



DRAFT ENVIRONMENTAL ASSESSMENT

September 2025

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

PROJECT/SITE NAME: TOWN OF KEVIN WASTEWATER TREATMENT FACILITY

APPLICANT/COMPANY NAME: TOWN OF KEVIN

PROPOSED PERMIT/LICENSE NUMBER: MT0030244

LOCATION: 211 FRONT STREET, KEVIN, MT 59454

COUNTY: TOOLE

PROPERTY OWNERSHIP: CITY

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OVERVIEW OF PROPOSED ACTION

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 Montana environment. The Proposed Action is considered to be a state action that may have an impact on the Montana 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 and proximate 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.

Description of DEQ Regulatory Oversight

DEQ implements the Montana Water Quality Act of Montana, issuing discharge permits in conformance with the federal Clean Water Act under the Montana Pollutant Discharge Elimination System (MPDES).

Proposed Action

The Town of Kevin has applied for a renewal of the Montana Pollutant Discharge Elimination System (MPDES) Permit No. MT0030244 under the Montana Water Quality Act of Montana for their Wastewater Treatment Facility (WWTF). The Town of Kevin WWTF serves the Town of Kevin with a current population of 154 people. The existing WWTF is a three-cell, accelerated lagoon system with an average daily design flow of 0.03 million gallons per day (mgd). The lined cells are aerated and operated in a series, with aeration occurring at night. Each cell is equipped with solar operated processors to enhance oxygen transfer through the water. Fencing has been installed around the discharge site as a condition of an Administrative Order on Consent and the facility is no longer required to disinfect due to the fence eliminating the direct risk to human health by primary or secondary contact. As such, though ultraviolet disinfection is installed, it is not operational.

Discharge is to an unnamed ephemeral lake. The unnamed dry lake does not currently retain water except after precipitation events or when the facility is discharging. Discharge is intermittent and typically occurs in the spring and fall. Influent samples are collected from the wet well at the WWTF and effluent samples are collected through the telescope pipe before the V-Notch weir before discharge.

The facility and unnamed dry lake are located on public land, approximately a quarter mile north, northwest of the Town of Kevin. 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 (cited in section I. References).

Table 1. Summary of Proposed Action

General Overview	The proposed action is to reissue the MPDES permit for another five-year cycle.
Duration & Hours of Operation	Construction: N/A. This is an existing facility Operation: This is a renewal of an existing permit for a publicly owned treatment works for the Town of Kevin. The three-cell aerated lagoon system

	has an average daily design flow of 0.03 million gallons per day (MGD) and must meet nondegradation effluent limits from 5-Day Biochemical Oxygen Demand (BOD ₅), Total Suspended Solids (TSS), and pH. The permit stipulates a minimum monthly frequency for sampling during months when discharge occurs for the parameters previously stated, and weekly monitoring for effluent flow.
Estimated Disturbance	None, this is an existing three-cell aerated lagoon WWTF. Each cell is lined and has a surface area of approximately 0.67 acres each or 2.01 acres total. The surface area of the unnamed dry lakebed used for discharge is approximately 8.46 acres.
Construction Equipment	None, this is an existing WWTF.
Personnel Onsite	Construction: N/A Operation: The Town of Kevin WWTF has a Public Works Director that operates and maintains the facility.
Location and Analysis Area	Location: The Town of Kevin Wastewater Treatment Facility is located at 211 Front Street, Kevin, MT. The outfall location, existing three-cell lagoon, and dry lakebed are located approximately 0.25 miles east, northeast of the Town of Kevin in the SWNE of Section 35, Township 35N, Range 3W, of Toole County. 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.

Table 2. The applicant is required to comply with all applicable local, county, state, and federal requirements pertaining to the following resource areas.

Air Quality	The proposed action is a renewal permit for an already existing WWTF for the Town of Kevin. No additional air quality analysis is necessary.
Water Quality	The proposed action is to renew the permit for the existing WWTF for the Town of Kevin which is the purpose of the existing discharge permit. No additional water quality analysis is necessary beyond what is covered under Permit No. MT0030244.
Erosion Control and Sediment Transport	The proposed action is a renewal permit for an already existing WWTF for the Town of Kevin. No additional erosion control and sediment transport analysis is necessary.
Solid Waste	The proposed action is a renewal permit for an already existing WWTF for the Town of Kevin. No additional solid waste analysis is necessary.
Cultural Resources	The proposed action is a renewal permit for an already existing WWTF for the Town of Kevin. No additional cultural resource analysis is necessary.
Hazardous Substances	The proposed action is a renewal permit for already existing WWTF for the Town of Kevin. No additional hazardous substance analysis is necessary.
Reclamation	The proposed action is a renewal permit for an already existing WWTF for the Town of Kevin. No additional reclamation analysis is necessary.

