERE GONE.

THE PURPOSE OF THE JOINT LAND USE STUDY WAS TO CREATE "ACCIDENT POTENTIAL ZONES AND OTHER ENCROACHMENT CRITERIA" FOR A NEW UNNAMED, UNKNOWN, NEBULOUS FLYING MISSION AT MALMSTROM

ENACTED IN 1995, BASE REALIGNMENT AND CLOSURE WAS IN PLACE. BRAC WAS AND IS NOW THE LAW OF THE LAND!

THE GREAT FALLS CITY COMMISSION AS RECORDED IN THE MINUTES OF MAY 1 2012, ACCEPTED THE JLUS FINAL DOCUMENT THE MINUTES STATE "ACCEPTANCE OF THE FINAL REPORT DOES NOT EQUATE TO REGULATION AND DOES NOT IMPACT PRIVATE PROPERTY RIGHTS OF ANY LANDOWNERS". SEE DOCUMENTS ATTACHED HERETO!

IN SPITE,, THE JLUS PROPOSED "ACCIDENT POTENTIAL ZONES AND ENCROACHMNENT LANGUAGE" ON MY PRIVATE PROPERTY.

AGAIN, JLUS IS NOT REGULATORY!!!

AGAIN, JLUS DOES NOT IMPACT PRIVATE PROPERTY RIGHTS OF ANY LANDOWNERS.

THERE ARE NOT NOW, NOR HAVE THERE EVER BEEN, NOR WILL THERE EVER BE "ACCIDENT POTENTIAL ZONES" ON MY PROPERTY.

MY PROPERTY IS FREE AND CLEAR OF ANY SUCH RECORDINGS AS WOULD BE REQUIRED IF THERE WERE.

THE JOINT LAND USE STUDY IS IRRELEVANT. THERE IS A NUCLEAR FOOTPRINT AT MALMSTROM. THERE WILL BE NO AIRCRAFT OPERATIONS! THE NUCLEAR FOOTPRINT IS SACRED!!!

MALMSTROM HAS A NEW MISSION!!! THE MISSION IS DESCRIBED AS EVIDENCED IN THE GREAT FALLS TRIBUNE: THE NEW MISSION IS TITLED "GROUND BASED STRATEGIC DETERRENT"...GROUND BASED / NOT AIR BASED!!!

THIS IS THE TIME FOR THE CITY COMMISSION TO COME FORWARD AND SUPPORT MALMSTROM AND IT'S MUCH NEEDED NEW

GROUND BASED STRATEGIC DETERRENT MISSION. STOP ADVOCATING A NEW FLYING MISSION AT MALMSTROM AND APPROVE THE GBSD. ADVOCATE INSTEAD FOR COMMUNITY DEVELOPMENT. APPROVE THE ANNEXATION AND ZONING FOR WHEAT RIDGE ESTATES. SUPPORT AND RESPECT YOUR NEIGHBORHOOD COUNCIL # 5 AND SUPPORT AND RESPECT YOUR PLANNING ADVISORY BOARD. ACCEPT THEIR ACTIONS.IN SUPPORT!

WELCOME WHEAT RIDGE ESTATES TO THE COMMUNITY OF GREAT FALLS!!!

THESE SEVEN PAPERS HEREWITH ARE THE DOCUMENTATION FOR MY TESTIMONY. INCLUDE THEM IN THE MINUTES OF THIS PROCEEDING AS IF I READ THEM ALOUD.

INDEX OF DECUMENTS SUBMITTED AT PUBLIC HEARING, 5 MARCH, 2019

- 1. ENVIRONMENTAL ASSESSMENT FOR MALMSTROM WEAPONS MAINTENANCE STORAGE FACILITY, 8 AUGUST 2018
- LETTER TO GREAT FALLS CITY PLANNING BOARD FROM C & W DEVELOPMENT AND KYSO CORPORATION, 10 NOVEMBER 2005.
- LETTER FROM CITY OF GREAT FALLS PLANNING DEPARTMENT TO DAN HUESTIS, 23 JANUARY 2006.
- FEDERAL AVIATION ADMINISTRATION DIRECTIVE FOR KGFA MALMSTROM HELIPORT DATED 26 MA6 2016.
- 5. JOURNAL OF CITY OF GREAT FALLS COMMISSION PROCEEDINGS, 1 MAY 2012, RESOLUTION 9965, "ACCEPTANCE OF FINAL JLUS REPORT DOES NOT EQUATE TO REGULATION AND DOES NOT IMPACT PRIVATE PROPERTY RIGHTS OF ANY LANDOWNER".
- GROUND BASED STRATEGIC DETERRENT, THE AIR FORCE'S INTENDED REPLACEMENT FOR THE MINUTEMAN ICEM.
   WEAPON SYSTEM., A NEW MISSION.
- 7. GREAT FALLS TRIBUNE 13 SEPTEMBER 2018, FULL PAGE NOTICE STRATEGIC DETERRENCE FROM THE GROUND UP".

