



Ref: 8 Montana

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

[REDACTED]
Traditional Homes, LLC
36332 Fulkerson Lane
Polson, Montana 59860
[REDACTED]

Re: Inspection Report for Hillcrest Development/Traditional Homes, LLC, MTR10I050

Dear [REDACTED]:

On November 13, 2024, a representative of the U.S. Environmental Protection Agency inspected the Hillcrest development construction site in Polson, Montana, to evaluate compliance with the site's National Pollutant Discharge Elimination System permit for stormwater construction discharges. The inspection was conducted under the authority of Section 308 of the Clean Water Act (Act). Enclosed is a report of the inspection.

Inspection findings are summarized within the enclosed inspection report in a table titled "Findings, Corrective Actions and Recommendations." Within **thirty (30) days** of receipt of this report, please provide the EPA with a summary of corrective actions taken to address each of the findings identified in the report and any information that may change the findings or content of the report. This summary should be sent to:

[REDACTED]
[REDACTED]
U.S. EPA Region 8 (8 Montana)
NPDES and Wetlands Enforcement Section
Helena, MT 59626

[REDACTED]
[REDACTED]
Confederated Salish and Kootenai Tribes
Acting Environmental Division Director
Polson, MT

A Small Business Regulatory Enforcement and Fairness Act (SBREFA) information sheet containing information on compliance assistance resources and tools available to small businesses is enclosed with this letter. The inclusion of this information sheet does not necessarily mean that the EPA has determined that Traditional Homes, LLC is a small business.

Please contact me at [REDACTED] if you have any questions regarding this letter or the enclosed report.

Sincerely,

[REDACTED]

Digitally signed by

[REDACTED]
Date: 2025.01.14 14:58:46
-07'00'

NPDES and Wetlands Enforcement Section
Enforcement and Compliance Assurance Division

Enclosures:

- 1) NPDES Storm Water Inspection Report – Construction
- 2) Photo Log
- 3) SBREFA Information Sheet

cc: (via email)

[REDACTED], Chairman, CSKT
[REDACTED], Environmental Division Director, CSKT
[REDACTED], Water Quality Regulatory Specialist, CSKT

NPDES Stormwater Inspection Report - Construction

National Database Information			
Inspection Date: November 13, 2024		Inspection Type: NPDES-Stormwater Construction	
Entry/Exit Time: 09:05/11:13		NPDES ID Number: MTR10I050	
SIC Code: 1794-excavation work		Inspection ID: 202411_MTR10I050	
Lead inspector and affiliation: [REDACTED] / U.S. EPA Montana Operations Office			

Facility Location Information	
Site/Facility Name & Location: Hillcrest Drive construction site Polson, Montana [REDACTED]	Mail Report to: [REDACTED] /Traditional Homes, LLC 36332 Fulkerson Lane Polson, Montana 59860

Contact Information	
	Name(s)/Title
Facility Contacts:	[REDACTED], Owner/Manager, Traditional Homes, LLC (Present)
	[REDACTED], Project Manager, Traditional Homes, LLC (Present)
Person/Company meeting definition of "Operator"	[REDACTED], Traditional Homes, LLC Owner/Manager
Authorized Official(s) (Per NOI or SWPPP?)	[REDACTED], Traditional Homes, LLC Owner/Manager

Permit Information			
Is the permit on site and available? No		Date NOI Submitted: June 11, 2024	
Effective Date: June 25, 2024		Expiration Date: February 16, 2027	
Construction Start Date: On or before 09/29/2022	Percent complete: unknown	Estimated Completion Date: unknown	
Disturbed Area: Approximately 2.5 acres	Total Project Area: 7.92-acres	Latitude: [REDACTED]	Longitude: [REDACTED]
Receiving Water(s): Polson B Canal to Flathead Lake			
If applicable, is waiver certification & approval on file? N/A			
Regulatory Inspector's source of information: Clean Water Act regulation, 2022 Construction General Permit, ariel maps, facility representatives and facility observations.			

