

DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment (EA)

WATER QUALITY DIVISION
Water Protection Bureau

Name of Project: Montana Pollutant Discharge Elimination System (MPDES) permit MT0000019 renewal for the BNSF Whitefish Rail Yard Wastewater Treatment Facility (WWTF).

Type of Project: The Department of Environmental Quality (DEQ) proposes to renew the MPDES permit for the BNSF WWTF Outfall 001 discharge to the Whitefish River for a five-year cycle. The most recent MPDES renewal was effective November 1, 2009, and has been administratively extended since April 30, 2014. This EA addresses only the renewal of permit coverage for the discharge from the WWTF as this is the regulatory action currently under consideration. Other regulated storm water discharges from the site will be required to get coverage under the 2018 *Multi-Sector General Permit for Storm Water Associated with Industrial Activity* (MTR000000).

Location of Project: 500 Depot Street, Whitefish, Flathead County, MT

Agency Action and Applicable Regulations: The proposed action is to renew the MPDES permit for another five-year cycle.

- ARM Title 17, Chapter 30, Subchapter 2 - Water Quality Permit Application and Annual Fees.
- ARM Title 17, Chapter 30, Subchapter 5 - Mixing Zones in Surface and Ground Water.
- ARM Title 17, Chapter 30, Subchapter 6 - Surface Water Quality Standards.
- ARM Title 17, Chapter 30, Subchapter 7 - Nondegradation of Water Quality.
- ARM Title 17, Chapter 30, Subchapters 12 and 13 – MPDES Standards.
- Montana Water Quality Act, MCA 75-5-101, *et seq.*

Summary of Issues: Previous and proposed permit limits, monitoring, and reporting are included for the renewed permit cycle. In addition, the permit requires BNSF to secure authorization for regulated storm water discharge.

Benefits and Purpose of Action: The permit will ensure compliance with the Montana Water Quality Act and protection of the beneficial uses of the Whitefish River.

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
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] This facility is a listed Superfund facility; there may be clean-up activities nearby but none should affect the WWTF.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
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] The Whitefish River is an important recreational waterbody of vital importance to the community. The draft permit contains effluent limits for Outfall 001 that will continue to assure discharge quality and protect receiving water beneficial uses. Increased monitoring will assess potential impact to receiving waters.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] This facility is long established and represents no new impacts.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] This facility is long established and represents no new impacts.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] This facility is long established and represents no new impacts.
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?	[N] Based on a review of Natural Heritage data, there are seven species of concern within one mile of the BNSF-Whitefish Rail Yard facility. These are: <ul style="list-style-type: none"> • pygmy whitefish (<i>Propisium couteri</i>) • westslope cutthroat trout (<i>Oncorhynchus clarkii lewsi</i>) • lake trout (<i>Salvelinus namaycush</i>) • bull trout (<i>Salvelinus confluentus</i>) • fisher (<i>Martes pennanti</i>) • Little Brown Myotis (<i>Myotis lucifugus</i>) • Coville Indian Paintbrush (<i>Castilleja coveileana</i>) Any effects to these species will not be significantly affected by this permit renewal because this facility is long established and represents no new impacts.
7. SAGE GROUSE EXECUTIVE ORDER: Is the project proposed in core, general or connectivity sage grouse habitat, as designated by the Sage Grouse Habitat Conservation Program (Program) at https://sagegrouse.mt.gov/ ? If yes, did the applicant attach documentation from the Program showing compliance with Executive Order 12-2015 and the Program's recommendations? If so, attach the documentation to the EA and address the Program's recommendations in the permit. If project is in core, general or connectivity habitat and the applicant did not document consultation with the Program, refer the applicant to the Sage Grouse Habitat Conservation Program.	[N] DEQ verified that this facility is not within core, general, or connectivity sage grouse habitat.
8. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] This facility is long established and represents no new impacts.
9. 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] The railyard is visible from the City of Whitefish, but effects from this permit are negligible because the facility is long established and represents no new impacts.
10. LAND USE: (waste disposal, agricultural lands [grazing, cropland, forest lands, prime farmland], recreational lands [waterways, parks, playgrounds, open space, federal lands), access, commercial and industrial facilities [production & activity, growth or decline], growth, land-use change, development activity)	[N] This facility is long established and represents no new impacts.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] This facility is a listed Superfund facility; there may be clean-up activities nearby but none should affect the WWTF.

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
12. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] Effluent limits will protect public health.
13. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N]
14. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N]
15. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N]
16. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	[N]
17. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] City and county use plans are in effect, but the renewal of this MPDES permit should have no bearing on them.
18. 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] The Whitefish River is an important recreational waterbody of vital importance to the community. The draft permit contains effluent limits for Outfall 001 that will continue to assure discharge quality and protect receiving water beneficial uses. Increased monitoring will assess potential impact to receiving waters.
19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N]
20. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N]
21. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N]
22. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N]
23(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.	[N]
23(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.	[N]

IMPACTS ON THE HUMAN ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
23(c). PRIVATE PROPERTY IMPACTS: If the answer to 23(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.	[N]

- 23. **Description of and Impacts of other Alternatives Considered:** None
- 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 renew the MPDES permit because the MPDES program provides the regulatory mechanism for protecting water quality by enforcing the terms of the MPDES permit.

Recommendation for Further Environmental Analysis:

Environmental Impact Statement (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/or physical environments.

- 27. **Public Involvement:** A 45-day public notification/comment period was held.
- 28. **Persons and agencies consulted in the preparation of this analysis:** Montana Natural Heritage Program, Mapviewer, February 2018.

EA Checklist Prepared By: Christine Weaver, March 2018

Approved by:

Jon Kenning, Chief
Water Protection Bureau

Date