**Environmental Assessment** Description of the Proposed Action and Alternatives

Weapons Storage Maintenance Facility Malmstrom AFB, Montana

structural foundation with pier and grade-beam construction to mitigate the effects of clay soil conditions at MAFB and a mast catenary wire type lightning protection system. The facility would be designed and constructed to meet all nuclear safety requirements. The proposed WSMF would contain all mission operations in one facility to include the Entry Control Point, Security Forces operations center, munitions maintenance bays, munition storage bays, training facilities and administrative support functions. Under the Preferred Alternative, fifteen buildings (i.e., buildings 1823, 1824, 1827, 1828, 1829, 1830, 1832, 1833, 1835, 1839, 1840, 1841, 1843, 1870, and 1871, totaling 51,861 square feet) of the existing 81,962-square-foot WSA would be demolished. All construction will meet requirements for essential facility system nuclear design certification.

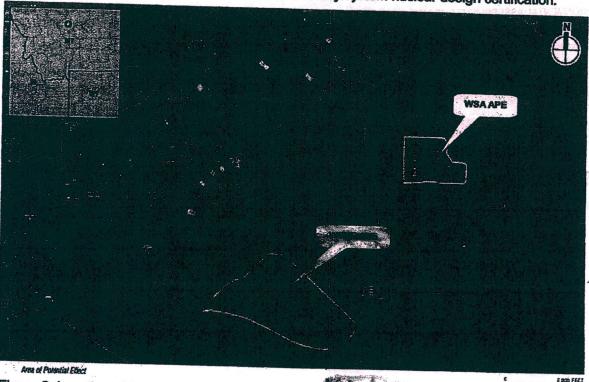


Figure 2. Location of Area of Potential Effect

## 2.4.2 No-Action Alternative

83 ACRES = 20 GEF BLOCKS

The No-Action Alternative would retain the existing WSA. This alternative would not address the purpose and need for the action.

#### ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION 2.5

As none of the other alternatives that were considered would meet the purpose and need, the following alternatives have been eliminated from further consideration:

- Rehabilitation of the existing WSA
  - o This alternative would not meet mission objectives and operational requirements of the facility.
- Construction of the new WSMF at Site A
  - Site A did not meet the selection factors for environmental, groundwater/geotechnical, impact to current missions, and public exposure, and was unsatisfactory for utility support, quantity-distance arc, construction access, constructability, and future impact.

November 10,2005

C & W Development Inc. 1725 41st. Street South Great Falls, Mt. 59405

City Planning Department

JOANN PAINTER

OTARY PUBLIC for the State of Montana Residing at Great Falls, Montana

My Commission Expires.

am writing this letter on behalf of C & W Development, Inc. This letter is a follow-up to our previous conversations, and its purpose is to officially inform you that it is our intention to annex a portion of the property on the East end of the City of Great Falls. It is our intention to master plan and develope the land into high end residential lots. C & W Development is currently in contract with the land owner, Kyso Corporation, to purchase this land and is acting with their permission in this submittal.

The subject property is the remainder of the West 1/2 of Section 15, excluding any portion lying North of U.S Highway 87 / 89, and excluding any portions that are currently deemed Commercial development. The subject property is approximately 242 acres. A more accurate legal description and Master Plan will follow shortly. behind this letter.

Should you have any questions or concerns on this matter please feel free to contact

Sincerely.

Bob Corwin, President C & W Development

Dana Fluestis. President

Kyso Corporation





Planning Department

January 23, 2006

Mr. Dan Huestis 1001 River Drive North Great Falls, MT 59405

Dear Mr. Huestis.

The purpose of this letter is to clarify, for the record, the proximity of the proposed Wal-Mart sife and adjoining commercial sites with the restrictive easements for Malinstrom Air Force Base.

Based on my understanding of the location of the restrictive easements, neither the proposed Wal-Mart site the two adjoining commercial sites are located within the restrictive easements acquired by the United States government in 1958.

The referenced easements encompass an area that is smaller in size than the boundaries of an area that has been referred to as a "Clear Zone." This latter clear are was described in a 1994 Air Installation Compatible Use Zone (AICUZ) study, which was referenced and used at the time as a guide in making land use decisions in the vicinity of MAFB. However, MAFB at the boundaries of the cones referenced therein are no longer in effect because the nurvey is closed.

