



CATEGORICAL EXCLUSION

8/19/24

**Water Quality Division
Montana Department of Environmental Quality**

PROJECT/SITE NAME: <u>Bucks T-4 Hotel Conversion</u>	
PROJECT DESCRIPTION: <u>The project add two existing 10,000 storage tanks for fire demands so an existing hotel can be turned into dormitory housing. No new structures will be constructed and no upgrades to the sewer system are needed as this falls within the existing capacity of the system.</u>	
APPLICANT/COMPANY NAME: <u>Cross Harbor Capital</u>	
PROPOSED PERMIT/LICENSE/PROJECT NUMBER: <u>EQ 24-1856</u>	
LOCATION: <u>T7S, R4E, S8 – see attached map.</u>	COUNTY: <u>Gallatin</u>
PROPERTY OWNERSHIP: <input type="checkbox"/> Federal <input type="checkbox"/> State <input checked="" type="checkbox"/> Private	

Certain actions under Title 75, chapter 5, part 11, and chapter 6, parts 1 or 2, Montana Code Annotated, are excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) under the Montana Environmental Policy Act. This categorical exclusion checklist is used to determine whether the action under review meets the criteria to be excluded.

Categorical Exclusion by Rule - Criteria	Categorical Exclusion by Rule - Response
17.38.103 PUBLIC WATER AND SEWAGE PROJECTS ELIGIBLE FOR CATEGORICAL EXCLUSION FROM MEPA REVIEW	
(1) Except as provided in (2), a department action under this subchapter and under either Title 75, chapter 6, part 1 or Title 75, chapter 6, part 2, MCA, is excluded from the requirement to prepare an environmental assessment or an environmental impact statement if the application for department review is for any of the following projects:	
(a) projects relating to existing infrastructure systems such as sewer systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems that involve:	
(i) minor upgrading;	<input checked="" type="checkbox"/> Yes Notes: The only upgrade is the addition of two 10,000-gallon storage tank for fire demands. <input type="checkbox"/> No
(ii) minor expansion of system capacity;	<input type="checkbox"/> Yes Notes: The wastewater systems will not be expanded. <input checked="" type="checkbox"/> No

(iii) rehabilitation (including functional replacement) of the existing system and system components; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: N/A
(iv) construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: N/A
(b) projects in unsewered communities involving the replacement of existing on-site systems, provided that the new on-site systems do not result in substantial increases in the volume of discharges or in loadings of pollutants from existing sources, and do not relocate existing discharges.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: N/A
<i>If all answers above are <u>No</u>, the project does not meet the exclusion criteria and an EA or EIS must be completed. If any answer is <u>Yes</u>, proceed to the next section.</i>		
(2) A categorical exclusion may not be granted for a department action under (1) if:		
(a) the action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: No new discharge will be required, nor will any discharge be relocated.
(b) the action would result in an increase above permit levels established for the facility under the Montana pollutant discharge elimination system or Montana ground water pollution control system for either volume of discharge or loading rate of pollutants to receiving waters;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: No increase above permit levels is anticipated.
(c) the action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: This is a conversion from a motel to dormitories. The population will remain the same.
(d) the action is not supported by the state, or other regional growth plan or strategy;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: Gallatin County Zoning is commercial for this property.
(e) the action directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purposes of future development;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: This will not serve future development.
(f) the department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Notes: The department is aware of a single contact to the Gallatin County EH office requesting information about the Buck's T4 property generally, but the department has not received any information of a public controversy involving the minor upgrades to the water system that are under review by the department in this application