Site Information							
Nature of Project	<u>Residential</u>	<i>Commercial/Industrial</i>	<i>Roadway</i>	<i>Private</i>	<i>Federal</i>	<i>State/Municipal</i>	<i>Other</i>
Construction Stage	<u>Clearing/Grubbing</u>	<u>Rough Grading</u>	<u>Infrastructure</u>	<u>Building Const.</u>	<i>Final Grading</i>	<i>Final Stabilization</i>	
Weather conditions during inspection: Overcast, 50°F. No precipitation within 7 days prior to inspection							

Areas Evaluated During Inspection		
<u>Permit</u>	<u>Effluent/Receiving Waters</u>	<i>Compliance Schedule</i>
<u>Records/Reports</u>	<i>Flow Measurement</i>	<i>Pollution Prevention</i>
<u>Facility Site Review</u>	<u>Self-Monitoring Program</u>	<i>Laboratory</i>
<i>Other(s):</i>		

Report Review and Signature		
Drafter Signature/Name: Lisa-kay Prideaux	Address/Phone Number	Date
 Digitally signed by  Date: 2025.01.14 14:59:51 -07'00'	U.S. EPA Region 8, Montana Operations Office 10 West 15 th Street, Suite 3200 Helena, Montana 59626 406-457-5022	12.19.2024
Reviewer Name:	Address/Phone Number	Date
	U.S. EPA Region 8 1595 Wynkoop Street Denver, Colorado 80202 303-312-6885	12.20.2024
Management Signature/Name:  , NPDES & Wetlands Enforcement Section Supervisor	Address/Phone Number	Date
 Digitally signed by  Date: 2025.01.14 11:26:16 -07'00'	U.S. EPA Region 8 1595 Wynkoop Street Denver, Colorado 80202 303-312-6407	01/14/2025

Inspection Narrative and Site Description

On November 13, 2024, EPA inspector [REDACTED] conducted an unannounced inspection at the Hillcrest Development project site. The project was located in Polson, Montana within the exterior boundaries of the Flathead Reservation. A letter notifying the Confederated Salish and Kootenai Tribes of the EPA's inspection presence on the Reservation was sent on October 31, 2024. The purpose of the inspection was to evaluate compliance with applicable National Pollutant Discharge Elimination System (NPDES) Construction General Permit for Stormwater Discharges from Construction Activities (general permit) requirements.

After arriving at approximately 09:05 AM, the inspector presented credentials to [REDACTED], Owner, and [REDACTED], project manager, both of Traditional Homes, LLC. According to [REDACTED], the property is owned by [REDACTED] and the developer is Traditional Homes, LLC of which he is the registered agent for both. The inspector outlined the intended format and scope of the inspection. Throughout the inspection, the inspector noted observations in bound notebooks and checklists which reflected conditions of the Permit. Photographs taken during the inspection are included in the attached photo log and are maintained by EPA in accordance with the Quality Assurance Field Activities Procedure and Standard Operating Procedure.

The relevant version of the general permit became effective February 17, 2022, and expires February 16, 2027. Traditional Homes, LLC submitted a Notice of Intent (NOI) for general permit coverage on June 11, 2024, and coverage for the site became effective June 25, 2024. Traditional Homes, LLC is the sole project entity that submitted a NOI and obtained coverage under the general permit. The NOI identified earth-disturbing activities had previously commenced on the project site. According to a previous inspection, the project began ground disturbance in September 2022. The NOI indicated an expected project end date of June 2024; however, the site was active at the time of the inspection. As of this report drafting, general permit coverage for the site remains active and will continue until the general permit expires at 11:59 PM on February 16, 2027, or until coverage is terminated, whichever occurs first. According to the NOI, the total project area was estimated as 7.92-acres and the total area to be disturbed was estimated as 2.75-acres; these figures were not verified as part of the inspection.