Table 3. Cumulative Impacts

Past Actions	The MPDES permit became effective May 01, 2018, and ensures compliance with the Montana Water Quality Act and protects beneficial uses of an unnamed dry lake. The permit was renewed and reissued May 1, 2018, for another five-year permit cycle. There are no other existing permits on the unnamed dry lake. From the unnamed dry lake located in the SWNE of Section 35, T35N, R03W, Toole County, there are eight current active permit authorizations at facilities located within a five-mile radius of the unnamed dry lake for discharges to ephemeral drainages. Five of those authorizations are located approximately 2.5 to 4.5 miles upstream and to the north, northwest of the unnamed dry lake. The authorizations are under the Produced Water General Permit (MTG310026, MTG310016, MTG310051, MTG310068, and MTG310020). Two authorizations located approximately 3.6 to 4.6 miles upstream and to the northeast of the unnamed dry lake (MTG310061, and MTG310065). Further, there is one authorization located to approximately 4.2 miles upstream and to the east of the unnamed dry lake for a Storm Water No Exposure Certification (MTRNE0111).
Present Actions	The proposed action is to reissue the MPDES permit for another five-year cycle.
Related Future Actions	No other permits are under consideration.

Purpose, Need, and Benefits

DEQ's purpose in conducting this environmental review is to act upon the Town of Kevin's renewal application for MT0030244. The effluent limits set forth in the permit would protect the beneficial uses any receiving water, which preserves ambient water quality. DEQ's action on the permit application is governed by § 75-5-101, *et seq.*, Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM) Title 17, Chapter 30, Sub-chapters 2, 5, 6, 7, 12, and 13. DEQ's action on the design review is governed by § 75-6-101, *et seq.*, Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM) 17.38.101, *et seq.*

The applicant's purpose and need, as expressed to DEQ in proposing this action, is to renew MPDES permit MT0030244 authorizing the point source discharge of water originating from the Town of Kevin's WWTF at an outfall located at a latitude of 48.748774 and a longitude of -111.95695.

Figure 1. General Location of the Proposed Project



Located in the SWNE of Section 35, Township 35 North, Range 03 West, Toole County

Other Governmental Agencies and Programs with Jurisdiction

The proposed project is located on property owned by the City of Kevin. 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, United States Forest Service, U.S. Fish and Wildlife Service, U.S Army Corps of Engineers, and Toole County.

EVALUATION OF AFFECTED ENVIRONMENT AND IMPACT BY RESOURCE

The impact analysis will identify and evaluate the proximate direct and secondary impacts to the physical environment and 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 Montana's 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. When the analysis discloses environmental impacts, these are proximate impacts pursuant to 75-1-201(1)(b)(iv)(A), MCA.

Cumulative impacts are the collective impacts on Montana's 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 duration is quantified as follows:

- **Construction Impacts (short-term):** These are impacts to the environment during the construction period. When analyzing duration, please include a specific range of time.
- **Operation Impacts (long-term):** These are impacts to the environment during the operational period. When analyzing duration, please include a specific range of time.

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.

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?

There are no fragile, erosive, susceptible to compaction, or unstable soils present in the project area.

There are no unusual or unstable geologic features, or special reclamation considerations in the project area. The soils immediately around the project area consist of McKenzie clay at 0 to 1 percent slopes. From the project area west, toward the Town of Kevin, approximately a quarter mile the soils transition to Absher-Nobe complex to the west at 0 to 2 percent slopes, and Hillon-Joplin loams to the northwest at 8 to 25 percent slopes. From the project area east, approximately 0.3 miles soils consist of Nobe clay, and to the northeast Hillon-Joplin loams at 4 to 15 percent slopes, Ferd-Creed-Gerdrum complex at 0 to 2 percent slopes, and Yamacall loam, calcareous at 4 to 8 percent slopes. For other soils within one mile of the project area please see the USDA Web Soil Survey.

Direct Impacts

The project is a renewal of an MPDES permit. The MPDES permit ensures compliance with the Montana Water Quality Act and protects beneficial uses of the unnamed ephemeral lake. The renewal of this permit should have no direct impacts to the geology, stability and moisture or soil quality.

Secondary Impacts

No secondary impacts to the geology, stability and moisture, or soil quality are expected from the continued operation and monitoring of the WWTF.

Cumulative Impacts

No cumulative impacts should occur due to the continued operation of the WWTF.

Water Quality, Quantity, And Distribution

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

The effluent limits set forth in the permit would protect the beneficial uses of the receiving water, which preserves ambient water quality standards and drinking water standards. For more information, please refer to the MPDES Fact Sheet.

