DRAFT ENVIRONMENTAL ASSESSMENT

February 11, 2025

Water Protection Bureau
Montana Department of Environmental Quality

PROJECT/SITE NAME:	Grass Valley Garden Residential Subdivision		
APPLICANT/COMPANY NAME:	Grass Velley Gardens LLC		
PROPOSED PERMIT/LICENSE NUMBER:	MTX000331		
LOCATION:	Latitude: 46.955904° Longitude: -114.162644°	**COUNTY:**	Missoula
PROPERTY OWNERSHIP:	PRIVATE		

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1. OVERVIEW OF PROPOSED ACTION

1.1. AUTHORIZING ACTION

Under the Montana Environmental Policy Act (MEPA), Montana agencies are required to prepare an environmental review for state actions that may have an impact on the human environment. The Proposed Action is considered a state action that may have an impact on the human environment and, therefore, the Department of Environmental Quality (DEQ) must prepare an environmental review. This EA will examine the proposed action and alternatives to the proposed action and disclose potential impacts that may result from the proposed and alternative actions. DEQ will determine the need for additional environmental review based on consideration of the criteria set forth in Administrative Rules of Montana (ARM) 17.4.608.

1.2. DESCRIPTION OF DEQ REGULATORY OVERSIGHT

DEQ administers the Montana Water Quality Act, issuing Montana Ground Water Pollutant Control System (MGWPCS) discharge permits pursuant to Title 75, Chapter 5, part 4, Montana Code Annotated (MCA). Regulations governing MGWPCS permitting are codified at Administrative Rules of Montana (ARM) Title 17, Chapter 30, Sub-chapter 10.

1.3. PROPOSED ACTION

Grass Valley Gardens LLC has applied for a new MGWPCS permit under the Water Quality Act of Montana to construct a proposed Rapid Infiltration System to discharge treated domestic wastewater to ground water. The project subject to the proposed action would be located on private land, in Missoula County, Montana. All information included in this EA is derived from the permit application, discussions with the applicant, analysis of aerial photography, topographic maps, and other research tools.

Table 1. Summary of Proposed Action

Proposed Action	
General Overview	The proposed action is to issue a MGWPCS permit. The permit contains effluent limitations, special conditions, best management practices, wastewater monitoring and reporting, and ground water monitoring and reporting requirements. The permit is issued under the authority of the Montana Water Quality Act. Design, construction, operation, and maintenance of the facility is regulated by DEQ's Engineering Bureau and are approved under the authority of the Montana Public Water Supply Act. The MGWPCS permitting action will regulate the discharge of pollutants to ground water by imposing effluent limitations and special conditions, including requirements for monitoring influent, effluent and ground water quality for the five-year permit duration. See the Permit for the legally binding requirements and the Fact Sheet for the technical rationale behind permitting decisions.

Duration & Hours of Operation	***Construction:*** NA ***Operation:*** NA
Estimated Disturbance	NA
Construction Equipment	NA
Personnel Onsite	***Construction:*** NA ***Operation:*** Personnel sufficient to comply with the terms of the permit.
Location and Analysis Area	***Location****:* Latitude: 46.951529° Longitude: -114.160508° ***Analysis Area****:* The area being analyzed as part of this environmental review includes the immediate project area (Figure 1), as well as neighboring lands surrounding the analysis area, as reasonably appropriate for the impacts being considered.
The applicant is required to comply with all applicable local, county, state, and federal requirements pertaining to the following resource areas.	
Air Quality	No air quality regulations apply for issuance of the MGWPCS permit.
Water Quality	The applicant proposes to obtain and maintain new MGWPCS permit coverage and comply with requirements for discharge to state waters.
Erosion Control and Sediment Transport	Erosion control and sediment transport regulations do not apply to a domestic wastewater treatment plant. Applicable construction stormwater regulations and permits are discussed below in **Section 5**.
Solid Waste	No solid waste regulations apply for issuance of the MGWPCS permit.
Cultural Resources	DEQ consulted the Montana Cultural Resource Database on 02/15/2025. No historical sites are present in project area. The permitting action will not affect cultural resources.
Hazardous Substances	Hazardous waste disposal is not allowed under the MGWPCS permit.
Reclamation	NA

