

DEPARTMENT OF ENVIRONMENTAL QUALITY
Environmental Assessment

Water Protection Bureau

Name of Project: Glacier Ranch Subdivision

Type of Project: Proposed increase of the discharge of treated domestic wastewater to ground water under the Montana Ground Water Pollution Control System (MGWPCS) permit program.

Location of Facility: SESE 1/4, Section 09, Township 29 North, Range 21 West
Flathead County
Latitude: 48.28400°, Longitude: -114.27052°

City/Town: Kalispell

County: Flathead

Description of Project: This Environmental Assessment (EA) is for a major modification of an existing MGWPCS permit (MTX000164) for the Glacier Ranch Subdivision (facility). The permittee plans to increase the design capacity of their current wastewater treatment and disposal system. The proposed MGWPCS permit authorizes the Alpine Pacific Utilities, LLC (permittee) to discharge treated wastewater from a subsurface discharge structure (Outfall 001) into Class I ground water. The scope of this EA addresses the installation, operation and discharge of the proposed wastewater treatment and disposal system. The magnitude and significance of potential impacts are summarized below (bullet #26). Additional information can be found in the Fact Sheet document.

Agency Action and Applicable Regulations: The proposed action is to issue 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.

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 updated individual permit will require the permittee to implement, monitor, and manage practices to prevent pollution of state waters.

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 significant impacts have been identified. All discharge structures authorized by this permit are required to undergo DEQ design review under the Sanitation in Subdivisions Act and/or the Public Water Supply Act.</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>[Y] DEQ will issue an updated individual MGWPCS discharge permit that will use the most conservative water quality limits to protect surface water and the beneficial uses of ground water. These standards must be met prior to discharge (at end-of-pipe). The current wastewater treatment system may not be capable of meeting these proposed effluent limitations. Please see Section 5 of the Fact Sheet document.</p> <p>The permit will maintain the existing ground water monitoring downgradient of the existing drainfield. It will also require the installation and long-term monitoring of an ambient monitoring well. DEQ is currently unaware of the permittee's intent to modify the footprint of the existing drainfield or to install an additional outfall to support the proposed design increase (52,000 gpd to 100,000 gpd). Therefore, the ground water monitoring network may need to be updated in the future.</p> <p>All discharge disposal structures must meet the minimum set back requirements which includes surface water, flood plains, ditches and springs. The applicant is encouraged to contact and consult with the Public Water, Subdivision, or State Revolving Fund programs at DEQ: http://deq.mt.gov/Water/SurfaceWater/DesignApprovals</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT	
	<p>Construction activities may impact water quality by contributing discharges of sediment to surface waters. The permittee may be required to obtain permit coverage under a Montana Pollutant Discharge Elimination System (MPDES) General Permit for Storm Water Discharges Associated with Construction Activity. The permittee may be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which includes best management practices to protect nearby surface waters. Additional information can be found at the following website:</p> <p>http://deq.mt.gov/water/StormWater/stormsystems.</p>
<p>3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>[N]</p> <p>Best management practices are encouraged during any future construction. For additional information, the permittee is encouraged to contact the Montana DEQ Air Resources Management Bureau:</p> <p>http://deq.mt.gov/Air.</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?</p>	<p>[Y]</p> <p>The permittee has proposed modifications to the existing wastewater disposal system. The permittee has yet to provide information on the footprint of the future drainfield that will be used to handle the proposed increase in wastewater flows.</p> <p>Based on a search of the Natural Heritage Database, there are no species listed as either S1, S2, LE, or LT in the area of the existing facility.</p> <p>http://fieldguide.mt.gov/statusCodes.aspx#msrc:rank</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>[Y]</p> <p>The permittee has proposed modifications to the existing wastewater disposal system. The permittee has yet to provide information on the footprint of the future drainfield that will be used to handle the proposed increase in wastewater flows.</p> <p>Based on a search of the Natural Heritage Database, there are no species listed as either S1, S2, LE, or LT http://fieldguide.mt.gov/statusCodes.aspx#msrc:rank in the immediate area of the existing facility.</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT

	<p>There were two species listed as S2 within the regional area surrounding the proposed facility (http://fieldguide.mt.gov/statusCodes.aspx#msrc:rank).</p> <p>The species are: <i>Salvelinus confluentus</i> Bull Trout is listed as S2 and LT. The species is believed to be in the Whitefish River which is located 4,100 feet to the west of the facility (based on the professional judgement of a fisheries biologist).</p> <p><i>Oncorhynchus clarkii lewisi</i> Westslope Cutthroat Trout is listed as S2. The species is believed to be in the Whitefish River which is located 4,100 feet to the west of the facility; and, the Flathead River which is located 2.4 miles to the east of the facility (based on the professional judgement of a fisheries biologist).</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>[Y] See #4 and #5 above.</p> <p>All discharge disposal structures must meet the minimum set back requirements which include surface water, flood plains, ditches and springs. The applicant is encouraged to contact and consult with the Public Water, Subdivision and State Revolving Fund programs at DEQ: http://deq.mt.gov/Water/SurfaceWater/DesignApprovals</p> <p>Site and habitat inventories for the applicable species were recommended in consultation with the Montana Natural Heritage Program. The applicant is encouraged to contact and consult with this program or other Natural Resource Information Programs available at the Montana State Library: http://nris.msl.mt.gov/</p>
<p>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/</p>	<p>[N] The project site is not listed as being located within sage grouse habitat. DEQ referred to the Habitat and Occurrence mapping program at https://sagegrouse.mt.gov/projects/. If there are questions about Sage Grouse at this site, the applicant must contact</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT	
	and consult with the Sage Grouse Habitat Conservation Program at: https://sagegrouse.mt.gov/ .
8. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] A general recommendation by the Montana State Historic Preservation Office (MSHPO) states that in the event that cultural materials are inadvertently discovered, the permittee should contact the MSHPO office for investigation.
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]
10. 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?	[N]
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N]

IMPACTS ON THE HUMAN ENVIRONMENT	
12. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N]
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]

IMPACTS ON THE HUMAN ENVIRONMENT	
17. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N]
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]
19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[Y] The proposed design increase of the treatment and disposal system may lead to the possibility of additional hookups for housing and/or businesses.
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]
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] No significant impacts were identified in 23(b).

24. **Description of and Impacts of other Alternatives Considered:**
- A. No Action: Under the “No Action” alternative, the Department would not issue this ground water discharge permit. “No Action” may lead to the creation of a non-permitted wastewater system. This may result in a net negative impact to ground water quality as the permit would prevent pollution and degradation of state waters.
 - B. Approval with Modification: The Department approved the current system in 2007 under the original MGWPCS permitting action. In 2017, the permittee proposed to increase the design of their wastewater treatment and disposal system from 52,000 to 100,000 gpd.
25. **Cumulative Effects:**
DEQ will issue an updated individual MGWPCS discharge permit that will use the most conservative water quality standards to protect surface water and the beneficial uses of ground water. These standards must be met prior to discharge (at end-of-pipe). Please refer to the Fact Sheet document for additional information.
26. **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 Montana Water Quality Act. Enforcement sanctions for violations of the permit may include injunctions, civil and administrative penalties, and cleanup orders.
27. **Preferred Action Alternative and Rationale:**
The initial preferred action chosen by DEQ was for the permittee to evaluate the site-specific hydrology and hydrogeology; and to analyze the cumulative effects, fate and transport, and measurable impacts to surface water from the proposed system modifications. However, as this information was not received, DEQ will issue an individual MGWPCS discharge permit based on water quality standards to protect surface water and the beneficial uses of ground water. Please refer to the associated Fact Sheet document for additional information. This modified action is preferred since the permit provides a regulatory mechanism for protecting state waters 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: Approval with Modifications. DEQ recommends a further environmental analysis once the permittee evaluates and submits information on the site-specific hydrology, hydrogeology, cumulative effects, fate and transport, and measurable impacts to surface water from the proposed system modifications.

28. **Public Involvement:**

Legal notice information for water quality discharge permits are listed at the following website: <http://deq.mt.gov/Public/notices/wqnotices>. Public comments on this proposal are invited any time prior to close of business on May 06, 2019. Comments may be directed to:

DEQWPBPublicComments@mt.gov

or at:

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 were 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 (MTX000164), 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.

29. **Persons and/or Agencies Consulted or Referenced in the Preparation of this Analysis:**

Montana State Historic Preservation Society

Montana Natural Heritage Program

Montana Bureau of Mines and Geology:

- Ground Water Information Center
- Ground Water Investigation Program
- Ground Water Assessment Program

Natural Resource Information System, Montana State Library

United States Department of Agriculture, Natural Resources Conservation Service Soil Survey

United States Environmental Protection Agency

United States Geological Survey, Publication Warehouse

EA Checklist Prepared By:

Chris Boe

January 10, 2019

Approved By:

Jon Kenning, Chief

Water Protection Bureau

DRAFT

Signature

Date