(g) the department determines that the proposed project that is the subject of the state action shows some potential for causing a significant effect on the quality of the human environment, based on ARM 17.4.608, or might possibly affect:	
(i) sensitive environmental or cultural resource areas; or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes: <ul style="list-style-type: none"> Per the attached National Heritage Program Environmental Summary, there are no wetland, floodplains or Sole Source Aquifers in the project area. Per the attached NEPAssist Summary, there are no tribal reservations or other tribal lands in the project area.
(ii) endangered or threatened species and their critical habitats.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes: <ul style="list-style-type: none"> Per the attached National Heritage Program Environmental Summary, the following threatened species may be found within the general project area: Canada Lynx, Grizzly Bear and Wolverine but because the parcel is already developed, they are not anticipated within the project area. Per the attached NEPAssist Summary, there are no critical habitats for these species in the project area.
<i>If any answer above is <u>Yes</u>, the project does not meet the exclusion criteria and an EA or EIS must be completed. If all answers are <u>No</u>, proceed to the next section.</i>	
Project meets the Categorical Exclusion criteria.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes:
DEQ determination of Categorical Exclusion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes:
Notice of Categorical Exclusion posted on website.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes:

Rachel Clark _____
 DEQ PREPARER

Angela Pugh _____
 DEQ REVIEWER

8/19/24 _____
 COMPLETION DATE

Only complete the section below if revocation of a previously issued categorical exclusion becomes necessary.		
The department may revoke a categorical exclusion if:		
(a) the project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;	<input type="checkbox"/> Yes <input type="checkbox"/> No	Notes:
(b) the proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;	<input type="checkbox"/> Yes <input type="checkbox"/> No	Notes:

(c) new evidence demonstrates that serious local or environmental issues exist; or	<input type="checkbox"/> Yes <input type="checkbox"/> No	Notes:
(d) state, local, tribal, or federal laws may be violated.	<input type="checkbox"/> Yes <input type="checkbox"/> No	Notes:

Project Area Map for Bucks T-4



NEPAssist

t4

Map



Geographic coordinates:




POLYGON (45.245508,-111.252846,45.245508,-111.251577,45.244856,-111.251577,45.244856,-111.252846,45.245508,-111.252846)
with buffer 0 miles

Note: The information in the following reports is based on publicly available databases and web services. The National Report uses nationally available datasets and the State Reports use datasets available through the EPA Regions. Click on the hyperlinked question to view the data source and associated metadata.

National Report 

Within an Ozone 1-hr (1979 standard) Non-Attainment/Maintenance Area?	no
Within an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	no
Within an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	no
Within an Ozone 8-hr (2015 standard) Non-Attainment/Maintenance Area?	no
Within a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	no
Within a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	no
Within a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	no
Within a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within a CO Annual (1971 standard) Non-Attainment/Maintenance Area?	no
Within a NO2 Annual (1971 standard) Non-Attainment/Maintenance Area?	yes
Within a Federal Land?	no
Within an impaired stream?	no
Within an impaired waterbody?	no
Within a waterbody?	no
Within a stream?	no
Within an NWI wetland?	no
Within a Brownfields site?	no
Within a Superfund site?	no
Within a Toxic Release Inventory (TRI) site?	no
Within a water discharger (NPDES)?	no
Within a hazardous waste (RCRA) facility?	no
Within an air emission facility?	no
Within a school?	no
Within an airport?	no
Within a hospital?	no

Within a designated sole source aquifer?	no
Within a historic property on the National Register of Historic Places?	no
Within a Chemical Data Reporting (CDR) site?	no
Within a Land Cession Boundary?	yes
Within a tribal area (lower 48 states)?	no
Within the service area of a mitigation or conservation bank?	yes
Within the service area of an In-Lieu-Fee Program?	yes
Within a Public Property Boundary of the Formerly Used Defense Sites?	no
Within a Munitions Response Site?	no
Within an Essential Fish Habitat (EFH)?	no
Within a Habitat Area of Particular Concern (HAPC)?	no
Within an EFH Area Protected from Fishing (EFHA)?	no
Within a Bureau of Land Management Area of Critical Environmental Concern?	no
Within an ESA-designated Critical Habitat Area per U.S. Fish & Wildlife Service?	no
Within an ESA-designated Critical Habitat river, stream or water feature per U.S. Fish & Wildlife Service?	no

- Montana Report** 
- Demographic Reports** 
- USFWS IPaC Report** 

Legend

- | | | | |
|-----------------------------|----------------------|---------------------|---|
| Model Icons | Habitat Icons | Range Icons | Num Obs |
| Suitable (native range) | Common | Native / Year-round | Count of obs with 'good precision' (<=1000m) |
| Optimal Suitability | Occasional | Summer | + indicates additional 'poor precision' obs (1001m-10,000m) |
| Moderate Suitability | | Winter | |
| Low Suitability | | Migratory | |
| Suitable (introduced range) | | Non-native | |
| | | Historical | |

