



**US Army Corps  
of Engineers** ®  
Omaha District

## PUBLIC NOTICE

**Application No:** NWO-2012-02179-MTH  
**Applicants:** Jim Brough and Greg Baltrusch  
**Waterway:** Milk River  
**Issue Date:** November 9, 2012  
**Expiration Date:** December 9, 2012

**30 DAY NOTICE**

---

**Helena Regulatory Office**

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

**Helena, Montana 59626-9705**

---

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

The application by Greg Baltrusch and Jim Brough 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 application is for the installation of 14 rock barbs on approximately 1,901 linear feet of stream bank along the Milk River. Each barb would be approximately 30 feet in length with an additional 12 feet keyed into the bank. The finished barb would have a top width of 8 feet. A total of 1,639.9 cubic yards of rock obtained from a local quarry will be used with approximately 126 cubic yards used to construct each barb. The barbs will be constructed by cutting an access ramp into the bank at each barb point and then the rock will be placed from the bank out into the river so that the excavator is always working off of a rock base. The access ramps will be resloped upon the completion of each ramp. An NRCS critical area seeding plan will be followed to revegetate the site. Eleven barbs would be installed on two areas of the Brough property, and three would be installed on the Baltrusch property. The project is partially funded through a USDA Natural Resources Conservation Service Environmental Quality Incentives Program contract.

**Location:** Milk River, two miles east of Havre in Section 36, Township 33 North, Range 16 East, Hill County, Montana.

**Purpose:** Erosion is threatening irrigation infrastructure (wheel lines and associated mainlines) on the Brough property and threatens a private golf course and associated infrastructure (including buried sprinkler lines) on the Baltrusch property. Milk River is a regulated stream with deeply incised banks disconnected from the floodplain. The banks are vertical 8-12 foot high with virtually no vegetation present on the banks. The barbs are expected to stabilize the banks and allow vegetation to grow in the depositional area downstream of each barb to create a riparian zone.

**Mitigation:** The applicant minimized the amount of rock fill placed versus a full riprap revetment by designing a rock barb structure which avoids armoring the bank in between the barbs. The barbs are designed so that sediment fills in downstream of each barb and riparian restoration can occur naturally in

the spaces between barbs. The applicant has also proposed replanting the inter-barb areas with cottonwoods and willows.

To compensate for unavoidable impact, the applicant proposes a compensatory mitigation plan according to the 2010 Montana Stream Mitigation Procedure that will exclude livestock by fencing approximately 2,044 linear feet of bank to create a riparian buffer zone on the other side of the river, remove car bodies, and create a riparian zone in between the barbs with cottonwood and willow plantings once sediments were deposited. There are no existing Mitigation Banks or In-Lieu Fee Programs in the watershed, so the mitigation type needs to be permittee-responsible.

**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:** The USDA-Natural Resources Conservation District as the lead federal agency for determining compliance with Section 106 of the National Historic Preservation Act, will consult with the Montana Historic Preservation Office, Federally recognized Indian Tribes, and other interested parties as appropriate. The Omaha District's initial review, based on currently available information, indicates there are no recorded properties within the permit area. The NRCS has determined that the project has no potential to cause effects to properties listed, or eligible for listing, on the National Register of Historic Properties.

**Threatened / Endangered Species:** Threatened/endangered species in Hill County include the Black footed ferret (*Mustella nigripes*). In compliance with the Endangered Species Act, a preliminary determination has been made by NRCS 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 15th 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 59626-9705. Please reference the Corps File Number found on the first page of this notice in any correspondence.** Ms. Deborah Blank, telephone number (406) 441-1364, may be contacted for additional information. You may also fax your comments to (406) 441-1380 or email comments to [Deborah.L.Blank@usace.army.mil](mailto:Deborah.L.Blank@usace.army.mil) .

Comments postmarked after the expiration date of this public notice, or received by fax or e-mail after the expiration date, will not be considered. Comments left on our voicemail system will not be considered.