Cumulative Impact Considerations	
Past Actions	The average ambient nitrate concentration in the shallow receiving aquifer measured by the permittee during the application process was 2.38 mg/L (milligrams per liter, or parts per million) (DEQ, 2024).
Present Actions	The permitting action will regulate the discharge to Class I ground water of domestic-strength wastewater treated to permit requirements.

Related Future Actions	There are no other applications under consideration for the analysis area. Future actions within the analysis area must meet the minimum set back requirements per DEQ's Public Water, Subdivision, and State Revolving Fund programs.

1.4. PURPOSE, NEED, AND BENEFITS

DEQ's purpose in conducting this environmental review is to act upon permittee's application for a permit/license to construct, operate and maintenance of the wastewater treatment and disposal system. DEQ's action on the permit application is governed by § 75-5-401, et seq., Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM) 17.30.1001, et seq.

DEQ issues MGWPCS permits for a period of five years. The permit may be reissued at the end of the period, subject to reevaluation of compliance, water quality, and operations and maintenance.

Figure 1: Vicinity map of the proposed project

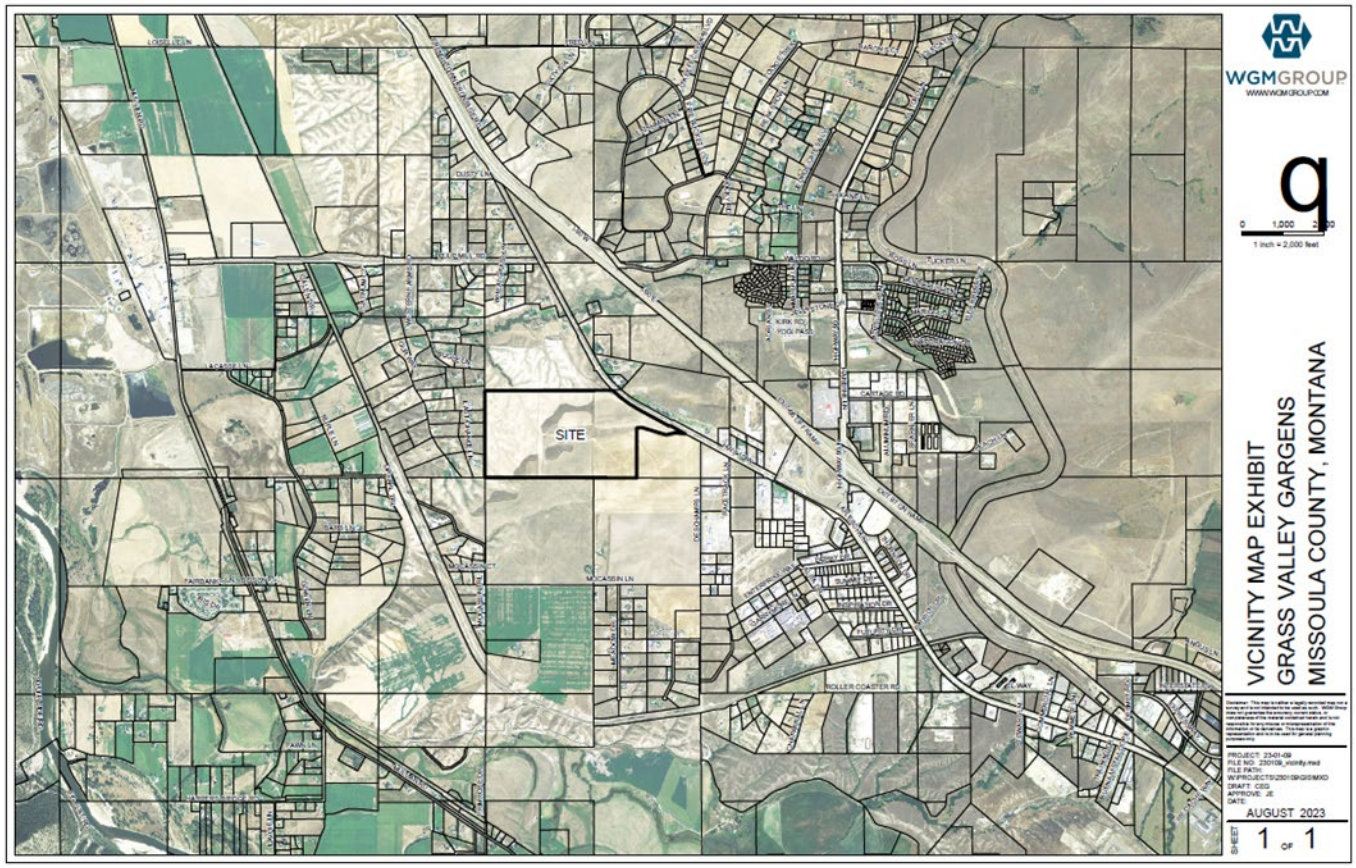
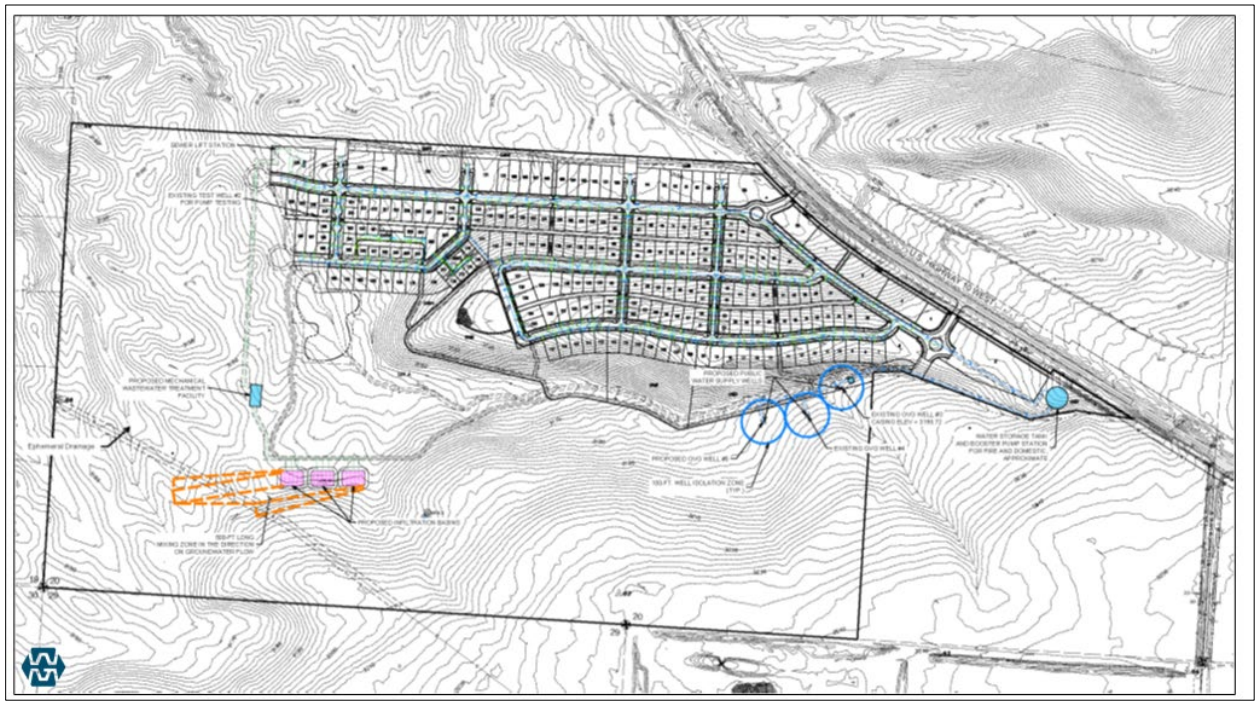


