Montana Department of
ENVIRONMENTAL QUALITY
Brian Schweitzer, Governor
P. O. Box 200901 Helena, MT 59620-0901 (406) 444-2544 Website: www.deq.mt.gov

NOTICE OF PUBLICATION OF CATEGORICAL EXCLUSION
CITY OF TROY, MONTANA
WRF (Not Yet Assigned)

TROY WATER IMPROVEMENTS PROJECT

October 30, 2009

The Montana Department of Environmental Quality and the Department of Commerce, Treasure State Endowment Program have reviewed the above named project. The project consists of replacing various water mains consisting of pipe, fittings, valves, hydrants, service connections, other appurtenances and surface restoration. Also the project includes disinfection facilities and building additions at each of the city's two wells, and fencing around the water tank. The maps showing the locations of the proposed water line construction are attached.

Pursuant to ARM 17.40.318, the Department has concluded that the proposed project meets the Categorical Exclusion criteria of the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA).

The documentation for the Categorical Exclusion is available for public review at the following locations:

Department of Environmental Quality State Revolving Fund Loan Program 1520 East Sixth Avenue Helena, MT 59601	City of Troy City Hall 301 E. Kootenai Ave. Troy, Montana

Sincerely,

_____
Todd Teegarden, Bureau Chief
Technical & Financial Assistance Bureau
Planning Prevention & Assistance Division
Montana Department of Environmental Quality

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C1-1
C1-2
C1-3
C1-4
C1-5
C1-6
C1-7
C1-8
Kootenai River
Cedar Creek Rd
Fisher River Rd
Fisher River Dr
Fisher River Ave
Fisher River Cutoff Rd
Iron Creek Rd
Iron Creek Dr
Iron Creek Ave
Iron Creek Cutoff Rd
Iron Creek Cutoff Dr
Iron Creek Cutoff Ave
Iron Creek Cutoff Ln
Iron Creek Cutoff Pl
Iron Creek Cutoff Ct
Iron Creek Cutoff Way
Iron Creek Cutoff Cir
Iron Creek Cutoff Blvd
Iron Creek Cutoff Trl
Iron Creek Cutoff Hwy
Iron Creek Cutoff Pkwy
Iron Creek Cutoff Sq
Iron Creek Cutoff Ter
Iron Creek Cutoff Bend
Iron Creek Cutoff Xing
Iron Creek Cutoff Run
Iron Creek Cutoff Path
Iron Creek Cutoff Loop
Iron Creek Cutoff Grove
Iron Creek Cutoff Park
Iron Creek Cutoff Plaza
Iron Creek Cutoff Mall
Iron Creek Cutoff Walk

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SHEET	SHEET TITLE	PROJECT TITLE			
C2-1	SCHEDULE 2 OVERVIEW	TROY WATER IMPROVEMENTS PROJECT *Troy, Montana*	R.MITCHELL DESIGNED BY	OCTOBER 2009 DATE	
			M.ROGERS DRAWN BY	09107.000 PROJECT NO.	
			R.MITCHELL CHECKED BY	Water_TWP FILE	

SYM	REVISION	BY	APPR.	DATE
	PRELIMINARY NOT FOR CONSTRUCTION			

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CHAPTER III – ATTACHMENT D

DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name / Brief Description: **Troy Water Improvements Project**

Project Number: **WRF # (not yet assigned)**

Date: **October 30, 2009**

Preparer: Thomas Slovarp, DWSRF

The Department action under Title 75, chapter 5, part 11 and or chapter 6, part 1 or 2, MCA, is excluded from the requirement to prepare an environmental assessment (EA) or environmental impact statement (EIS) 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:

[Answer yes or no. If all answers "no", an EA or EIS must be completed. If any answer is yes, skip to (b).]

yes 1. minor upgrading;

no 2. minor expansion of system capacity;

yes 3. rehabilitation (including functional replacement) of the existing system and system components;

yes 4. construction of new minor ancillary facilities adjacent to or on the same property as existing facilities; or

no 5. 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.

(b) A categorical exclusion may NOT be granted for a department action if:

[Answer yes or no. If all answers "no", skip to (c). If any answer is yes, an EA or EIS must be completed.]

no 6. the action would authorize facilities that will provide a new discharge or relocate an existing discharge to ground or surface waters;

no 7. 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;

no 8. the action would authorize facilities that will provide capacity to serve a population at least 30% greater than the existing population;

no 9. the action is not supported by the state, or other regional growth plan or strategy;

no 10. the action directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purposes of future development;

no 11. the department has received information indicating that public controversy exists over the project's potential effects on the quality of the human environment;

no____ 12. 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
(ii) endangered or threatened species and their critical habitats.

(c) If the proposed project meets the conditions above in determining use of a CATEX, the reviewer will then complete items 13 - 17 as follows:

[Once all steps 1- 17 are complete, reviewer shall sign and date at bottom. If revocation becomes necessary, reviewer shall initiate an EA or EIS as appropriate.]

yes___ 13. Project meets the above Categorical Exclusion criteria.

yes___ 14. DEQ determination of Categorical Exclusion.

yes___ 15. DEQ distributes the Notice of Determination.

yes___ 16. Notice of Publication and cover letter (containing revocation language below) is delivered to recipient.

_____ 17. Notice of Publication published in local newspaper by recipient and evidence of publication provided to reviewer.

(d) The department may revoke a categorical exclusion if:

[Only complete the steps below 18 – 21 if revocation of a previously implemented CATEX becomes necessary.]

_____ 18. the project is not initiated within the time period specified in the facility plan, or a new or modified application is submitted;

_____ 19. the proposed action no longer meets the requirements for a categorical exclusion because of changes in the proposed action;

_____ 20. new evidence demonstrates that serious local or environmental issues exist; or

_____ 21. state, local, tribal, or federal laws may be violated.

_____
STATE PREPARER

_____
STATE REVIEWER

_____
COMPLETION DATE