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

APPROVED	Christi Fisher
TITLE	Area Engineer
DESIGNED	Daniel Ostrem
DRAWN	Daniel Ostrem
CHECKED	
DATE	July 2012
DATE	July 2012

COVER SHEET  
STREAMBANK STABILIZATION  
BROUGH EQUIP  
HILL COUNTY  
MONTANA



Natural Resources Conservation Service

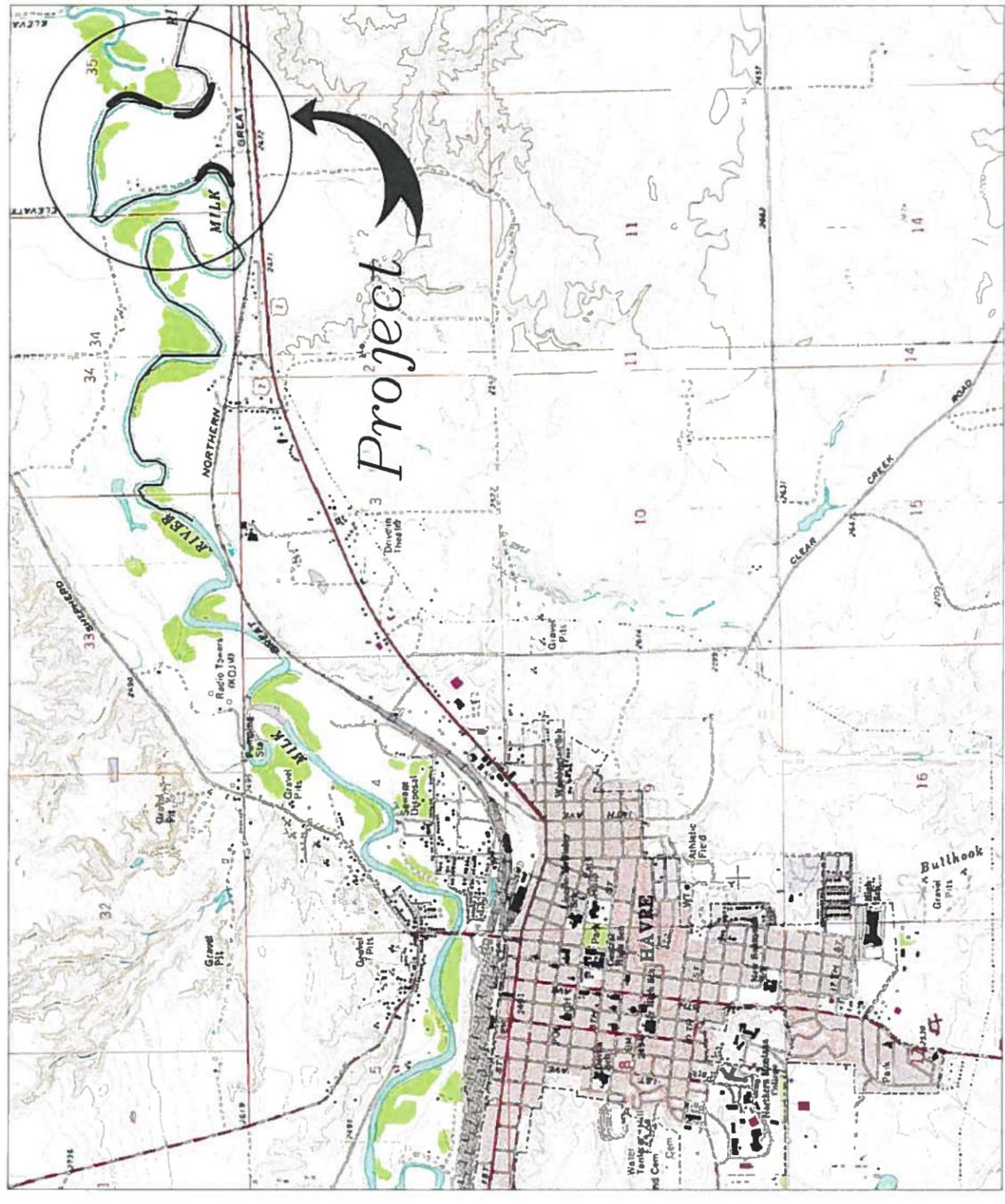
CAD FILE NAME -

DRAWING NO. MT-411205  
SHT SIZE 11X17  
IMAGE SCALE 1:3000  
SHEET 1 OF 4

PLANS FOR THE CONSTRUCTION OF A  
**STREAMBANK STABILIZATION PROJECT**  
for  
**JIM BROUGH/GREG BALTRUSCH**  
in  
**HILL COUNTY MONTANA**  
PREPARED BY  
**U.S. DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE**