Figure 2: Facility Layout



1.5. Other Governmental Agencies and Programs with Jurisdiction

The proposed action would be located on private land. All applicable local, state, and federal rules must be adhered to, which may also include other local, state, federal, or tribal agency jurisdiction. Other governmental agencies which may have overlapped, or additional jurisdiction include but may not be limited to: Montana Department of Natural Resources, Montana Department of Fish Wildlife and Parks, U.S. Fish and Wildlife Service, U.S Army Corps of Engineers, and Missoula County.

2. EVALUATION OF AFFECTED ENVIRONMENT AND IMPACT BY RESOURCE

The impact analysis will identify and evaluate direct, secondary, and cumulative impacts to the physical environment and human population in the area to be affected by the proposed project.

Direct impacts occur at the same time and place as the action that causes the impact.

Secondary impacts are a further impact to the human environment that may be stimulated, induced by, or otherwise result from a direct impact of the action. (ARM 17.4.603(18)) Where impacts would occur, the impacts will be described in this analysis.

Cumulative impacts are the collective impacts on the human environment within the borders of Montana of the Proposed Action when considered in conjunction with other past and present actions related to the Proposed Action by location and generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies,

separate impact statement evaluation, or permit processing procedures. The projects identified in Table 1 were analyzed as part of the cumulative impacts assessment for each resource

The intensity of the impacts is measured using the following:

- **No impact**: There would be no change from current conditions.
- **Negligible**: An adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor**: The effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate**: The effect would be easily identifiable and would change the function or integrity of the resource.
- **Major**: The effect would alter the resource.

2.1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE

This section includes the following resource areas, as required in ARM 17.4.609: Geology; 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?

ALLWEST performed a geotechnical investigation for the project site on November 10, 2022, and found that soil and geologic conditions in the site vicinity consisted of varved clay with discontinuous seams of sand and gravel consistent with findings found by Montana Bureau of Mines and Geology. See the application provided by the permittee (DEQ, 2024) for more information regarding site soils and geology. Prior to construction, DEQ Engineering Bureau will review soil data to determine that proper infiltration from the infiltration gallery is met under the Public Water Supply Act.

Direct Impacts

Proposed Action: No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2024).

Secondary Impacts

Proposed Action: Secondary impacts to geology and soil quality, stability and moisture are not expected with this permitting action.

Cumulative Impacts

Proposed Action: Cumulative impacts to geology and soil quality, stability and moisture are not expected with this permitting action.

2.2. WATER QUALITY, QUANTITY, AND DISTRIBUTION

Are any surface or groundwater resources present in the analysis area? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels or degradation of water quality?

Direct Impacts

Proposed Action: The MGWPCS permit includes effluent limits, influent, effluent and groundwater monitoring requirements and other permit conditions that would ensure the water quality standards and beneficial uses are protected. No significant impacts to state waters were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS permit action (DEQ, 2025).

Secondary Impacts

Proposed Action: See permit Fact Sheet (DEQ, 2025). The conditions and requirements of the permit would protect beneficial uses of the receiving water and downstream uses. Secondary impacts are not expected.

Cumulative Impacts

Proposed Action: No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS permit action (DEQ, 2025).

2.3. AIR QUALITY

Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?

Direct Impacts

Proposed: No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025).

Secondary Impacts

Proposed Action: Secondary impacts to air quality are not expected with this permitting action.

Cumulative Impacts

Proposed Action: Cumulative impacts to air quality are not expected with this permitting action.

2.4. VEGETATION COVER, QUANTITY, AND QUALITY

Will any vegetative communities be significantly impacted? Are any rare plants or cover types present?