Characterize the precipitation, nearby surface water, wetlands and riparian areas, and groundwater in the project area, as well as water source for the project.

Wastewater from the treatment facility is discharged into an unnamed lake, for which the United States Geological Survey (USGS) water resources database contains no information. The DEQ classifies the unnamed dry lake as ephemeral because it only receives flow in response to precipitation or snowmelt events within the immediate watershed. Discharge is intermittent and typically occurs in the spring and fall. DEQ expects the effluent to infiltrate before reaching the nearest perennial water body, eliminating the reasonable potential for it to cause or contribute to an exceedance of water quality standards.

The wetlands and riparian habitat within the area of interest mainly consist of the ephemeral lakes in the area and the unconsolidated bottoms, shores, and aquatic beds due to the seasonal or irregular flooding and drying events. There are emergent wetlands a half mile to a mile from the facility site. No impacts to these wetlands are expected from the continued operation and monitoring of the existing WWTF.

Direct Impacts

The project is a renewal of an existing MPDES permit. The renewal of this permit should have no direct impact on water quality, quantity, and distribution.

Secondary Impacts

No secondary impacts to the water quality, quantity, or distribution are expected from the continued operation and monitoring of the WWTF.

Cumulative Impacts

No cumulative impacts should occur due to the continued operation of the WWTF.

Air Quality

This section includes the following resource areas, as required in ARM 17.4.609: Air Quality

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

This is an existing wastewater treatment facility and unnamed dry lake; therefore, no additional creation of airborne pollutants or particulate is anticipated.

Characterize the nearest Class I airshed(s)

This project site is not located near the vicinity of a Class I airshed.

Direct Impacts

The project is a renewal of an existing MPDES permit. The renewal of this permit should have no direct impact on air quality.

Secondary Impacts

No secondary impacts to air quality are expected.

Cumulative Impacts

Impacts to air quality would add to cumulative impacts associated with any vehicle traffic in the project area.

Vegetation Cover, Quantity, and Quality

This section includes the following resource areas, as required in ARM 17.4.609: Vegetation Cover, Quantity and Quality

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

No, vegetative communities would not be adversely impacted. There are no rare plants or cover types present. This is an existing discharge and WWTF; no new impacts are expected.

Characterize the land cover in the project area and any findings from searching the Montana Natural Heritage Program

According to the Montana Natural Heritage Program the land cover within the area of interest consists of Great Plains Saline Depression Wetland (32%), Great Plains Mixedgrass Prairie (24%), Cultivated Crops (10%), Greasewood Flat (10%), Introduced Upland Vegetation-Annual and Biennial Forbland (8%), Developed, Open Space (5%), and Other Roads (4%).

Direct Impacts

The project is a renewal of an existing MPDES permit. The renewal of this permit should have no direct impact on the vegetation cover, quantity, or quality as this is an existing WWTF.

Secondary Impacts

No secondary impacts to vegetation cover, quantity, or quality are expected.

Cumulative Impacts

No cumulative impacts should occur due to the continued operation of the WWTF.

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?

According to the Montana Natural Heritage Program there is an important animal habitat for non-cave bat roosts in the area of interest. Species of concern in the area of interest include Ferruginous Hawk (*Buteo regalis*), Eastern Red Bat (*Lasiurus borealis*), Thick-billed Longspur (*Rhynchophanes mccownii*), Chestnut-collared Longspur (*Calcarius ornatus*), Loggerhead Shrike (*Lanius ludovicianus*), 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

The project is a renewal of an existing MPDES permit. The renewal of this permit would have no impact on the terrestrial, avian or aquatic life habitat of the existing project area or the continued maintenance and monitoring of the WWTF.

Secondary Impacts

No secondary impacts on terrestrial, avian, or aquatic life habitat are expected. The renewal of this permit should not impact terrestrial, avian, or aquatic life habitat in the project area or the continued maintenance and monitoring of the WWTF.

Cumulative Impacts

No cumulative impacts should occur due to the continued operation of the WWTF.

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?

All new sources seeking authorization are required to submit analysis from consultation with the Montana State Historic Preservation Office (SHPO). If the proposed discharge is located in the area of unique ecological or recreational significance, the application may be denied. It is not anticipated that this project would cause a shift in any unique quality of the area because this is an existing facility and drainage area.

Direct Impacts

There are no direct impacts on the history, culture, and archeological uniqueness of the

project area due to the renewal of this permit on an existing facility and drainage area.

Secondary Impacts

No secondary impacts on the history, cultural, or archeological uniqueness of the project area are expected.

Cumulative Impacts

No cumulative impacts should occur due to the continued operation of the WWTF.