We then began the discussion portion of the inspection, the inspector discussed various elements of the project and general permit requirements and implementation, and facility representative provided an overview of the development project, current phase of the project, and future phases of construction. The project currently has infrastructure for four or more 4-plex complexes, partial road and parking lot is paved, vertical construction of two complexes was complete, a concrete base structure was being poured later in the week for a third complex, and plans showed at least one more complex in the current location of the equipment staging area.

The inspector asked for permit required records to include a copy of the general permit, copy of the NOI, copy of the acknowledgement letter, posting of a sign with notice of permit coverage, copy of an updated Stormwater Pollution Prevention Plan (SWPPP), updated site map, and self-inspection reports.

After discussing records, we started to walk the site to identify pollutant sources and best management practices (BMPs) installed. We walked in a counterclockwise direction around the site starting at the

site entrance. Entrance to the project site is off of Hillcrest Drive and is paved approximately 190 feet in from Hillcrest Drive with a short spur to the north leading to the equipment staging area, and a drive with parking for the two completed complexes (photos 103 & 104). We walked along the northern boundary and to the west, as we started down slope, there was a partially constructed retention pond (photos 105 & 107), which [REDACTED] indicated they are using as a temporary BMP during construction and will do final grades when the project is complete as a post-construction BMP. We continued to walk along the western end of the construction site (downgradient) to the Polson B canal. At the time of the inspection there was no water in the irrigation channel. [REDACTED] explained the section of the canal is concrete across this section of the site because when the canal was first constructed, there was not enough slope to keep the irrigation water moving, so they created a channel to create less resistance and keep the water flowing. The inspector noted the northern end of the concrete channel. The group walked south along the canal and noted the installation and maintenance of the installed silt fence on the eastern side of the canal (photos 106, 111 and 112). On the south end of the project site, the concrete portion of the canal ends (photo 108); however, it was noted the water would flow from the south to the north and there was an accumulation of sediment at the entrance to the concrete portion of the channel (photos 108 & 109). The inspector viewed the remainder of the channel on the project site that was the typical earthen dredged irrigation channel (photo 110). We then walked up the center of the construction site observing the stockpiles and general construction activities (photos 113 & 114). At the time of the inspection there were no earth moving activities.

Closing Conference

A closing conference was held on-site with [REDACTED] and [REDACTED], during which the inspector discussed preliminary findings, as well as the process for the inspection report. The inspection concluded at approximately 11:13. Preliminary findings were emailed to [REDACTED] on November 14, 2024.

Findings, Corrective Actions and Recommendations

Finding #1: Traditional Homes did not have required documents on-site.

Specifically, a copy of the General Permit was not available for review.

Permit requirement:

Part 7.3 of the general permit states, "You must keep a current copy of your SWPPP at the site or at an easily accessible location so that it can be made available at the time of an on-site inspection...."

Part 7.2.11.c of the general permit states, as a part of the post-authorization inclusion of the SWPPP, "A copy of this permit (an electronic copy easily available to the stormwater team is also acceptable)."

Corrective Action:

Ensure a copy of the general permit is available, in either hard copy or electronic format, as access to the Stormwater team and to be available for an on-site inspection. In the response to this report, provide EPA and the Tribes with a description of the corrective actions taken to address this finding.

Finding #2: Traditional Homes did not have required documents on-site.

Specifically, a copy of the SWPPP and associated site map was not available for review.

Permit requirement:

Part 7.3 of the general permit states, “You must keep a current copy of your SWPPP at the site or at an easily accessible location so that it can be made available at the time of an on-site inspection....”

Part 7.2.4 of the general permit includes a site map as part of the SWPPP.

Part 7.4.1 of the general permit states, “You must modify your SWPPP, including the site map(s), within seven (7) days of any [changes or updates to the site].”

Corrective Action:

Ensure an up-to-date copy of the SWPPP and site map are maintained so they are available for on-site inspections. In a response to this report, provide EPA and the Tribes with an updated copy of the SWPPP and site map (electronic format is acceptable).

Finding #3: Inspections were not being completed and/or documented.