Sincerely,

Benjamin M. Rangel Planning Director

BMR/bmr



## ADD MORE BLUE SKY TO YOUR ENGINE

Arports.

Havaids

Airspace Fixes Aviation Fuel

AIRBOSS

iPhone App - My AirNav

1532 users online

Great Falls, Montana, USA



GOING TO GREAT FALLS?

Reserve a Hotel Room

### Location

FAA Identifier: GFA

Lat/Long: 47-30-16.8000N / 111-11-14.4000W

47-30.280000N / 111-11.240000W 47.5046667 / -111.1873333

(estimated)

Elevation: 3472 ft. / 1058 m (estimated)

Variation: 17E (1985)

From city: 3 miles E of GREAT FALLS, MT

Time zone: UTC -6 (UTC -7 during Standard Time)

Zip code: 59402

Heliport use: Private use. Permission required prior to landing

Activation date: 03/1943
Sectional chart:

Control tower: no

ARTCC: SALT LAKE CITY CENTER

FSS: GREAT FALLS FLIGHT SERVICE STATION

NOTAMs facility: GTF (NOTAM-D service available)

Attendance: Segmented circle: no

International operations: customs landing rights airport

## **Heliport Communications**

CTAF: 271.9

GREAT FALLS APPROACH: 128.6

GREAT FALLS DEPARTURE: 128.6

BLADE OPS: 271.9

COMD POST: 311.0 321.0

**PMSV METRO: 239.8** 

WX ASOS at GTF (8 nm W): PHONE 406-452-9844

 WX DSN 632-2710. FULL SVC AVBL 1200-2200Z++ MON-FRL OT CTC DAVIS-MONTHAN AFB, 25TH OWS DSN 228-6588/6598/6599.





Great Falls Smalmstrom AFB Road maps at:

Aerial photo

## Nearby radio navigation aids

VOR radial/distance r054/9.7

VOR name Freq Var GREAT FALLS VORTAC 115.10 16E

NDB name Hdg/Dist Freq Var ID INULY

029/11.2 371 13E ITU .. - ..-

## **Heliport Services**

Airframe service: NONE Powerplant service: NONE Bottled oxygen: NONE

Runway Information

Halipad III

Dimensions 100 x 100 th / 20 x 30 Surface: asphalt Traffic pattern: left left

Helipad H2

Dimensions 100 x 100 ft / 30 x 30 m Surface concrete.

icionitene lefe

left

## Heliport Ownership and Management from official FAA records

Ownership: U.S. Air Force

Owner: USAF

MALMSTROM AFB

**GREAT FALLS, MT 59402** 

Manager: BASE OPERATIONS

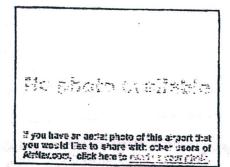
MALMSTROM AFB

**GREAT FALLS, MT 59402** 

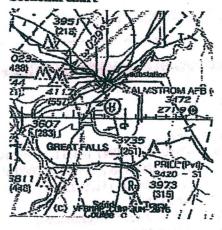
#### Militional Remarks

LGI PERMETER DGANDARCHIGE AVER DGIRCEANDARCHIGE

- FUEL J8
- RSTD-ROW ACT COLORE BESONE' CESE TO ALL FOR ACTE PER BRANCH.
  HELCORER BELDRINGS-1750.
- CAUTION-STET TWRLCTD 5 NM NE
- TRAN ALERT NO SVC AVBL WO PRIOR COORD WITH COPTER MAINT DSN 632-6356.
- CTC 40TH HELICOPTER SQUADRON FOR OPR HR. SEE FLIP AP/I SUPPLEMENTARY ARPT REMARK.
- ORANGE BARRIERS



### Sectional chart



## Airport distance calculator

Flying to Malmstrom Air Force Base Heliport? Find the distance to fly.

> From to KGFA

#### Sunrise and sunset

1		
05:05	11:05	
05:44	11:44	
21:17 21:56	03:17	
	(UTC-6) 05:05 05:44 21:17	05:05 11:05 05:44 11:44 21:17 03:17

## Current date and time

14-Jul-2016 21:29:39 14-Jul-2016 15:29:39 Zulu (UTC) Local (UTC-6)

#### METAR

KGFA 142058Z AUTO 35009G12KT 10SM FEW075 BKN095 23/05 A3018 RMK AO2 SLP216 T02250046 56003 TSNO

142053Z 36007KT 10SM SCT085 8nm W 24/04 A3018 RMK AO2 SLP203 T02390039 56003 \$

## TAF

KGFA 141902Z 1419/1601 32012KT 9999 FEW055 SCT070 QNH3010INS BECMG 1423/1424 02008KT 9999 SCT070 QNH3010INS BECMG 1502/1503 06008KT 9999 FEW250 QNH2998INS BECMG 1519/1520 12010G15KT 9999 VCTS SCT065CB SCT100 BKN200

MAY 1, 2012

Mayor Winters asked if there were any inquiries from the public. Hearing none, Mayor Winters called for the vote.

