



**US Army Corps  
of Engineers**  
Omaha District

**PUBLIC NOTICE**

**Applicant: Federal Highways Administration**  
**Corps File No: NWO-2002-90536-MTH**  
**Waterway: Tenmile Creek**  
**Issue Date: October 31, 2012**  
**Expiration Date: November 30, 2012**

**30-DAY NOTICE**

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**Helena Regulatory Office**

**10 West 15<sup>th</sup> Street, Suite 2200**

**Helena, Montana 59626**

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**JOINT PUBLIC NOTICE  
FOR PERMIT APPLICATION SUBMITTED TO  
U.S. ARMY CORPS OF ENGINEERS  
AND  
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

The application of the Federal Highways Administration, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha, Nebraska. **The project described herein is not being proposed by the Corps, but by the applicant; the Corps will evaluate the proposed work to determine if it is permissible under current laws and regulations.**

**Description of Proposed Project:** The proposed project will fill approximately 2,145 linear feet of Tenmile Creek spread across six (6) locations. Approximately 2,880 linear feet of creek will be reestablished or restored to replace the filled areas.

Impact site 1 is a bridge replacement located at station 56+50 through 58+00. Tenmile Creek will be temporarily diverted through a 72-inch diameter 74-foot long culvert pipe during new bridge construction. Traffic will be diverted to a temporary bypass road over the stream diversion pipe. Approximately 400 cubic yards of fill will be temporarily placed for the stream diversion and temporary road. Approximately 500 cubic yards of riprap and 250 square yards of biodegradable erosion control blanket will be used to stabilize 215 linear feet of the banks of Tenmile Creek around the bridge abutments and the upstream and downstream ends of the new bridge.

Impact site 2 is stream relocation located at stations 84+00 through 88+75. The creek will be relocated away from the road at this location and riprap will be placed along the road prism where the creek is currently flowing. 700 linear feet of Tenmile Creek will be permanently moved away from the road. 1,400 cubic yards of riprap will be placed along approximately 500 linear feet of the existing creek bed, covered in soil, and planted with native vegetation. A temporary diversion channel will be created to allow installation of the riprap to take place in the dry. This temporary diversion channel will be created by construction of a berm along the existing channel. The berm will be approximately 612 linear feet long and will require approximately 499 cubic yards of fill within the open channel. Water will be directed into the new creek channel once it is completed. The new stream channel will be created by digging out the proposed channel, avoiding existing trees and boulders as feasible and using existing trees and boulders to help direct the layout of the new channel, and then lining the proposed new stream bank with approximately 3,300 square yards of biodegradable erosion control blanket. Native vegetation will be planted along the banks of the new channel. Approximately 750 linear feet of new channel will be established.

Impact site 3 is a bridge replacement and stream relocation located at stations 127+80 through 130+00. Tenmile Creek at this location is currently an open braided system with two main channels. The channel closest to the existing Rimini Road was formed during a flood event in the 1980s and runs directly adjacent to the road. After construction, the west channel that is furthest from Rimini Road will be the primary channel and will receive all of the water flow. Biodegradable erosion control blanket will be placed along the stream banks and the riparian area will be planted with native vegetation. The east channel will be filled and graded to maintain the existing wetland between the two current channels, as well as direct the flow of water into the west channel. A rock barrier along the new rip rap slope will be placed to prevent Tenmile Creek from re-capturing the east channel. A temporary berm will be constructed within the channel to divert water during construction activities. For the construction of the berm, 139 cubic yards of fill will temporarily be placed below the ordinary high water mark of the creek. In addition to the berm, approximately 300 linear feet and approximately 700 cubic yards of riprap will be placed below the ordinary high water mark around the abutments of the bridge at this location. Road traffic will be diverted around the construction area for the new bridge by creating a temporary road. A 72-inch diameter by 82-foot long culvert will be used for the temporary road. Approximately 1,050 cubic yards of fill will be placed within the creek channel for the temporary road, and will be removed once construction is complete. The disturbed area at this location will be about 0.52 acre.

Impact Site 4 is a bridge replacement and stream relocation site located at stations 173+40 through 178+00. The existing east bank of Tenmile Creek will be armored using riprap along 320 linear feet. The riprap will be buried and the soil placed over the riprap will be planted with native vegetation. Four (4) stream barbs will be placed along the new west bank to protect an adjacent City of Helena water line. A total of 650 cubic yards of riprap will be placed below the ordinary high water mark at this site. During construction of the new channel, the creek will be placed in a temporary diversion channel for approximately 650 feet. A 72-inch diameter by 134-foot long culvert pipe will be used for a portion of the temporary diversion channel to allow traffic. A berm will be constructed using 148 cubic yards of fill to divert water around the construction area. Approximately 600 cubic yards of fill will be placed within the stream channel temporarily for the construction of a temporary bypass road, and will be removed once construction is complete.

Impact site 5 is located at stations 272+00 through 276+50. The road bank will be stabilized with 1600 cubic yards of riprap along 460 linear feet of Tenmile Creek. The west bank of the creek (the side farthest from the road) will be graded down to match the elevation of the existing creek bottom in order to maintain the creek width which would otherwise be impacted by the increased road width and riprap protection. A temporary diversion channel will be created during construction to allow work to occur in the dry. The temporary diversion channel will be created using a berm, which will require the placement of about 475 cubic yards of temporary fill. Once construction is complete the berm will be removed and the stream channel restored back to its previous condition.

