

**DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment**

**Permitting and Compliance Division
Water Protection Bureau**

Name of Project: The Wilderness Club

Type of Project: Discharge of wastewater under the Montana Ground Water Pollution Control System (MGWPCS) permit program

Location of Project: Northwest ¼ of Section 32, Township 37 North, Range 27 West

City/Town: Eureka

County: Lincoln

Description of Project: The following Environmental Assessment (EA) addresses a permit renewal to Wilderness Preserve US Limited Partnership for The Wilderness Club Wastewater Treatment Facility. The facility treats domestic wastewater created by the existing clubhouse and homes. The permit authorizes the permittee to discharge treated wastewater through a subsurface drainfield at one discharge structure (Outfall 001).

Agency Action and Applicable Regulations: The proposed action is to reissue an individual MGWPCS permit that contains effluent limits and effluent monitoring requirements. The permit is issued under the authority of the Montana Water Quality Act (75-5-101 et seq., MCA.), Montana Ground Water Pollution Control System (ARM 17.30.1001-1045), and Montana Numeric Water Quality Standards in the Department Circular DEQ-7 (October 2012).

Summary of Issues: The purpose of this action is to regulate the discharges of pollutants to state waters from the regulated facility. Issuance of an individual permit will require the applicant to implement, monitor, and manage practices to prevent pollution and the degradation of ground water.

Affected Environment & Impacts of the Proposed Project:

Y = Impacts may occur (explain under Potential Impacts).

N = Not present or No Impact will likely occur.

IMPACTS ON THE PHYSICAL ENVIRONMENT

RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
<p>1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?</p>	<p>[N] No new significant impacts identified or expected.</p>
<p>2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>[N] The permit requires monitoring and reporting of the effluent prior to discharge to ensure compliance with applicable standards and rules. The permittee is required to adhere to the effluent limits established within the permit.</p>
<p>3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones?</p>	<p>[N] No significant impacts identified.</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?</p>	<p>[N] The Natural Heritage Database indicates 3 species designates as S2 (very limited or potentially declining numbers in the vicinity of the facility: Moonworts, Spalding's Catchfly, and Many-headed Sedge. However, this is an existing facility and no new or additional impacts are expected.</p>
<p>5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>[N] The Natural Heritage Database indicates 3 species designated as S2 (very limited or potentially declining numbers) in the vicinity of the facility: Grizzly Bear, Westslope Cutthroat Trout, and Bull Trout. However, this is an existing facility and no new or additional impacts are expected.</p>
<p>6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?</p>	<p>[N] No significant impacts identified. Regarding threatened species, please refer to 4 and 5 (above).</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?</p>	<p>[N] None identified. The Montana State Historic Preservation Office (MSHPO) recommends that in the event that cultural materials are inadvertently discovered the permittee should contact the MSHPO office for investigation.</p>
<p>8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	<p>[N] No significant impacts have been identified.</p>
<p>9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR, OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded power line or other energy source be needed?</p>	<p>[N] No significant impacts have been identified. The monitoring and reporting requirements of the effluent ensure the identification of significant variations in the wastewater.</p>
<p>10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?</p>	<p>[N] No significant impacts identified.</p>

IMPACTS ON THE HUMAN ENVIRONMENT

<p>11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?</p>	<p>[N]</p>
<p>12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?</p>	<p>[N] No significant impacts identified.</p>
<p>13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.</p>	<p>[N] No significant impacts identified.</p>
<p>14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?</p>	<p>[N] No significant tax revenue impacts identified.</p>
<p>15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?</p>	<p>[N] None identified.</p>

IMPACTS ON THE HUMAN ENVIRONMENT

<p>16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	<p>[N] None identified.</p>
<p>17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?</p>	<p>[N] None identified.</p>
<p>18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?</p>	<p>[N] No impacts identified.</p>
<p>19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?</p>	<p>[N] No significant impacts identified.</p>
<p>20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?</p>	<p>[N] No significant impacts identified.</p>
<p>21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</p>	<p>[N] No significant impacts identified.</p>
<p>22(a). PRIVATE PROPERTY IMPACTS: Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.</p>	<p>[N] No significant impacts identified.</p>
<p>22(b). PRIVATE PROPERTY IMPACTS: Is the agency proposing to deny the application or condition the approval in a way that restricts the use of the regulated person's private property? If not, no further analysis is required.</p>	<p>[N] No significant impacts identified.</p>
<p>22(c). PRIVATE PROPERTY IMPACTS: If the answer to 22(b) is affirmative, does the agency have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required. If so, the agency must determine if there are alternatives that would reduce, minimize or eliminate the restriction on the use of private property, and analyze such alternatives. The agency must disclose the potential costs of identified restrictions.</p>	<p>[N] No significant impacts identified in 22(b).</p>

