

**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**Environmental Assessment**

**PERMITTING AND COMPLIANCE DIVISION**  
**Water Protection Bureau**

**Name of Project:** Collins Pool House

**Type of Project:** Discharge of noncontact cooling water.

**Location of Project:** 3080 E. Lakeshore Drive, Whitefish, MT  
Latitude 48° 28' 40" N, Longitude 114° 23' 60" W

**City/Town:** Whitefish, MT

**County:** Flathead

**Description of Project:** The Department of Environmental Quality (DEQ) proposes to issue a Montana Pollutant Discharge Elimination System (MPDES) permit to John Collins for discharge of noncontact cooling water from a residential property. The existing discharge is from an open-end heat exchange system that withdraws water from Whitefish Lake (Lake) and uses it for heating or cooling purposes. The water is then discharged back into the Lake. The intake structure is located approximately 40 feet from shore at a depth of 45 feet below the surface. The intake pump is secured to a metal pump bracket approximately 2-feet off the Lake floor. The discharge pipe is located approximately 60 feet south of the intake pipe at a depth of 50 feet below the surface and is secured approximately 2 feet above the Lake bottom. The existing discharge was first regulated by MPDES permit no. MT0031658 issued on July 22, 2010 and renewed on November 23, 2015.

**Agency Action and Applicable Regulations:**

The proposed action is to issue the MPDES permit.

ARM Title 17, Chapter 30, Sub-chapter 2 - Water Quality Permit Application and Annual Fees.

ARM Title 17, Chapter 30, Sub-chapter 5 - Mixing Zones in Surface and Ground Water.

ARM Title 17, Chapter 30, Sub-chapter 6 - Surface Water Quality Standards.

ARM Title 17, Chapter 30, Sub-chapter 7 - Nondegradation of Water Quality.

ARM Title 17, Chapter 30, Sub-chapter 12 and 13 - Montana Pollutant Discharge Elimination System Standards.

Montana Water Quality Act, MCA 75-5-101 et. seq.

**Summary of Issues:** The permit contains revised temperature limits. The maximum temperature limit is increased from 65° F to 75°F. After rapid and complete mixing, the discharge meets water quality standards and nondegradation criteria for class A-1 waters.

**Benefits and Purpose of Action:** Issuing the permit will ensure compliance with the requirements of the Montana Water Quality Act and protect beneficial uses of Whitefish Lake.

**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).*

<b>IMPACTS ON THE PHYSICAL ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
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]
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 permit sets effluent limits for temperature that will protect aquatic life in Whitefish Lake. There are no chemicals used in the process or added to the cooling water.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N]
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N]
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] The permit sets effluent limits for temperature that will protect aquatic life in Whitefish Lake.
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]

<b>IMPACTS ON THE PHYSICAL ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
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 at <a href="https://sagegrouse.mt.gov/">https://sagegrouse.mt.gov/</a> ? 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 recommendation 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]
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. 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]
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N]

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
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]

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
17. <b>LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:</b> Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N]
18. <b>ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:</b> Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N]
19. <b>DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:</b> Will the project add to the population and require additional housing?	[N]
20. <b>SOCIAL STRUCTURES AND MORES:</b> Is some disruption of native or traditional lifestyles or communities possible?	[N]
21. <b>CULTURAL UNIQUENESS AND DIVERSITY:</b> Will the action cause a shift in some unique quality of the area?	[N]
22. <b>OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</b>	[N]
23(a). <b>PRIVATE PROPERTY IMPACTS:</b> 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). <b>PRIVATE PROPERTY IMPACTS:</b> 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). <b>PRIVATE PROPERTY IMPACTS:</b> 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 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 issue the MPDES permit. This action is preferred because the permit program provides the regulatory mechanism for protecting water quality by enforcing the terms of the MPDES permit.

**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 (MEPA) because the project lacks significant adverse effects to the human and physical environment. All of the anticipated effects to the physical and human environment will be mitigated or eliminated during project implementation.

27. **Public Involvement:** A 30-day public comment period will be held.
28. **Persons and agencies consulted in the preparation of this analysis:** None

**Approved by:**

DRAFT  
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Jon Kenning, Chief  
Water Protection Bureau

DRAFT  
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Date