Based on a search of the Natural Heritage Database, there are 6 plant species listed as either S1 (at high risk), S2 (at risk), LE (listed endangered), or LT (listed threatened) within the immediate vicinity of the proposed facility: Missoula Phlox, *Phlox missoulensis*; Long-sheath Waterweed, *Elodea bifoliate*; Pointed Broom Sedge, *Carex scoparia*; Flatleaf Bladderwort, *Utricularia intermedia*; Linear-leaf Fleabane, *Erigeron linearis*

Direct Impacts

Proposed Action: The facility will be built on lands previously disturbed by agriculture practices.

Secondary Impacts

Proposed Action: Secondary impacts to vegetation cover, quantity, and quality are not expected with this permitting action.

Cumulative Impacts

Proposed Action: Cumulative impacts to vegetation cover, quantity, and quality are not expected with this permitting action.

2.5. TERRESTRIAL, AVIAN, AND AQUATIC LIFE AND HABITATS

This section includes the following resource areas, as required in ARM 17.4.609: Terrestrial and Aquatic Life and Habitats; Unique, Endangered, Fragile, or Limited Environmental Resources

Is there substantial use of the area by important wildlife, birds, or fish? Characterize wildlife in the area. *Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern? Impacts related to the Montana Sage Grouse Executive Order?*

Montana Natural Heritage Program identified as the following mammals as species of concern within the vicinity of the project; Townsend's Big-eared Bat, *Corynorhinus townsendii*; Northern Hoary Bat, *Lasiurus cinereus*; and Grizzly Bear, *Ursus arctos.* For other observed or potential species please see the Montana Natural Heritage Environmental Summary.

The area of interest does not fall within core, general, or connectivity sage grouse habitat.

Direct Impacts

Proposed Action: The land has been used historically for agricultural practices so no significant impacts on terrestrial, avian and aquatic life and habitats are expected.

Secondary Impacts

Proposed Action: The land has been used historically for agricultural practices so no secondary impacts on terrestrial, avian and aquatic life and habitats are expected.

Cumulative Impacts

Proposed Action: The land has been used historically for agricultural practices so no cumulative impacts on terrestrial, avian and aquatic life and habitats are expected.

2.6. HISTORY, CULTURE, AND ARCHAEOLOGICAL UNIQUENESS

This section includes the following resource areas, as required in ARM 17.4.609: Historical and Archaeological Sites; Cultural Uniqueness and Diversity

Are there any historical, archaeological or paleontological resources present? Will the action cause a shift in some unique quality of the area?

Direct Impacts

Proposed Action: No impacts to history, culture, or archaeological uniqueness, is expected as there are no known historical or archaeological sites present of the Proposed Action.

Secondary Impacts

Proposed Action: Secondary impacts to history, culture, and archaeological uniqueness are not expected with this permitting action.

Cumulative Impacts

Proposed Action: Cumulative impacts to history, culture, and archaeological uniqueness are not expected with this permitting action.

It is not anticipated that this project would cause a shift in any unique quality of the area. A general recommendation by the Montana State Historic Preservation Office (MSHPO) states that if cultural materials are discovered, the permittee should contact the MSHPO office for investigation.

2.7. 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?

Construction of the facility may result in a greater local demand for water from the local aquifer. The regional deep aquifer is the source for most of the water wells in the area. The regional deep aquifer is not the receiving water for this facility and should remain unaffected by the facility's wastewater discharge. Upon treatment, the wastewater is discharged to the subsurface, eventually migrating back to the aquifer.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS permit action (DEQ, 2025).

Secondary Impacts

Secondary impacts to demands on environmental resources of land, water, air, or energy are not expected with this permitting action.

Cumulative Impacts

Cumulative impacts to demands on environmental resources of land, water, air, or energy are not expected with this permitting action.

2.8. HUMAN HEALTH AND SAFETY

Will this project add to health and safety risks in the area?

The applicant would be required to adhere to all applicable state and federal safety laws. The Occupational Safety and Health Administration (OSHA) has developed rules and guidelines to reduce the risks associated with this type of labor. Few, if any, members of the public would be in immediate proximity to the project during operations.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current permit action (DEQ, 2025).