Impact site 6 is located at stations 284+00 through 285+50. Approximately 600 cubic yards of riprap will be placed along the toe of the road prism, impacting 160 linear feet of Tenmile Creek. The west bank of the creek (the side farthest from the road) will be graded down to match the elevation of the existing creek bottom in order to maintain the creek width. In order to allow construction work to occur in the dry, a temporary diversion channel will be created by placing 340 cubic yards of fill material for the construction of a temporary berm along the channel length, and will be removed and the channel restored back to its natural condition once construction is complete.

In addition to the stream impacts described above, the proposed project will permanently fill in portions of 13 wetlands along the project route to accommodate roadway widening, impacting a total of 0.43 acre of wetlands. Drawings showing the location and extent of the project are attached to this notice.

**Location:** The proposed activity is located near the City of Helena along Montana Forest Highway 98 (MT FH 98) in Section 3, Township 9 North, Range 5 West, Lewis and Clark County, Montana (Latitude: 46.571843°N, -112.218132°W).

**Purpose:** The purpose of the proposed project, as stated by the applicant, is roadway widening/improvements to improve the road's operational safety, maintenance efforts, and to reduce sedimentation into Tenmile Creek.

**Mitigation:** The applicant avoided impacts to aquatic resources outside of the proposed stream relocation sites by moving the road away from the existing stream to the extent possible. By keeping the road away from the stream, the project will minimize risk of the stream cutting into the road bank and minimize sedimentation to the creek. To minimize impacts to aquatic resources, the applicant analyzed the stream impacts and determined that the greatest chance of success is by re-routing the stream channel away from the road prism at specified areas, with the goal of decreasing the amount of sediment in the stream channel. To compensate for unavoidable impact, the applicant has proposed approximately 2,880 linear feet of onsite stream relocation/restoration throughout the project as mitigation for the impacts. The applicant proposed to construct a new channel approximately 750 linear feet long at site 2. At site 3, the braided channel will be moved into a single channel and enhanced/restored for a total of 910 feet. At site 4, the channel will be pushed away from the road and restored/enhanced for approximately 200 linear feet. At site 5, the west bank of the creek (the side farthest from the road) will be graded down to match the elevation of the existing creek bottom in order to maintain the creek width which would otherwise be impacted by the increased road width and then enhanced/restored for approximately 520 linear feet. At site 6, the west bank of the creek (the side farthest from the road) will be graded down to match the elevation of the existing creek bottom in order to maintain the creek width and then enhanced/restored for approximately 500 linear feet.

**401 Water Quality Certification:** The Montana Department of Environmental Quality, 1520 East 6th Avenue, PO Box 200901, Helena, Montana 59620-0901, will review the proposed project with the intent to certify in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The Montana Department of Environmental Quality hereby incorporates this public notice as its own public notice and procedures by reference thereto.

**Cultural Resources:** Aaberg Cultural Resource Consulting Service completed a Class III cultural resource survey in January 2004 for the project. Based on the report, the project will result in an Adverse effect on two (2) sites, and there will be No Adverse Effect to eleven (11) sites. The State Historic Preservation Office (SHPO) concurred with these findings on March 14, 2008. The Corps of Engineers, Omaha District will comply with the National Historic Preservation Act of 1966, as amended. We will evaluate input by the State Historic Preservation Office and the public in response to this public notice.

**Threatened / Endangered Species:** In compliance with the Endangered Species Act, a preliminary determination has been made by the Federal Highway Administration that the described work will not affect species designated as threatened or endangered, or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

**Evaluation Factors:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of work on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 C.F.R.; Part 230).

**Comments:** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess

impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. All public notice comments will be considered public information and will be subject to review by the applicant.

Any person may request, in writing and within the comment period specified in this notice, that a public hearing be held for the purpose of gathering additional information. Requests for public hearings must be identified as such and shall state specifically the reasons for holding a public hearing and what additional information would be obtained. The request must be submitted to the U.S. Army Corps of Engineers, 10 West 15<sup>th</sup> Street, Suite 2200, Helena, Montana 59626. If it is decided that additional information is required and that a public hearing should be held, interested parties will be notified of the date, time and location.

Any interested party (particularly officials of any town, city, county, state, or Federal agency; Indian tribe; or local association whose interests may be affected by the work) is invited to submit to this office written facts, arguments, or objections on or before the expiration date listed on the front of this notice. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this application. All replies to the public notice should be addressed to the **U.S. Army Corps of Engineers, 10 West 15<sup>th</sup> Street, Suite 2200, Helena, Montana 59626. Please reference the Corps File Number found on the first page of this notice in any correspondence.** Stephanie McCary, telephone number (406) 441-1375, may be contacted for additional information. You may also fax your comments to (406) 441-1380 or email comments to [stephanie.d.mccary@usace.army.mil](mailto:stephanie.d.mccary@usace.army.mil).

Comments postmarked after the expiration date of this public notice or received by email or fax after the closing date, will not be considered.

