



**PUBLIC NOTICE NO. MT-26-06
MAY 18, 2026**

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department of Environmental Quality's (DEQ) intention to issue a Clean Water Act Section 401 certification to the applicant listed in this notice. This certification is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA) and the Administrative Rules of Montana 17.30.101 et seq., 401 Certification and Section 401 of the federal Clean Water Act, 33 USC Section 1341. The Water Protection Bureau has prepared a tentative determination to issue a 401 Certification with Project Specific Conditions. A digital copy of the application is available upon request from the Water Protection Bureau or on the Department's website <https://deq.mt.gov/Public/publiccomment>

APPLICANT INFORMATION

APPLICANT: Dan Peltier, Burlington Northern Santa Fe Railway

PROJECT NAME: Bowdoin Siding & Malta Crossover

LOCATION: The project site is located at Latitude 48.384126°, Longitude - 107.644060°; between Mile Post (MP) 330.67 to MP 332.32, near the town of Malta, in Phillips County, Montana.

RECEIVING WATER: Adjacent wetlands and open water pond

CERTIFICATION NUMBER: MT4012168

A tentative determination has made by DEQ to issue a 401 certification for the Burlington Northern Santa Fe Railway (BNSF), Bowdoin Siding & Malta Crossover Project (MT4012168) in Montana. The project is proposing to construct two components along the Milk River Subdivision: (1) a crossover installation in the vicinity of MP 343.1 in the existing Malta Yard located in Malta, MT (Malta Center Crossover Component); and (2) an extension of the existing Bowdoin Siding from MP 330.67 to MP 332.32 abutting the Bowdoin National Wildlife Refuge (Bowdoin Siding Extension Component). The Bowdoin Siding Extension Component will include widening the existing water crossing over wetland and pond water features at MP 330.9 to carry water under the main line, construction of a siding extension, and construction of a private service road within existing BNSF right-of-way for BNSF access to their tracks.

The project will result in the discharge of approximately 2,790 cubic yards of fill material into 1.73 acres of waters of the United States, including wetlands.

Greg Gianforte, Governor | Sonja Nowakowski, Director | P.O. Box 200901 | Helena, MT 59620-0901 | (406) 444-2544 | www.deq.mt.gov

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TENTATIVE 401 WATER QUALITY CERTIFICATION

DEQ has examined the complete application, MT4012168, and bases its determination upon an evaluation of the information contained in the application that is relevant to water quality. DEQ certifies that this project in its current form following the conditions in the 401 Certification will not violate water quality standards. Certification of this proposal does not authorize the Applicant to exceed applicable state water quality standards. Refer to the online Public Notice at, <http://deq.mt.gov/Public/notices>, for the complete list of Project Specific Conditions.

PUBLIC COMMENT

Public comments are invited and **must be received by 11:59 p.m. on JUNE 18, 2026**. Comments may be directed to the DEQ Water Quality Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. **All comments received or postmarked by 11:59 p.m. on JUNE 18, 2026**, will be considered in the formulation of final determinations to be imposed on the permit. If you wish to comment electronically, you may e-mail DEQWPBPublicComments@mt.gov

During the public comment period provided by the notice, the Department 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 (ARM 17.30.1024).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-5546 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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