23. **Description of and Impacts of other Alternatives Considered:**
- A. No Action: Under the “No Action” alternative, the Department would not issue an individual ground water discharge permit under the Montana Ground Water Pollution Control System administrative rules. The proposed action will have environmental benefits compared to leaving the facility unpermitted.
 - B. Approval with modification: The Department has not identified any necessary modifications to grant approval.
24. **Summary of Magnitude and Significance of Potential Impacts:**
Impacts were assessed with the assumption that the facility will comply with the terms and conditions of the permit. Violations of the permit could lead to significant adverse impacts to state waters. Violations of the permit are not an effect of the agency action since the permit itself forbids such activities. However, the Department has taken steps to ensure that violations do not occur. The Department provides assistance to applicants in understanding and implementing the requirements of the permit. The Department also conducts periodic inspections of permitted facilities, and identifies potential problems with design or management practices. If violations of the permit do occur, the Department will take appropriate action under the water quality act (75-5-617, MCA). Enforcement sanctions for violations of the permit include injunctions, civil and administrative penalties, and cleanup orders.
25. **Cumulative Effects:** The reissuance of this individual MGWPCS discharge permit would not have cumulative effects because the permit prohibits pollution and degradation of state waters.
26. **Preferred Action Alternative and Rationale:** The preferred action is to reissue the individual MGWPCS discharge permit. This action is preferred since the permit provides a regulatory mechanism for protecting ground water quality by applying effluent limits and monitoring requirements to the discharged wastewater.

Recommendation for Further Environmental Analysis:

EIS More Detailed EA No Further Analysis

Rationale for Recommendation: An EIS is not required under the Montana Environmental Policy Act because the project lacks significant adverse effects to the human and physical environment.

27. **Public Involvement:** Legal notice information for water quality discharge permits are listed at the following website: <http://deq.mt.gov/Public/notices/wgnotices>. Public comments on this proposal are invited any time prior to close of business on **June 18, 2020**. Comments may be directed to:

DEQWPBPublicComments@mt.gov

or to:

Montana Department of Environmental Quality
Water Protection Bureau
PO Box 200901
Helena, MT 59620

All comments received or postmarked prior to the close of the public comment period will be considered in the formulation of the final permit. DEQ will respond to all substantive comments pertinent to this permitting action and may issue a final decision within thirty days of the close of the public comment period.

All persons, including the applicant, who believe any condition of the draft permit is inappropriate, or that DEQ's tentative decision to deny an application, terminate a permit, or prepare a draft permit is inappropriate, shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period (including any public hearing). All public comments received for this draft permit will be included in the administrative record and will be available for public viewing during normal business hours.

Copies of the public notice are mailed to the applicant, state and federal agencies, and interested persons who have expressed interest in being notified of permit actions. A copy of the distribution list is available in the administrative record for this draft permit. Electronic copies of the public notice, draft permit, fact sheet, and draft environmental assessment are available at the following website: <http://deq.mt.gov/Public/notices/wqnotices>.

Any person interested in being placed on the mailing list for information regarding this permit may contact the DEQ Water Protection Bureau at (406) 444-5546 or email DEQWPBPublicComments@mt.gov. All inquiries will need to reference the permit number (MTX000194), and include the following information: name, address, and phone number.

During the public comment period provided by the notice, DEQ will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing.

28. **Persons and agencies consulted in the preparation of this analysis:**

Montana Natural Heritage Program
Montana Fish and Wildlife web site, animal species information web page
Natural Resource Information System, Montana State Library
Historical Preservation Society
U.S. Department of Agriculture, Natural Resources Conservation Service Soil
Survey

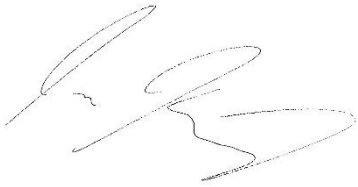
EA Checklist Prepared By:

Darryl Barton

April 2020

Approved By:

Jon Kenning, Chief
Water Protection Bureau
Permitting and Compliance Division



April 27, 2020

Signature

Date