**Statutory Authorities:** A permit, if issued, will be under the provisions of Section 404 of the Clean Water Act.

# U. S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION



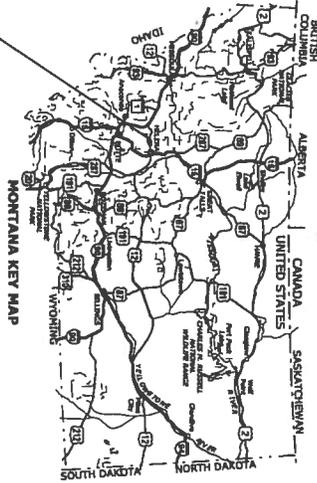
PLANS FOR PROPOSED PROJECT

MT PFH 98-1(1)

## RIMINI ROAD

HELENA NATIONAL FOREST  
LEWIS AND CLARK COUNTY  
MONTANA

LENGTH 6.278 MILES



**TYPE OF CONSTRUCTION:**

Grading, drainage, base, bridges, walks, guardrail, and paving

**DESIGN DESIGNATION:**

ADT (2010)	446	140
ADT (2030)	544	170
V	45 mph	45 mph
e (max)	0.06	0.06

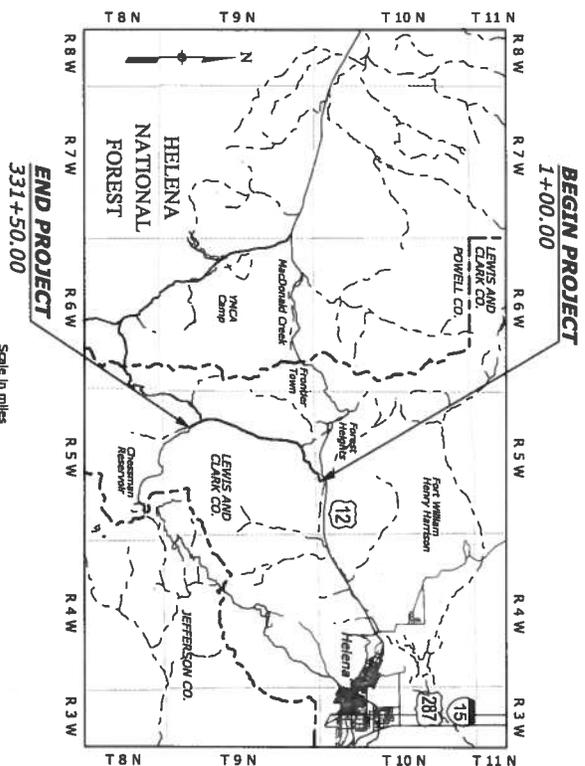
**SPECIFICATION:**

Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, IP-03 US Customary Units



PLANS PREPARED BY  
**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION**  
WESTERN FEDERAL LANDS HIGHWAY DIVISION  
VANCOUVER, WASHINGTON

PROJECT MANAGER  
**G. GIFFORD**



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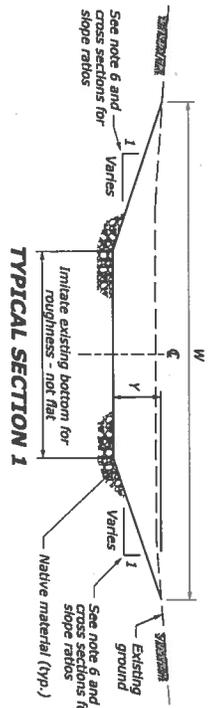
**APPROVED:**

Director, Project Delivery,  
Western Federal Lands Highway Division

DATE

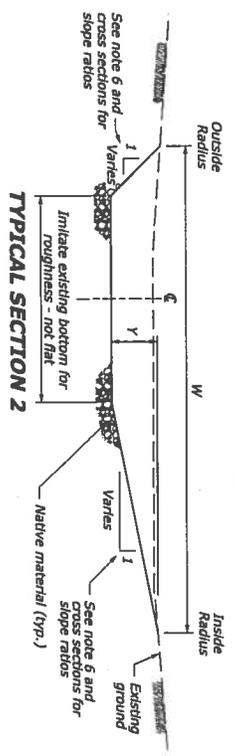
STATE	PROJECT	SHEET NUMBER
MT	PFH 98-1(1)	A.1



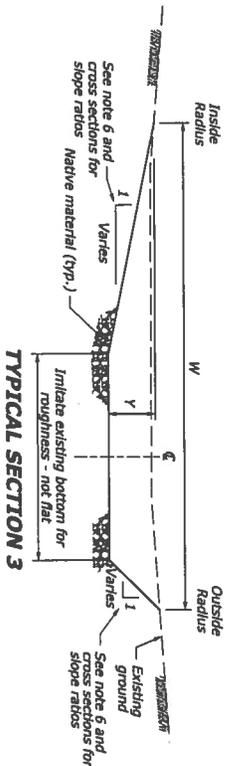


TYPICAL SECTION 1						
LOCATION	STATION	CHANNEL LENGTH (FT)	W (FT)	Y (FT)	BANKFULL MINIMUM CHANNEL AREA (SQFT)	THALWEG SLOPE THROUGH REACH AVERAGE MINIMUM MAXIMUM
Site 1	10+00 - 17+23.73	724	35±5	4.0±1.0	80	0.019 0.002 0.035
Site 2	10+00 - 12+00	200	35±5	3.5±1.5	70	0.017 0.001 0.035
Site 2	14+25 - 15+18.39	118	35±5	3.5±1.5	70	0.017 0.001 0.035
Site 4	10+00 - 14+93.02	493	25±5	3.0±1.0	50	0.031 0.023 0.037
Site 5	11+50 - 13+90.63	262	25±5	3.0±1.0	50	0.020 0.009 0.027