Secondary Impacts

Secondary impacts to health and human safety are not expected with this permitting action.

Cumulative Impacts

Cumulative impacts to health and human safety are not expected with this permitting action.

2.9. SOCIOECONOMICS

This section includes the following resource areas, as required in ARM 17.4.609: Social Structures and Mores; Access to and Quality of Recreational and Wilderness Activities; Local and State Tax Base and Tax Revenues; Agricultural or Industrial Production; Quantity and Distribution of Employment; Distribution and Density of Population and Housing; Demands for Government Services; Industrial and Commercial Activity; Locally Adopted Environmental Plans and Goals; Other Appropriate Social and Economic Circumstances.

Will the project add to or alter industrial or agricultural activities? Will the project create, move or eliminate jobs? If so, estimated number. Will the project create or eliminate tax revenue? Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed? Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect? Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract? Will the project add to the population and require additional housing? Is some disruption of native or traditional lifestyles or communities possible?

The project would occur on private land. The wastewater treatment plant is to be maintained long-term and will have negligible impacts to population. The project area would be subject to any plans or rules set forth by Missoula County. The facility will be built on land that has been previously used for agricultural purposes.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current permit action (DEQ, 2025).

Secondary Impacts

Secondary impacts to socioeconomics are not expected with this permitting action.

Cumulative Impacts

Cumulative impacts to socioeconomics are not expected with this permitting action.

2.10. PRIVATE PROPERTY IMPACTS

The proposed project would take place on private land owned by the applicant. DEQ's approval of MGWPCS permit, MTX000331, would affect the applicant's real property. DEQ has determined, however, that the permit conditions are reasonably necessary to ensure compliance with applicable requirements under the Water Quality Act. Therefore, DEQ's approval of the MGWPCS permit, MTX000331, would not have private property-taking or damaging implications.

2.11. GREENHOUSE GAS ASSESSMENT

Issuance of this permit would authorize use of various equipment and vehicles for sampling.

The analysis area for this resource is limited to the activities regulated by the issuance of MGWPCS permit which will include sampling requirements for Outfall 001. The amount of diesel fuel utilized at this site may be impacted by a number of factors including seasonal weather impediments and equipment malfunctions. To account for these factors DEQ has calculated the range of emissions using a factor of +/- 10.

For the purpose of this analysis, DEQ has defined greenhouse gas emissions as the following gas species: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and many species of fluorinated compounds. The range of fluorinated compounds includes numerous chemicals which are used in many household and industrial products. Other pollutants can have some properties that also are similar to those mentioned above, but the EPA has clearly identified the species above as the primary GHGs. Water vapor is also technically a greenhouse gas, but its properties are controlled by the temperature and pressure within the atmosphere, and it is not considered an anthropogenic species.

The combustion of diesel fuel at the site would release GHGs primarily being carbon dioxide (CO_2), nitrous oxide (N_2O) and much smaller concentrations of uncombusted fuel components including methane (CH_4) and other volatile organic compounds (VOCs).

DEQ has calculated GHG emissions using the EPA Greenhouse Gas Equivalencies Calculator, for the purpose of totaling GHG emissions. This tool totals carbon dioxide (CO_2), nitrous oxide (N_2O), and methane (CH_4) and reports the total as CO_2 equivalent (CO_2e) in metric tons CO_2e. The calculations in this tool are widely accepted to represent reliable calculation approaches for developing a GHG inventory. DEQ has determined EPA's Scope 1 GHG impacts as defined in the Inventory Guidance for Greenhouse Gas Emissions are appropriate under MEPA for this Proposed Action. Scope 1 emissions are defined as direct GHG emissions that occur from sources that are controlled or owned by the organization (EPA Center for Corporate Climate Leadership). DEQ's review of Scope 1 emissions is consistent with the agency not evaluating downstream effects of other types of impacts.