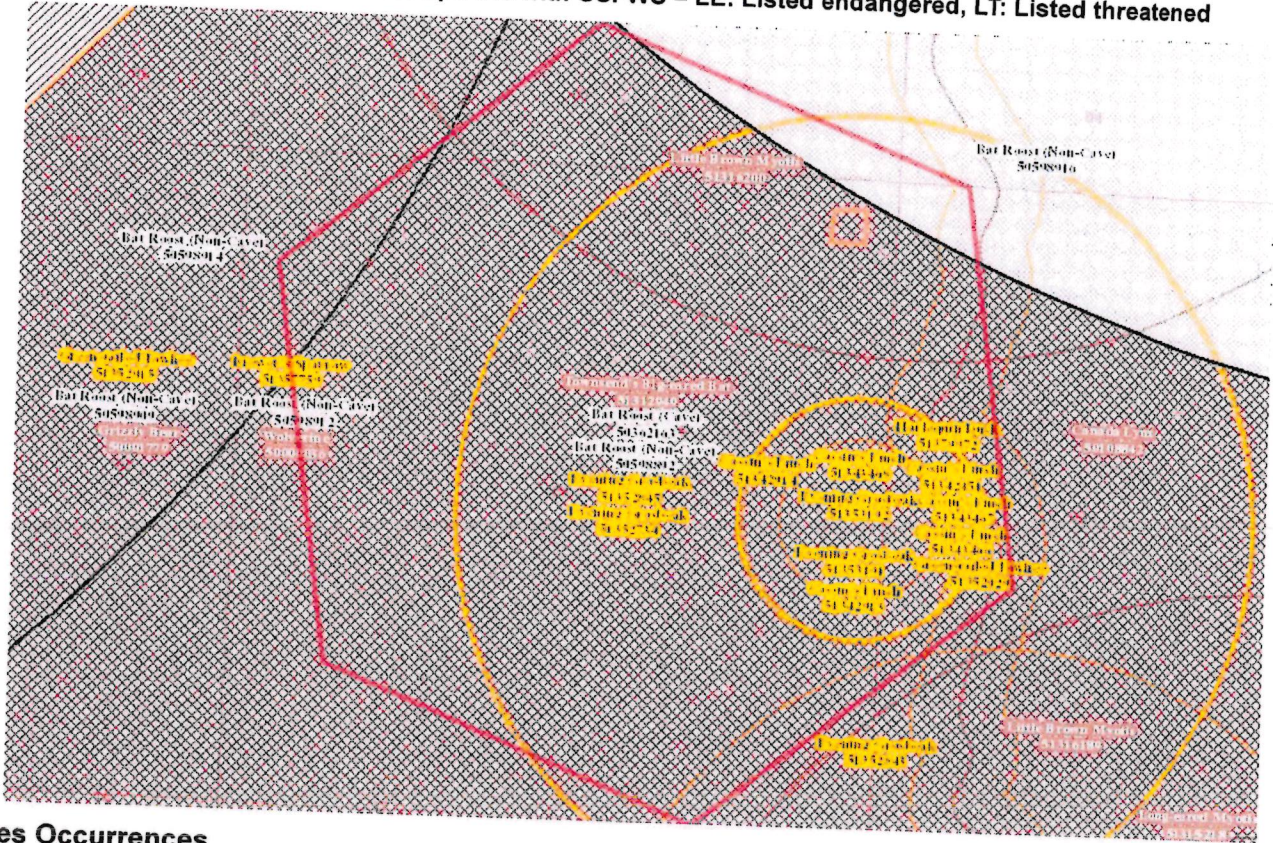


Latitude 45.23158 Longitude -111.24699
45.24974 -111.27000

Native Species

Summarized by: t4 (Custom Area of Interest)
Filtered by:

Native Species reports are filtered for Species with USFWS = LE: Listed endangered, LT: Listed threatened