TYPICAL SECTION 2						
LOCATION	STATION	CHANNEL LENGTH (FT)	W (FT)	Y (FT)	BANKFULL MINIMUM CHANNEL AREA (SQFT)	THALWEG SLOPE THROUGH REACH AVERAGE MINIMUM MAXIMUM
Site 2	12+25 - 14+00	200	40±10	3.5±1.5	70	0.017 0.001 0.035



TYPICAL SECTION 3						
LOCATION	STATION	CHANNEL LENGTH (FT)	W (FT)	Y (FT)	BANKFULL MINIMUM CHANNEL AREA (SQFT)	THALWEG SLOPE THROUGH REACH AVERAGE MINIMUM MAXIMUM
Site 5	10+00 - 11+32.38	132	30±5	3.0±2.0	80	0.020 0.009 0.027

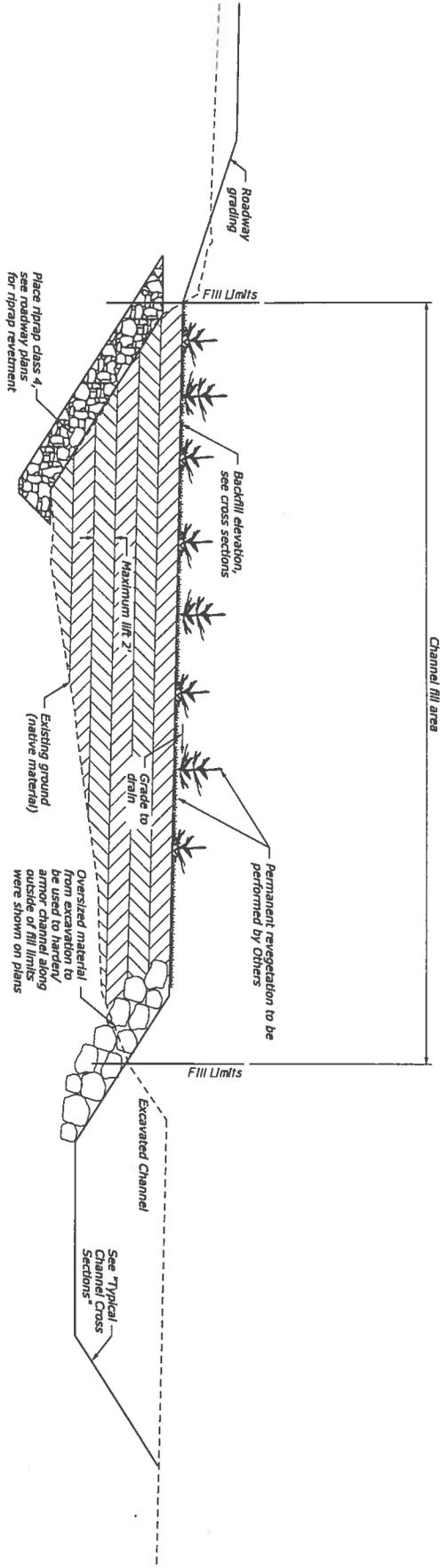


- NOTES:**
1. Match proposed channel material to existing channel material. This shall be verified in field inspection and gradations performed before construction.
  2. The bankfull width (W) indicates the width of the channel at the bankfull grade line.
  3. The depth (Y) represents the grade difference between the bankfull line and the bed line.
  4. Dimensions shown are approximate and shall be verified in the field prior to construction.
  5. Transition changes in cross section geometries within a 50' reach of constructed channel distance.
  6. Cross sectional geometries represent approximate geometries to be constructed. Subsurface material and obstructions experienced in the field shall dictate the final constructed geometry and layout as directed by the CD. Channel side slopes are to be undulating and replicate the natural channel shape of the existing channel.
  7. Stations are based on the channel centerline of each site.
  8. Excavated channel material shall be placed and compacted within the existing channel. See "Typical Channel Fill Cross Section".
  9. Refer to bridge plans and riprap layout plans for channels cross section and grading requirements at Site 3.

**TYPICAL CHANNEL CROSS SECTIONS**

NO SCALE

STATE	PROJECT	SHEET NUMBER
MT	FR 99-1(1)	1.1



**NOTES:**

1. Existing channel to be filled in 2' lifts maximum.
2. Place the materials in horizontal lifts. Voids between particles is not allowed. Perform a minimum of 6 passes with appropriate equipment for compaction, as approved by the CO.
3. Maximum equivalent diameter of 2" shall be placed within fill. Place larger material to harden/armor channel. Place excess larger material within the top lift as approved by the CO.
4. Once proposed grade is met, salvaged topsoil and sod shall be placed upon all disturbed areas.
5. Once all salvage material is placed, all disturbed areas shall be protected from erosion per the erosion control plans. Final seeding and revegetation shall be performed by the CO. Permanent revegetation shall be performed by Others to ensure that erosion protection is maintained until final seeding and revegetation can be performed.

