



August 21, 2023

Patrick Siers  
United States Forest Service  
650 Wolfpack Way  
Kalispell, MT 59901

**RE: Water Quality Complaint [CVID #24989]**

Dear Mr. Siers:

The Montana Department of Environmental Quality (DEQ), Enforcement Program received a complaint alleging that the wastewater lagoon system serving the Holland Lake Lodge and United States Forest Service (USFS) Campground (system) may be contaminating groundwater and surface water, on property owned by the USFS located on Holland Lake Lodge Road near Condon, Missoula County, Montana (property).

The complaint noted a decrease in the number of times that spray irrigation occurred from the wastewater lagoon since 2003, based on sampling data required by Missoula County. This decrease was noted even though the number of visitors appeared to have increased. After the complaint was filed, DEQ's Engineering Bureau determined that the lagoons may be leaking in excess of the allowed rate. After looking at nearby precipitation and evaporation data, effluent volume and spray irrigation records, DEQ's Engineering Bureau determined that the lagoons may be leaking in excess of the allowed rate and that a water balance study may be needed to get an accurate estimate of leakage.

On June 8, 2023, Josh Viall and Mike Abrahamson of DEQ performed a technical assistance visit at the system. That report was sent to you on August 17, 2023. The letter sent with the report describes and recommends a water balance study to provide a more precise estimate of leakage from the system. This water balance study would be required by DEQ's Engineering Bureau prior to approval of any expansion of the system.

DEQ requests that you complete this water balance study by **September 17, 2023**, in order to determine any next steps needed for compliance in a timely manner. A lagoon leaking in excess of the allowed rate, or land application at greater than agronomic rates, could be considered a discharge to state waters without a permit.

I am providing the following information, to ensure that the USFS is aware of the Montana laws and rules pertinent to this complaint:

- "It is unlawful to cause pollution of any state waters or place or cause to be placed wastes where they will cause pollution of any state waters." See §75-5-605(1)(a) Montana Code Annotated (MCA).

- “It is unlawful to carry on any of the following activities without a current permit from the department: discharge sewage, industrial wastes or other wastes into any state waters.” See §75-5-605(2)(c).
- Pollution is defined as contamination or other alteration of the physical, chemical, or biological properties of state waters that exceeds that permitted by Montana water quality standards...” See § 75-5-103(30)(a)(i) MCA.
- State Waters are defined as “a body of water, irrigation system, or drainage system, either surface or underground.” See § 75-5-103(34)(a).
- “Prohibited acts. A person may not: (1) commence or continue construction, alteration, extension, or operation of a system of water supply or water distribution that is intended to be used as a public water supply system or a system that is intended to be used as a public sewage system before the person submits to the department necessary maps, plans, and specifications for its review and the department approves those maps, plans, and specifications;” ) See §75-6-112(1) MCA

If you have any comments, questions, or believe any of the information stated above is incorrect, please feel free to contact me at the telephone number listed below.

Sincerely,



Margarite Juarez Thomas  
Environmental Enforcement Specialist  
Enforcement Program  
(406) 755-8956  
email: [mjuarezthomas@mt.gov](mailto:mjuarezthomas@mt.gov)

cc via email: Scott Snelson, USFS  
Rachel Clark, DEQ ENG  
Missoula County Sanitarian  
Vincent Chappell, Seeley Lake Water District  
Complainant