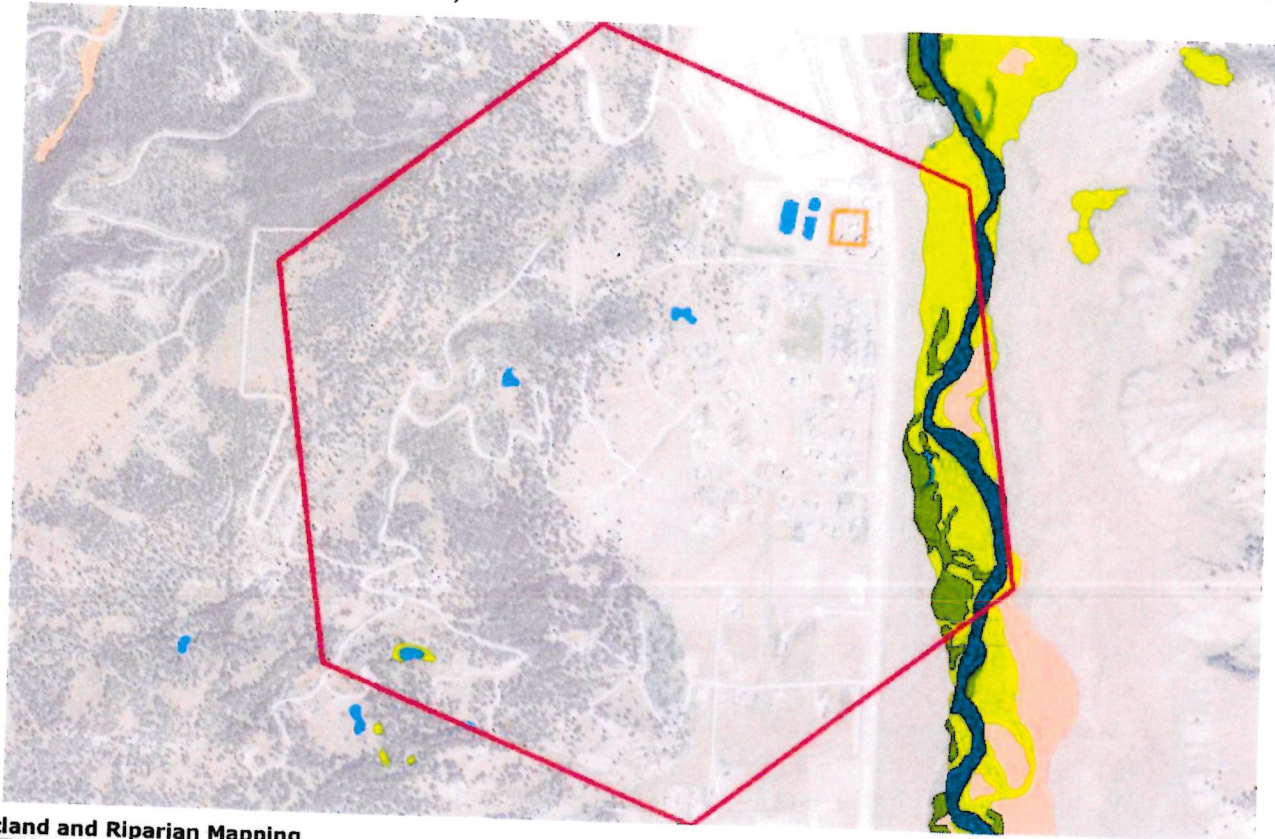


Species Occurrences

- | | |
|---|---|
| M - Canada Lynx (<i>Lynx canadensis</i>) SOC | USFWS Sec7: 7 # SO: 1 # Obs: 1 Predicted Model: [Yellow Box] Range: [Y] |
| View in Field Guide View Predicted Models View Range Maps
Species of Concern - Native Species Global: G5 State: S3 USFWS: LT; CH BLM: THREATENED FWP SWAP: SGCN3
Delineation Criteria Areas designated as Critical Habitat for the species by the U.S. Fish and Wildlife Service on September 12, 2014 because they currently contain physical and biological features (e.g. boreal forests with snowshoe hare) essential to the conservation of the species and state and other lands within the outer boundaries of USFWS Critical Habitat polygons. (Last Updated: Jul 08, 2024)
Predicted Models: 100% Moderate (Inductive) | |
| M - Grizzly Bear (<i>Ursus arctos</i>) SOC | USFWS Sec7: 7 # SO: 1 # Obs: 1 Predicted Model: [Yellow Box] Range: [Y] |
| View in Field Guide View Predicted Models View Range Maps
Species of Concern - Native Species Global: G4 State: S2S3 USFWS: LT BLM: THREATENED FWP SWAP: SGCN2-3
Delineation Criteria Species Occurrence polygons represent areas delineated by the U.S. Fish and Wildlife Service (USFWS) that encompass both home ranges and potential-transitory movements based on verified sightings. Within these areas, the USFWS wants project proponents to consider whether the species may be present when evaluating the potential impacts of a project and to work with the USFWS to develop and implement best management practices to minimize or eliminate project effects on the species. (Last Updated: Jul 06, 2024)
Predicted Models: 100% Moderate (Inductive) | |
| M - Wolverine (<i>Gulo gulo</i>) SOC | USFWS Sec7: 7 # SO: 1 # Obs: 1 Predicted Model: [Yellow Box] Range: [Y] |
| View in Field Guide View Predicted Models View Range Maps
Species of Concern - Native Species Global: G4 State: S3 USFWS: LT USFS: Sensitive - Known in Forests (LOLO) BLM: THREATENED FWP SWAP: SGCN3