Motion carried 5-0.

## **NEW BUSINESS**

## ORDINANCES/RESOLUTIONS

6. ORDINANCE 3088, ADOPTING THE GREAT FALLS DOWNTOWN URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT FINANCING PROVISION PURSUANT TO SECTIONS 7-15-42 AND 43, MCA.

Planning and Community Development Director Mike Haynes reported Ordinance 3088 is a request to set a public hearing for May 15, 2012, to consider Ordinance 3088 that would adopt a Downtown Urban Renewal District, including a provision to establish a Downtown Tax Increment Financing (TIF) District. The Downtown Master Plan called for establishing a TIF District as the primary funding mechanism for targeted public improvements Downtown.

At their meeting of April 10, 2012, the Planning Advisory Board unanimously found the Downtown Urban Renewal Plan to be in conformance with the Growth Policy. On March 6, 2012, the City Commission approved Resolution 9961 that acknowledged the existence of conditions that discourage economic development Downtown and established boundaries of an Urban Renewal District.

Commissioner Jolley moved, seconded by Commissioner Jones, that the City Commission accept Ordinance 3088 on first reading and set a public hearing for May 15, 2012.

Mayor Winters asked if there was any discussion amongst the Commissioners.

Mayor Winters questioned the signature on Resolution 9961. Commissioner Jones signed Resolution 9961 as Mayor Pro Tempore on March 6, 2012.

Mayor Winters asked if there were any inquiries from the public.

Mike Witsoe, 510 11th Street South, asked if 1st Avenue South will be turned into a two-way street.

Commissioner Bronson responded Ordinance 3088 has nothing to do with determination of the one-way.

There being no one else to address the Commission, Mayor Winters called for the vote.

Motion carried 5-0.

Planning and Community Development Director Mike Haynes reported the general purpose of JLUS studies are to promote cooperation between military installations and surrounding localities in order to strengthen military missions and provide for more compatible land uses and development near installations. The City Commission supported Cascade County seeking a grant through the U.S. Department of Defense, Office of Economic Adjustment (OEA) for the JLUS, and the City's participation in the JLUS process with Resolution 9799, adopted in late 2008. Cascade County did secure the OEA grant to fund the Malmstrom JLUS process, and in February 2010, Matrix Design Group was selected as project consultants and the JLUS process was initiated. A Policy Committee and a Technical Committee were established to guide and support the process, with members representing Cascade County and the other six counties in the Missile Complex area, the City of Great Falls, MAFB, landowners, and other interested parties. The JLUS process took two years to complete and resulted in the JLUS Final Report. On March 28, 2012, Cascade County Commissioners assepted the Final Report by allo

It is expected that, if Resolution 9965 is adopted, next steps would be for Gasande County to establish a Coordinating Committee, including a representative from the City of Great Palls, to formalize cooperation between MAFB and local governments. At that time, discussions may be held to consider the range of possible implementation strategies. Should those strategies include any land use regulations, the respective jurisdictions would hold public hearings to consider those Hand bury land rose rogs been adopted

Commissioner Bronson moved, seconded by Commissioner Jolley, that the City Commission adopt Resolution 9965 accepting the Malmstrom Air Force Base Joint Land Use Study

Mayor Winters asked if there was any discussion amongst the Commissioners.

Commissioners Burow and Jones reserved comment after public discussion.

Mayor Winters asked if there were any inquiries from the public.

Steve Malicott, President/CEO of the Great Falls Area Chamber of Commerce, noted be wa appointed to the Policy Committee on the issue. He noted the ILUS is designed to avoid encroachment issues. The Policy Committee requested a statement be included to approve the concept to protect MAFB and private property owners. He recommended acceptance of the JLUS.

Joe Briggs, Cascade County Commissioner, expressed support of Resolution 9965 to accept JLUS as a completed document for use as reference material. He noted the document has no regulatory authority. He believes acceptance of JLUS will send a strong message to the military that the Great Falls community desires to keep its military mission.

Dan Huestis, 2901 4th Avenue North, noted the JEUS will be incorporated into the City of Great Palls Growth Policy. He discussed three policy determinations recommended by JLUS. He requested ILUS not be adopted nor included in the City of Great Falls Growth Policy. He provided copies of maps of the Military Airport Overlay District; a map of MAFB and overlay zones showing accident potential zones; and a map of incompatible zoning around MAFB. The maps are