NO SCALE

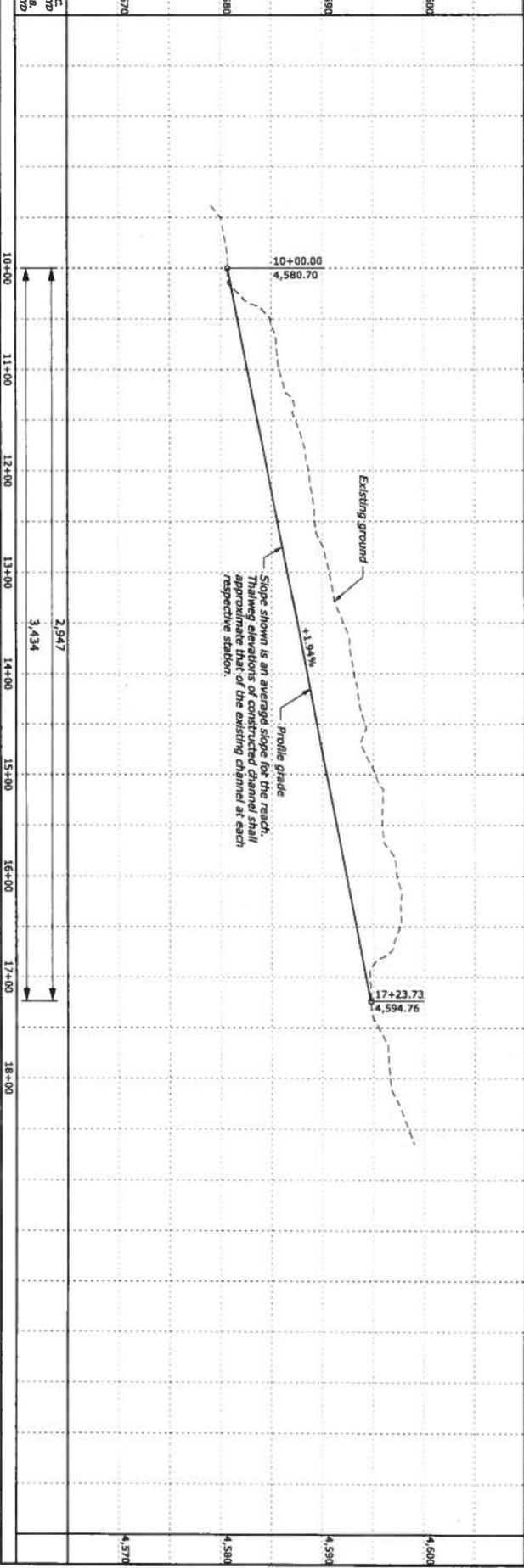
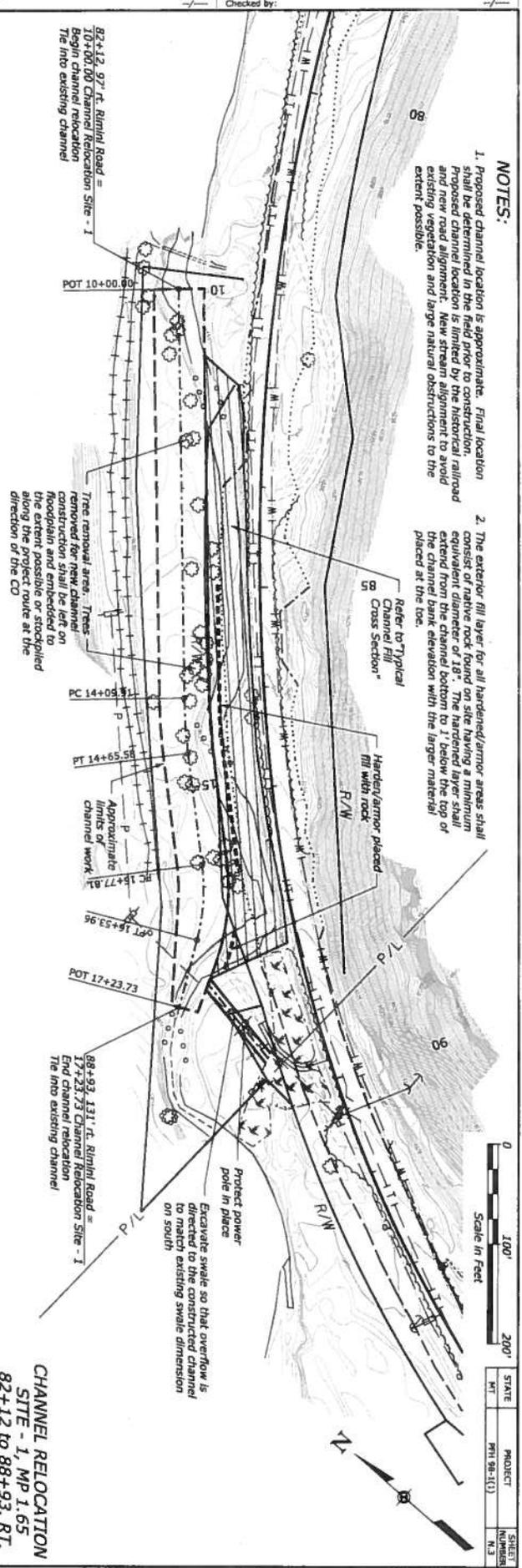
**TYPICAL  
CHANNEL FILL  
CROSS SECTION**