This review does not include an assessment of GHG impacts in quantitative economic terms, otherwise known as evaluating the social cost of carbon. DEQ instead calculates potential GHG emissions and provides a narrative description of GHG impacts. This approach is consistent with Montana Supreme Court caselaw and the agency's discussion of other impacts in this EA. *See Belk v. Mont. DEQ*, 2022 MT 38, ¶ 29.

Operation of diesel fueled vehicles throughout the life of the proposed project would produce exhaust fumes containing GHGs. DEQ estimates that a diesel truck with a fuel efficiency of 15-23 miles per gallon (mpg) is estimated to burn approximately one gallon of fuel per sampling event. Over the course of 12 months for five years, this amounts to a total fuel consumption of 60 gallons. According to the EPA Greenhouse Gas Equivalencies Calculator, this fuel usage would result in approximately 0.533 metric tons of carbon dioxide (CO_2) emissions.

Secondary Impacts

GHG emissions contribute to changes in atmospheric radiative forcing, resulting in climate change impacts. GHGs act to contain solar energy loss by trapping longer wave radiation emitted from the Earth's surface and act as a positive radiative forcing component (BLM, 2021).

Per EPA's website "Climate Change Indicators", the lifetime of carbon dioxide cannot be represented with a single value because the gas is not destroyed over time. The gas instead moves between air, ocean, and land mediums with atmospheric carbon dioxide remaining in the atmosphere for thousands of years, due in part to the very slow process by which carbon is transferred to ocean sediments. Methane remains in the atmosphere for approximately 12 years. Nitrous oxide has the potential to remain in the atmosphere for about 109 years (EPA, Climate Change Indictors). The impacts of climate change throughout Montana include changes in flooding and drought, rising

temperatures, and the spread of invasive species (BLM, 2021).

Cumulative Impacts

Montana recently used the EPA State Inventory Tool (SIT) to develop a greenhouse gas inventory in conjunction with preparation of a possible grant application for the Community Planning Reduction Grant (CPRG) program. This tool was developed by EPA to help states develop their own greenhouse gas inventories, and this relies upon data already collected by the federal government through various agencies. The inventory specifically deals with carbon dioxide, methane, and nitrous oxide and reports the total as CO_2e. The SIT consists of eleven Excel based modules with pre-populated data that can be used with default settings or in some cases, allows states to input their own data when the state believes their own data provides a higher level of quality and accuracy. Once each of the eleven modules is filled out, the data from each module is exported into a final "synthesis" module which summarizes all of the data into a single file. Within the synthesis file, several worksheets display the output data in several formats such as GHG emissions by sector and GHG emissions by type of greenhouse gas.

DEQ has determined that the use of the default data provides a reasonable representation of the GHG inventory for all of the state sectors, and an estimated total annual GHG inventory by year. At present, Montana accounts for 47.77 million metric tons of CO_2e based on the EPA SIT for the year 2021. The estimated emission of 0.533 metric tons of CO2e from this project would contribute 0.00000112% of Montana's annual CO2e emissions.

GHG emissions that would be emitted as a result of the proposed activities would add to GHG emissions from other sources. The No Action Alternative would contribute less than the Proposed Action Alternative of GHG emissions.

3. DESCRIPTION OF ALTERNATIVES

No Action Alternative: In addition to the proposed action, DEQ must also considered a "no action" alternative. The "no action" alternative would deny the MGWPCS permit. The applicant would lack the authority to conduct the proposed activity. Any potential impacts that would result from the proposed action would not occur. The no action alternative forms the baseline from which the impacts of the proposed action can be measured.

If the applicant demonstrates compliance with all applicable rules and regulations required for approval, the "no action" alternative would not be appropriate.

