MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment

PERMITTING AND COMPLIANCE DIVISION
Water Protection Bureau

Name of Project: Concentrated Aquatic Animal Production Permit

Type of Project: Reissue the Montana Pollutant Discharge Elimination System (MPDES) permit. The Concentrated Aquatic Animal Production General Permit (CAAP) will provide general permit coverage for fish rearing facilities.

These facilities typically use raceways, tanks, ponds, and/or other types of water containment structures to raise fish. Discharges are of high quality except for short periods of time during cleaning operations when waste solids are present.

Effluent limitations in the CAAP will ensure compliance with water quality standards by requiring the use of Best Management Practices and the development of a BMP plan to limit the discharge of waste solids.

Location of Project: Statewide, excluding Indian lands

City/Town: Various

County: Various

Description of Project: Reissue the statewide CAAP (MTG130000).

Agency Action and Applicable Regulations: The proposed action is to reissue the CAAP.

The Montana Water Quality Act 75-5-101 , *et seq*.
Montana Pollution Discharge Elimination System Rules, Sub-chapter 12 and 13
Mixing Zones in Surface and Ground Water, Sub-Chapter 5
Montana Surface Water Quality Standards and Procedures, Sub-Chapter 6
Nondegradation of Water Quality, Sub-Chapter 7

Summary of Issues: None

Benefits and Purpose of Action: Will allow operation of fish hatcheries for rearing fish for recreational purposes and possibly for food production at private facilities, while protecting the receiving water and maintaining water quality standards.

Affected Environment & Impacts of the Proposed Project:

Y = Impacts may occur (explain under Potential Impacts). *Include frequency, duration (long or short term), magnitude, and context for any significant impacts identified. Reference other permit analyses when appropriate (ex: statement of basis). Address significant impacts related to substantive issues and concerns. Identify reasonable feasible mitigation measures (before and after) where significant impacts cannot be avoided and note any irreversible or irretrievable impacts. Include background information on affected environment if necessary to discussion.*

N = Not present or No Impact will likely occur. *Use negative declarations where appropriate (wetlands, T&E, Cultural Resources).*

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
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?	[N] Facilities currently authorized are long established. It is expected that any new applications would be for new state or federal fish hatcheries. Montana Fish Wildlife and Parks and the U.S. Fish and Wildlife Service typically conduct an EA prior to beginning a project. A separate site-specific EA will be conducted for all new private applications prior to authorization to discharge under the CAAP.
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?	[N] Permit requirements are protective of water quality standards.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] No impact will likely occur.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] Facilities currently authorized are long established. It is expected that any new applications would be for new state or federal fish hatcheries. Montana Fish Wildlife and Parks and the U.S. Fish and Wildlife Service typically conduct an EA prior to beginning a project. A separate site-specific EA will be conducted for all new private applications prior to authorization to discharge under the CAAP.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] Significant fish populations are present in receiving waters at most of the currently authorized facilities. Permit conditions will be protective of water quality standards. New applications will undergo a separate, site-specific, EA prior to authorization to discharge.
6. UNIQUE, ENDANGERED, FRAGILE OR	[N] Threatened or endangered species may be present in the receiving waters. Permit conditions will be protective of water quality standards and beneficial

IMPACTS ON THE PHYSICAL ENVIRONMENT	
LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	uses.
7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N Facilities currently authorized are long established. It is expected that any new applications would be for new state or federal fish hatcheries. Montana Fish Wildlife and Parks and the U.S. Fish and Wildlife Service typically conduct an EA prior to beginning a project. A separate site-specific EA will be conducted for all new private applications prior to authorization to discharge under the CAAP.
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?	[N] Facilities currently authorized are long established. It is expected that any new applications would be for new state or federal fish hatcheries. Montana Fish Wildlife and Parks and the U.S. Fish and Wildlife Service typically conduct an EA prior to beginning a project. A separate site-specific EA will be conducted for all new private applications prior to authorization to discharge under the CAAP.
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 powerline or other energy source be needed)	[N] Facilities currently authorized are long established. It is expected that any new applications would be for new state or federal fish hatcheries. Montana Fish Wildlife and Parks and the U.S. Fish and Wildlife Service typically conduct an EA prior to beginning a project. A separate site-specific EA will be conducted for all new private applications prior to authorization to discharge under the CAAP.
10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] No impact will likely occur.

IMPACTS ON THE HUMAN ENVIRONMENT	
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] No impact will likely occur.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] No impact will likely occur.
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] No impact will likely occur.
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N] No impact will likely occur.
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire	[N] No impact will likely occur.

IMPACTS ON THE HUMAN ENVIRONMENT	
protection, police, schools, etc.) be needed?	
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] New applicants would be required to comply with local ordinances.
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?	[N] No impact will likely occur.
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] No impact will likely occur.
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No impact will likely occur.
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No impact will likely occur.
21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] No impact will likely occur.
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.	No
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.	No
22(c). PRIVATE PROPERTY IMPACTS: If the answer to 21(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	[NA]

IMPACTS ON THE HUMAN ENVIRONMENT	
property, and analyze such alternatives. The agency must disclose the potential costs of identified restrictions.	

23. **Description of and Impacts of other Alternatives Considered:** No other alternatives have been considered.

24. **Summary of Magnitude and Significance of Potential Impact**: None

25. **Cumulative Effects:** None

26. **Preferred Action Alternative and Rationale:** The preferred action is to issue the CAAP because the permit provides the regulatory mechanism for protecting water quality by enforcing the Montana Water Quality Act and rules.

    Recommendation for Further Environmental Analysis:

    [ ] EIS [ ] More Detailed EA [x] No Further Analysis

    Rationale for Recommendation: There will be no significant adverse impacts on the physical, biological or social portion of the human and natural environment.

27. **Public Involvement:** There will be a 30-day public comment period.

28. **Persons and agencies consulted in the preparation of this analysis:** None

EA Checklist Prepared By:

Jeff May
December 2015

Approved By:

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(Print: name & title)

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Signature Date