STATE	PROJECT	SHEET
MT	PR1 98-10	NUMBER
		N.2



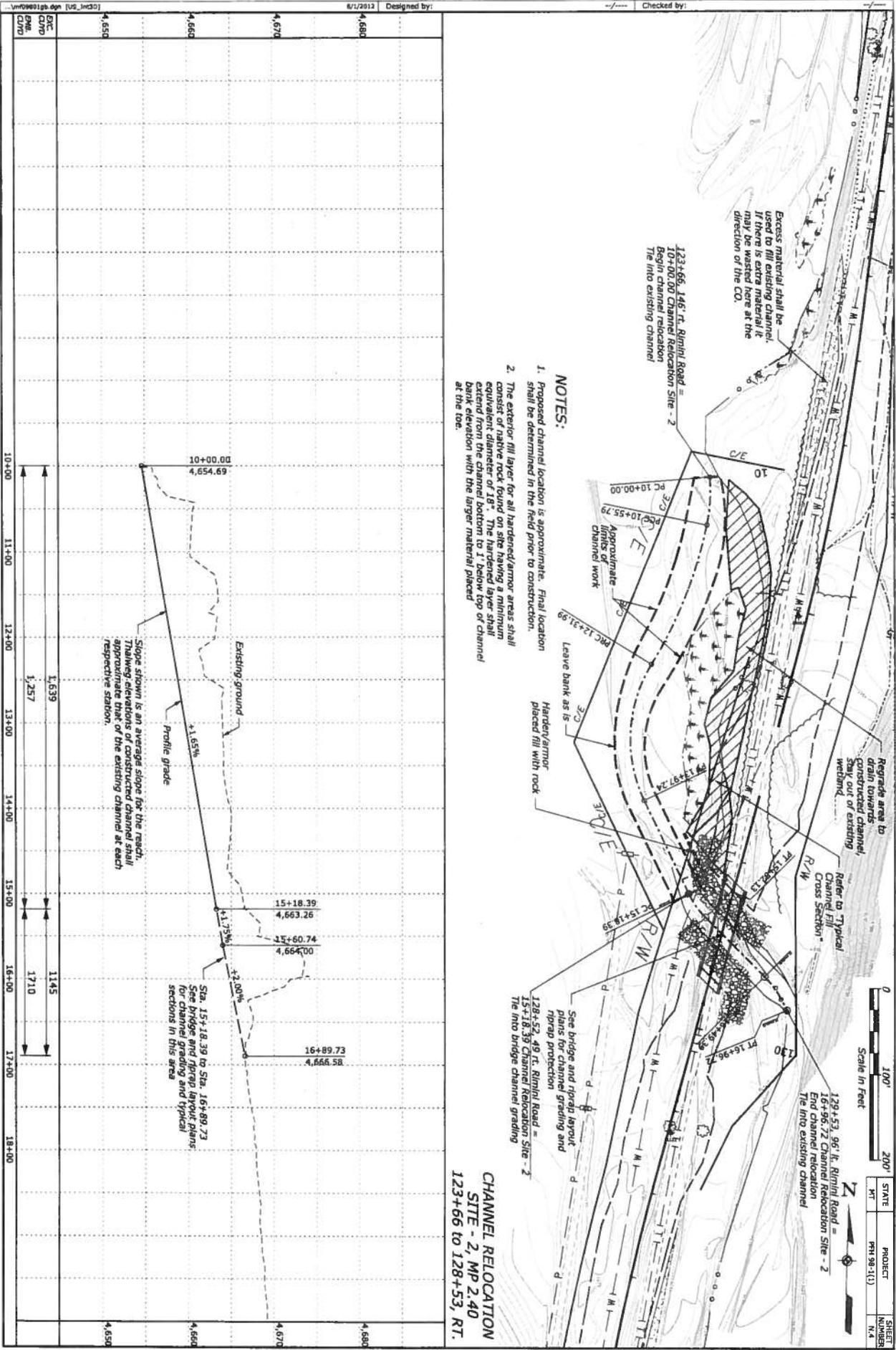
**NOTES:**

1. Proposed channel location is approximate. Final location shall be determined in the field prior to construction. Proposed channel location is limited by the historical railroad and new road alignment. New stream alignment to avoid existing vegetation and large natural obstructions to the extent possible.
2. The exterior fill layer for all hardened/armor areas shall consist of native rock found on site having a minimum equivalent diameter of 18". The hardened layer shall extend from the channel bottom to 1' below the top of the channel bank elevation with the larger material placed at the toe.



**CHANNEL RELOCATION  
SITE - 1, MP 1.65  
82+12 to 88+93, RT.**

STATE	PROJECT	SHEET NUMBER
MT	PH 88-1(1)	N.3



- NOTES:**
- Proposed channel location is approximate. Final location shall be determined in the field prior to construction.
  - The exterior fill layer for all hardened/armor areas shall consist of native rock found on site having a minimum equivalent diameter of 18". The hardened layer shall extend from the channel bottom to 1' below top of channel bank elevation with the larger material placed at the top.

Station	Existing Ground Elevation	Profile Grade Elevation	Channel Bottom Elevation
10+00	4,654.69		
11+00		4,639	
12+00		1,257	
13+00		1,145	
14+00		1,710	
15+00	4,693.26		
15+18.39	4,664.00		
15+60.74			
16+00			
16+89.73	4,666.58		
17+00			
18+00			

Slope shown is an average slope for the reach. Manway elevations of constructed channel shall approximate elevations of the existing channel at each respective station.

See Sta. 15+18.39 to Sta. 16+89.73 for channel grading and typical sections in this area.