4. CONSULTATION

DEQ engaged in internal and external efforts to identify substantive issues and/or concerns related to the proposed project. Internal scoping consisted of internal review of the environmental assessment document by DEQ staff. External scoping efforts also included queries to other government websites, to conduct the impact analysis discussed above in Section 2. External scoping efforts also included queries to the following websites/databases/personnel:

- U.S. EPA Center for Corporate Climate Leadership, Scopes 1, 2 and 3 Emissions Inventorying and Guidance
- U.S. EPA Center for Corporate Climate Leadership, Simplified GHG Emissions Calculator
- Montana Natural Heritage Program
- Montana State Historic Preservation Office (SHPO)
- U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey
- U.S. Forest Service, Prevention of Significant Deterioration (PSD) Program

5. PUBLIC INVOLVEMENT

Legal notice information for water quality discharge permits is available at the following website: http://deq.mt.gov/Public/notices/wqnotices. Public comments on this proposal are invited any time before close of business on **May 21, 2025**. Comments may be directed to:

DEQWPBPublicComments@mt.gov

or to:

Montana Department of Environmental Quality
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 are 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 (MTX000331), 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.

6. SIGNIFICANCE OF POTENTIAL IMPACTS AND NEED FOR FURTHER ANALYSIS

DEQ assessed potential impacts 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 technical assistance to permittees for operation and maintenance, and 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 include injunctions, civil and administrative penalties, and cleanup orders.

The preferred action is to issue the new individual MGWPCS discharge permit. This action is preferred because the permit provides a regulatory mechanism for protecting ground water quality by applying effluent limits and monitoring requirements to the discharged wastewater.

An EIS is not required under MEPA because the project lacks significant adverse effects to the human and physical environment based on above listed criteria.

As described above, DEQ's decision to issue MGWPCS Permit No. MTX000331 authorizes discharge of treated wastewater to Class I ground water. The discharge is subject to permit conditions and limitations that would protect beneficial uses and prevent significant changes in water quality. Environmental impacts resulting from issuance of the MGWPCS permit are localized and would be managed through permit conditions and limitations. At the time of this analysis, there are no known conflicts with local, state, or federal laws, requirements, or plans.

7. CONCLUSIONS AND FINDINGS

The preferred proposed action is to issue a new MGWPCS permit. This action is preferred because the permit program provides the regulatory mechanism for protecting water quality by enforcing effluent limits, monitoring, and other conditions of the MGWPCS permit.

Environmental Assessment and Significance Determination Prepared By:

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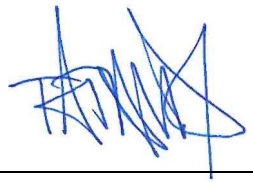

Date 04/14/2025

Tatiana Davila
Chief, Water Protection Bureau
Department of Environmental Quality

8. REFERENCES

Administrative Rules of Montana, Title 17, Chapter 30, Water Quality:

Subchapter 2 - Water Quality Permit Fees.

Subchapter 5 – Mixing Zones in Surface and Ground Water.

Subchapter 7 – Nondegradation of Water Quality.

Subchapter 10 – Montana Ground Water Pollution Control System.

Subchapter 13 – Montana Pollutant Discharge Elimination System.

Department of Environmental Quality, Water Quality Circulars:

Circular DEQ-2 – Design Standards for Wastewater Facilities.

Circular DEQ-4 – Montana Standards for On-Site Subsurface Sewage Treatment Systems.

Circular DEQ-7 – Montana Numeric Water Quality Standards, Required Reporting Values, and Trigger Values.

EPA. Climate Change Indicator: Greenhouse Gases. Climate Change Indicators: Greenhouse Gases | US EPA

EPA Center for Corporate Climate Leadership, Scopes 1, 2 and 3 Emissions Inventorying and Guidance | US EPA.

Montana Bureau of Mines and Geology, Ground-Water Information Center, GWIC state well database, Online at: http://mbmggwic.mtech.edu.

Montana Code Annotated, Title 75, Chapter 5, *Montana Water Quality Act*, 2011.

Montama Department of Environmental Quality, Administrative Record for permit MTX000331 2024 MGWPCS Application and supplemental materials.

Montana Natural Heritage Program, Feburaruy 11, 2024.

Montana State Historic Preservation Office, Feburaruy 11, 2024.