Demands on Environmental Resources of Land, Water, Air, or Energy

This section includes the following resource areas, as required in ARM 17.4.609: 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? Are there other activities nearby that will affect the project?

This is an existing facility and drainage area, there is no anticipated additional impact to local resources or nearby activities. The renewal of the permit would ensure compliance with the Montana Water Quality Act.

Direct Impacts

There are no direct impacts anticipated on the demands of land, water, air, or energy resources of the project area.

Secondary Impacts

No secondary impacts on the land, water, air, or energy resources are anticipated.

Cumulative Impacts

No cumulative impacts should occur due to the continued operation of the WWTF.

Human Health and Safety

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

This is an already existing WWTF. The effluent limits set forth in the permit would protect the beneficial uses of any receiving water, which preserves ambient water quality standards and drinking water standards.

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. As of the summer of 2015 fencing has been installed around the discharge site as a condition of an Administrative Order on Consent eliminating the direct risk to human health by primary or secondary contact.

Direct Impacts

No direct impacts to human health and safety should occur due to the renewal of this permit.

Secondary Impacts

No secondary impacts on human health and safety are anticipated due to the renewal of this permit.

Cumulative Impacts

No cumulative impacts are anticipated to human health and safety from the renewal of this permit.

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

The Town of Kevin has a Public Works Director that operates and maintains the WWTF. The operation, maintenance and required sampling only takes one operator at a time. The Town of Kevin WWTF is an existing facility on public land, there are no anticipated additional impacts to the existing socioeconomic structure of the area. The project area is subject to any plans or rules set forth by Toole County.

Direct Impacts

No direct impacts to socioeconomics should occur due to the renewal of this permit.

Secondary Impacts

No secondary impacts to socioeconomics should occur due to the renewal of this permit.

Cumulative Impacts

No cumulative impacts are anticipated to socioeconomics from the renewal of this permit.

Private Property Impacts

No analysis is required as this is an existing facility on public land.

Description of Alternatives

No Action Alternative: In addition to the proposed action, DEQ must also consider a "no action" alternative. The "no action" alternative would deny the renewal of MPDES Permit No. MT0030244. 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.

Other Reasonable Alternative(s): Describe any other alternatives that were considered.

No other alternatives were considered. The renewal of MPDES Permit No. MT0030244 is preferred because the permit program provides the regulatory mechanism for protecting water quality by enforcing the terms of the MPDES permit.

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 the following websites/databases/personnel:

Montana State Library, Natural Heritage Program, Environmental Summary, [Montana Natural Heritage](#)

[Program \(mtnhp.org\)](http://Program(mtnhp.org)), Accessed 30 November 2023.

USDA Natural Resources Conservation Service, Web Soil Survey, National Cooperative Soil Survey, [Web Soil Survey - Home \(usda.gov\)](http://WebSoilSurvey-Home(usda.gov)), Accessed 30 November 2023.

Maxar | Esri Community Maps Contributors, Montana State Library, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Public Involvement

A 30-day public comment period will be held.

Significance of Potential Impacts and Need for Further Analysis

When determining whether the preparation of an environmental impact statement is needed, DEQ is required to consider the seven significance criteria set forth in ARM 17.4.608, which are as follows:

- The severity, duration, geographic extent, and frequency of the occurrence of the impact;
- The probability that the impact will occur if the proposed action occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur;
- Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts – identify the parameters of the proposed action;
- The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values;
- The importance to the state and to society of each environmental resource or value that would be affected;
- Any precedent that would be set as a result of an impact of the proposed action that would commit the department to future actions with significant impacts or a decision in principle about such future actions; and
- Potential conflict with local, state, or federal laws, requirements, or formal plans.

Conclusions and Findings

The preferred proposed 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.

PREPARATION

Environmental Assessment and Significance Determination Prepared By:

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Draft

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Date

REFERENCES

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.
Montana Pollutant Discharge Elimination System Permit Number MT0031631 Fact Sheet
Montana Pollutant Discharge Elimination System Permit Number MT0031631: Administrative Record Renewal Application DEQ Form 1 and 2E, Revised February 2021
Montana State Library, Natural Heritage Program, Environmental Summary, [Montana Natural Heritage Program \(mtnhp.org\)](https://mtnhp.org), Accessed 30 November 2023.
USDA Natural Resources Conservation Service, Web Soil Survey, National Cooperative Soil Survey, [Web Soil Survey - Home \(usda.gov\)](https://websoilsurvey.sc.egov.usda.gov), Accessed 30 November 2023.

COMMENT SUMMARY AND RESPONSES TO SUBSTANTIVE COMMENTS

Remove this section before publishing draft documents or final documents for which there was no public comment period. For final documents with comments, include responses to substantive comments.