**CHANNEL RELOCATION  
SITE - 2, MP 2.40  
123+66 to 128+53, RT.**

Scale in feet: 0, 100', 200'

STATE: MT PROJECT: RR 98-1(1) SHEET: NUMBER: 14

DATE: 8/1/2012

123+66, 146' RT, Rimlin Road = 2'  
10+00.00 Channel Relocation  
Begin channel relocation  
The into existing channel

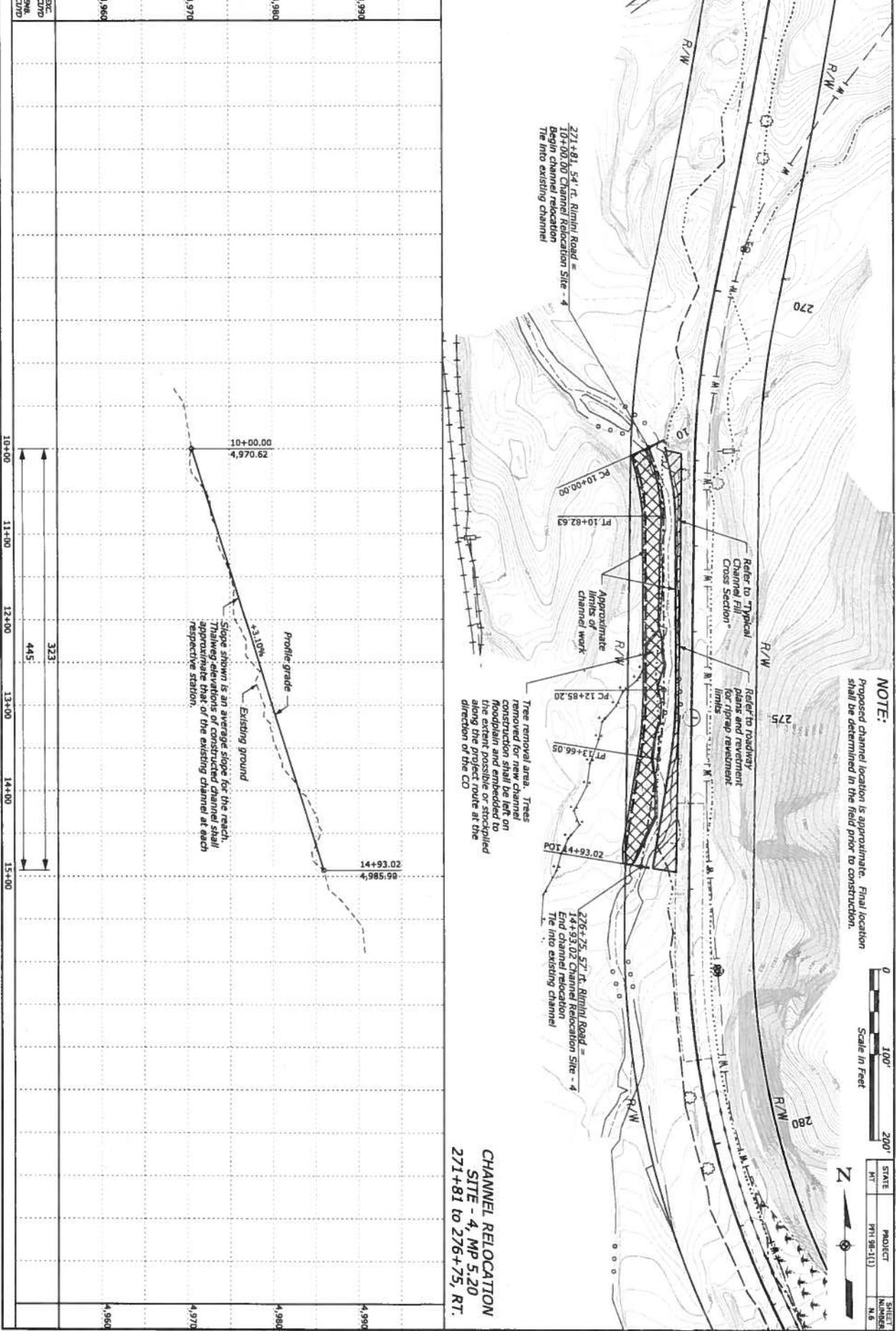
Excess material shall be used to fill existing channel. If there is extra material it may be wasted here at the direction of the CO.

Regrade area to drain towards constructed channel. Stay out of existing wetland.

Refer to Typical Channel Fill Cross Section

129+53, 96' RT, Rimlin Road = 2'  
16+89.74 Channel Relocation Site - 2  
The into existing channel





**NOTE:**  
Proposed channel location is approximate. Final location shall be determined in the field prior to construction.

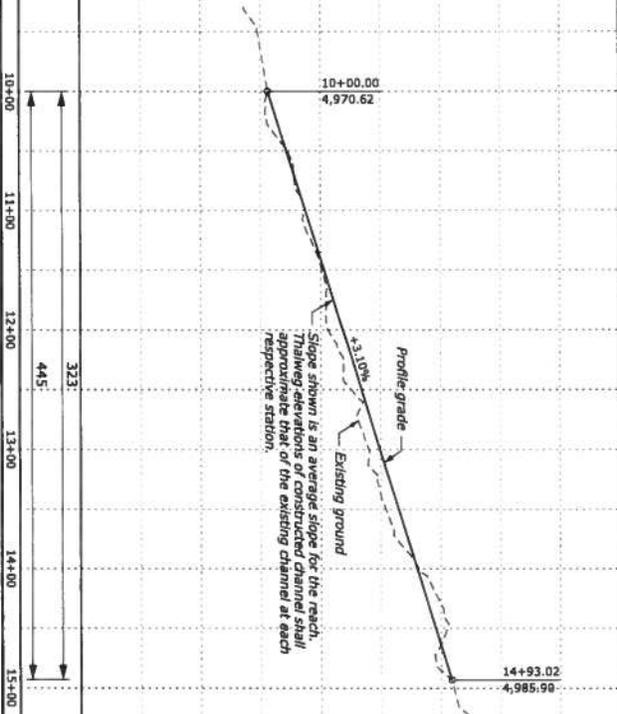
Scale in Feet

0 100' 200'