Delineation Criteria Confirmed area of occupancy supported by recent (post-1980), nearby (within 10 kilometers) observations of adults or juveniles. Tracking regions were defined by areas of primary habitat and adjacent female dispersal habitat as modeled by Inman et al. (2013). These regions were buffered by 1 kilometer in order to link smaller areas and account for potential inaccuracies in independent variables used in the model. (Last Updated: Jul 12, 2024)
Predicted Models: 100% Low (Inductive) | |

Wetland and Riparian

Summarized by: t4 (Custom Area of Interest)



Wetland and Riparian Mapping

P - Palustrine

■ AB - Aquatic Bed			P - Palustrine, AB - Aquatic Bed Wetlands with vegetation growing on or below the water surface for most of the growing season.
F - Semipermanently Flooded (no modifier)	1 Acres	<1 Acres PABF	
x - Excavated		1 Acres PABFx	
K - Artificially Flooded	1 Acres		
x - Excavated		1 Acres PABKx	
■ US - Unconsolidated Shore			P - Palustrine, US - Unconsolidated Shore Wetlands with less than 75% areal cover of stones, boulders, or bedrock. AND with less than 30% vegetative cover AND the wetland is irregularly exposed due to seasonal or irregular flooding and subsequent drying.
A - Temporarily Flooded (no modifier)	<1 Acres	<1 Acres PUSA	
■ EM - Emergent			P - Palustrine, EM - Emergent Wetlands with erect, rooted herbaceous vegetation present during most of the growing season.
A - Temporarily Flooded (no modifier)	25 Acres	25 Acres PEMA	
C - Seasonally Flooded (no modifier)	1 Acres	1 Acres PEMC	
■ SS - Scrub-Shrub			P - Palustrine, SS - Scrub-Shrub Wetlands dominated by woody vegetation less than 6 meters (20 feet) tall. Woody vegetation includes tree saplings and trees that are stunted due to environmental conditions.
A - Temporarily Flooded (no modifier)	5 Acres	5 Acres PSSA	
C - Seasonally Flooded (no modifier)	3 Acres	3 Acres PSSC	

R - Riverine (Rivers)

2 - Lower Perennial

■ US - Unconsolidated Shore			R - Riverine (Rivers), 2 - Lower Perennial, US - Unconsolidated Shore Shorelines with less than 75% areal cover of stones, boulders, or bedrock and less than 30% vegetative cover. The area is also irregularly exposed due to seasonal or irregular flooding and subsequent drying.
A - Temporarily Flooded (no modifier)	<1 Acres	<1 Acres R2USA	