



*"Healthy environment, healthy people"*

Montana Department of  
**ENVIRONMENTAL QUALITY**

Steve Bullock, Governor  
Tracy Stone-Manning, Director

P. O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • Website: [www.deq.mt.gov](http://www.deq.mt.gov)

January 29, 2013

Charles Stearns, City Manager  
City of Whitefish  
P.O. Box 158  
Whitefish, MT 59937

Re: Categorical Exclusion (SRF C304230), US 93 Sewer Improvements 2013,  
City of Whitefish, Montana

Dear Mr. Stearns:

An environmental review of the above referenced project has been completed by the Water Pollution Control SRF Program. Based on this review, it has been determined that the project is eligible for a categorical exclusion from further environmental review. A copy of the Notice of Publication of Categorical Exclusion for this project is enclosed. Please print the notice in at least one publication of your local newspaper, under legal advertising, and return a copy of the proof of advertisement to this office.

Please have the Notice, the project planning documents and any other pertinent information available for public review at your office. We have distributed the notice to the enclosed list of agencies. If you have any questions regarding this process or the project in general, you can call me at the number listed below.

Sincerely,

Terry Campbell, P.E.  
State Revolving Fund Loan Program  
Technical and Financial Assistance Bureau  
[tcampbell@mt.gov](mailto:tcampbell@mt.gov)  
406.444.7343

Encl

cc: Jonathan Gass, P.E., WGM Group (e-mail)  
Karin Hilding, Whitefish Public Works (e-mail)  
Anna Miller, DNRC (e-mail)



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NOTICE OF PUBLICATION OF CATEGORICAL EXCLUSION  
CITY OF WHITEFISH, MONTANA  
WPCSRF #: C304230

HWY 93 CORRIDOR  
SEWER MAIN COLLECTOR IMPROVEMEMTS PROJECT

January 29, 2013

The Montana Department of Environmental Quality has reviewed the above named project. The project consists of plans to replace approximately 3,600 feet of deteriorated sewer mains along US 93, west of the intersection with O'Brien Avenue, in Whitefish, Montana. This project will be performed as a component of the US 93 Highway Improvements Project being bid by the Montana Department of Transportation for this highway section under MDT Project No. CBI-NHTSA 5-3(96)128. These sewer mains have experienced problems including lack of slope, slow flow conditions, blockage and backup.

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 Categorical Exclusion may be revoked if the project is not initiated within the time period specified in the Preliminary Engineering Report, a new or modified application is submitted, new evidence demonstrates serious local or environmental issues exist, or state, local, tribal, or federal laws are violated.

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

Whitefish, City of  
418 East 2<sup>nd</sup> Street  
Whitefish, MT 59937

Sincerely,

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

# Whitefish Hwy 93 Sewer Main Improvements Project Location Map



CHAPTER III – ATTACHMENT D

DOCUMENTATION OF CATEGORICAL EXCLUSION DETERMINATION CHECKLIST

Project Name / Brief Description: Whitefish US 93 WW Improvements Project

Project Number: C304230

Date: 1/29/13

Preparer: Terry Campbell

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.

Tommy Campbell 1/29/13  
STATE PREPARER

Mohi Alhanna 1/29/13  
STATE REVIEWER

\_\_\_\_\_  
COMPLETION DATE