Specifically, inspections were not being conducted or documented as required.

Permit requirement:

Part 4.0 of the general permit includes the requirements of who is responsible for conducting inspections, the frequency of inspections, and documenting the inspections.

Part 7.2.7 of the general permit includes the procedures for inspection schedule, maintenance, and corrective actions as part of the SWPPP.

Corrective Action:

Ensure on-site inspections are being conducted at the required frequency and are being documented and retained as required. Identify and implement any corrective actions identified during inspections within the required timeframe. In the response to this report, provide EPA and the Tribes with one month of weekly inspection reports in accordance with permit requirements.

Finding #4: Best Management Practices were not installed to minimize the discharge of sediment.

Specifically, there is an area of disturbance located at northwest of the staging area and northeast of the temporary retention pond where no BMP has been installed to control sediment-laden stormwater from leaving the site and entering the property adjacent to the project area. As a result, there is a potential for a discharge of pollutants in stormwater from construction activities. BMPs must be implemented and maintained to minimize potential pollutants in storm water discharges.

Permit requirement:

Part 2.1 of the general permit states, “You must design, install, and maintain stormwater controls required in Parts 2.2, 2.3, and 2.4 to minimize the discharge of pollutants in stormwater from construction activities.”

Corrective Action:

In the response to this report, provide EPA and the Tribes with a description of the corrective actions taken to address this finding. Provide photographic evidence documenting the corrective action when complete.

Finding #5: Best Management Practices were not properly installed.

Specifically, the silt fence fabric was not installed consistently with a minimum of six inches in the ground, soil was pushed up on the fabric in place of compacted backfill, and ends of silt fence were not properly overlapped (photos 106, 111 and 112). As a result, there is a potential for a discharge of pollutants in stormwater from construction activities. Please note: BMPs are required to be designed, installed, and maintained in effective operating condition.

Permit requirement:

Part 2.1 of the general permit states, "You must design, install, and maintain stormwater controls required in Parts 2.2 2.3, and 2.4 to minimize the discharge of pollutants in stormwater from construction activities."

Part 2.1.2 of the general permit states, "Design and install all stormwater control in accordance with good engineering practices, including applicable design specifications."

Part 5.1 of the general permit states, "You must take corrective action to address any of the following condition identified at your site: ... 5.1.2 A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly..."

Corrective Action:

The BMP must be re-installed per the design specifications. In the response to this report, provide EPA and the Tribes with a description of the corrective actions taken to address this finding. Provide photographic evidence documenting the corrective action when complete.

Finding #6: Installed Best Management Practices were not being maintained.

Specifically, silt fence had slack and/or torn fabric, stakes were not upright and broken (photos 106, 111 and 112). As a result of improper BMP maintenance, there is a potential for a discharge of pollutants in stormwater from construction activities. BMPs must be implemented and maintained to minimize the discharge of sediment from the project area.

Permit requirement:

Parts 2.1, of the general permit states, "You must design, install, and maintain stormwater controls required... to minimize the discharge of pollutants in stormwater from construction activities."

Part 2.1.2 of the general permit states, "Design and install all stormwater control in accordance with good engineering practices, including applicable design specifications."

Part 2.1.4 of the general permit states, "Ensure all stormwater controls are maintained and remain in effective operating condition during permit coverage and are protected from activities that would reduce their effectiveness."

Part 5.1 of the general permit states, “You must take corrective action to address any of the following condition identified at your site: ... 5.1.1 A stormwater control needs a significant repair or a new or replacement control is needed....”

Corrective Action:

The silt fence BMP requires maintenance and repair. In the response to this report, provide EPA and the Tribes with a description of the corrective actions taken to address this finding. Provide photographic evidence documenting the corrective action when complete.

Finding #7: Polson B canal discharge location.

During the inspection, [REDACTED] stated the Polson B canal ends within the Polson Bay Golf Course.

Follow up:

If available, provide any information concerning the current path of the Polson B canal from the construction site to its end point.