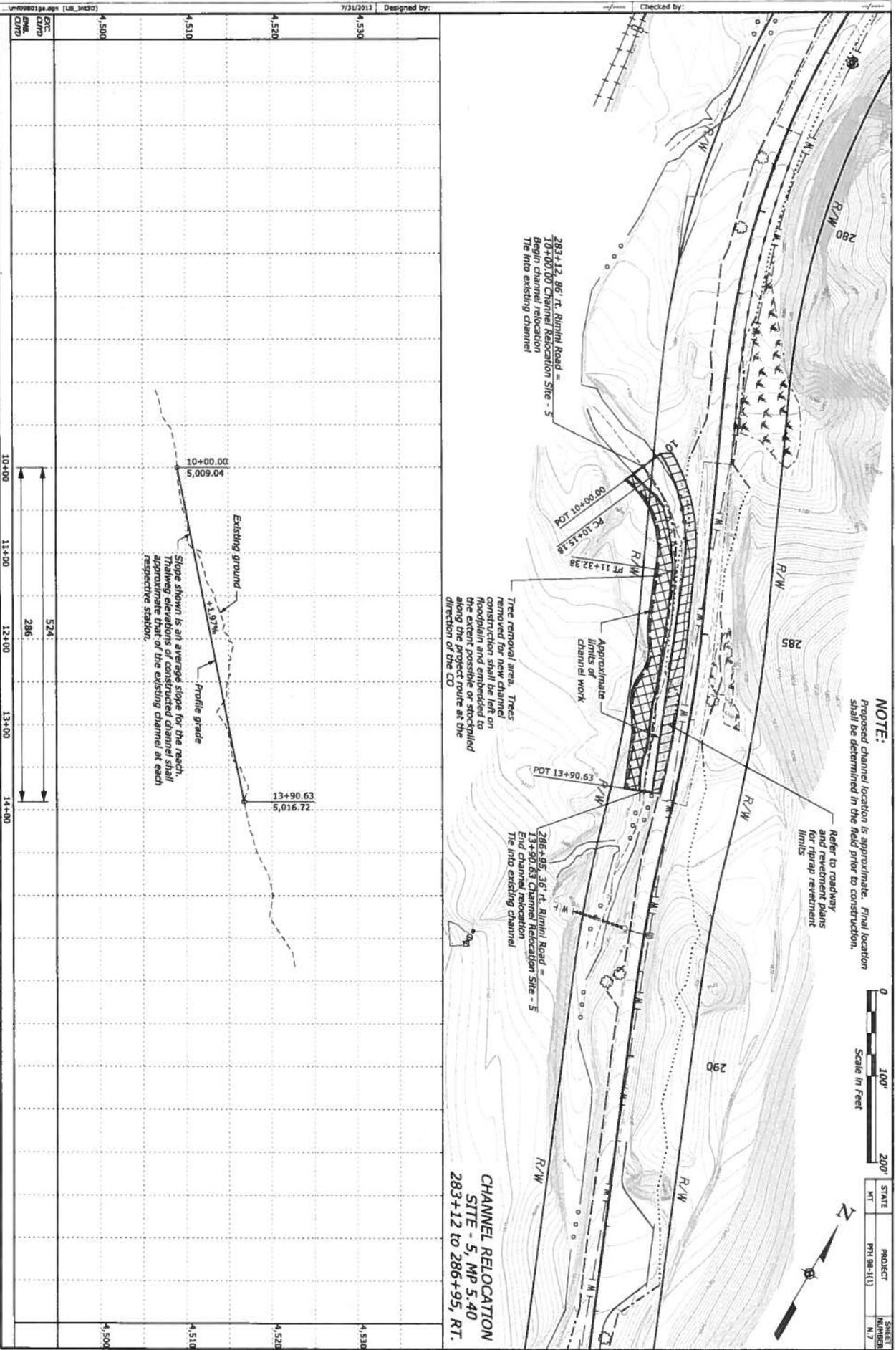
STATE: NJ PROJECT: PH 08-1(1) SHEET: 18

DATE: 7/31/2012

**CHANNEL RELOCATION  
SITE - 4, MP 5.20  
271+81 to 276+75, RT.**



Station	Elevation (ft)
10+00.00	4,970.62
11+00	4,970
12+00	4,970
13+00	4,970
14+00	4,970
14+93.02	4,985.99
15+00	4,985.99



**NOTE:**  
Proposed channel location is approximate. Final location shall be determined in the field prior to construction.



STATE	PROJECT	SHEET NUMBER
MT	PRJ 98-1(1)	N.7

**CHANNEL RELOCATION**  
SITE - 5, MP 5.40  
283+12 to 286+95, RT.