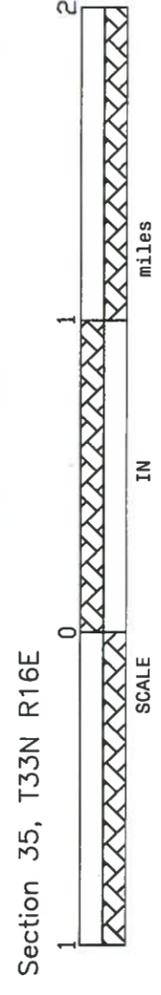
MONTANA - HILL COUNTY



**Barb Quantities**

Barb #	Amount
Optional	88.6 YD
1	109.5 YD
2	115.0 YD
3	107.7 YD
4	105.8 YD
5	95.5 YD
6	116.3 YD
7	130.0 YD
*8	106.5 YD
*9	115.9 YD
*10	125.3 YD
11	127.9 YD
12	143.5 YD
13	152.4 YD
Total	1,639.9 YD
Cost Share Total	1,292.2 YD

**PROJECT LOCATION MAP**



**Index of Drawings**

Sheet #	Description
1	COVER SHEET
2	PLAN VIEW BARBS 1-7
3	PLAN VIEW BARBS 8-13
4	BARB DETAILS

**GENERAL NOTES**

- The project installer/contractor is responsible for the notification of all utility companies affected by this project. The project installer/contractor is responsible for determining the exact physical locations of all utilities affected by this project.
- The landowner is responsible for acquiring all necessary approvals, permits and easements in regards to the installation of this project. The landowner and project installer/contractor are also responsible for compliance with all ordinances and laws pertaining to the installation of this project.
- Survey was taken in UTM zone 12, NAD83(Conus)(mol), geoid model 03. Units were international feet for both vertical and horizontal datums. All stationing and distances on drawings are measured and are approximate.
- All survey reference stakes, pipeline route and structure locations shall be staked by NRCS in the field prior to construction where required.
- Any modifications to this design must be approved by the signing NRCS engineer with the proper job approval. Refer to the Special Provisions for additional requirements.

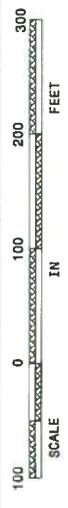
\* Barbs on Baltrusch property and not available for cost share through EQUIP.

Practice - 580  
Job Class - V



Contour Interval = 2.0 feet

### PLAN VIEW



### BARB STRUCTURE LAYOUT

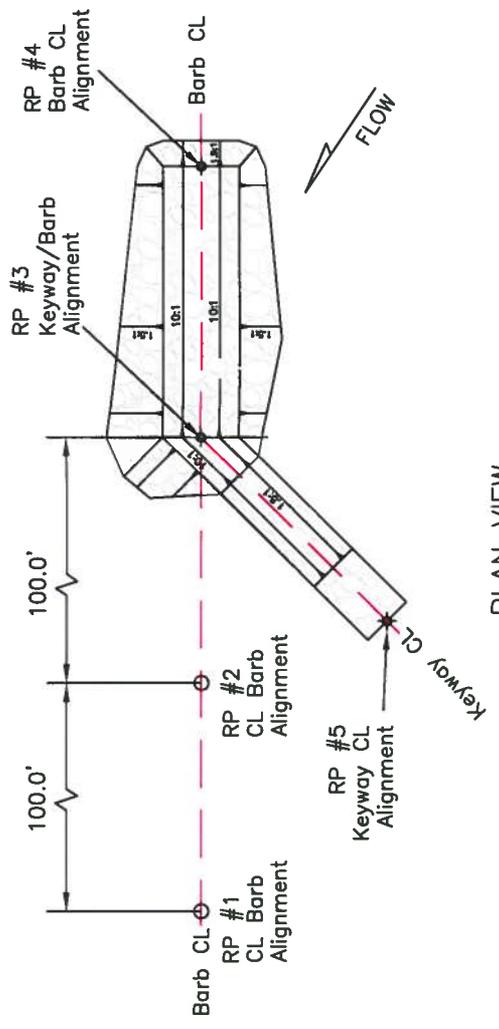
ORTHING	Barb #1		Barb #2		Barb #3		Barb #4		Barb #5		Barb #6		Barb #7	
	EASTING	NORTHING												
551876.48	1976727.79	17652045.96	1976801.09	17652207.68	1976804.70	17652375.02	1976634.37	17652705.96	1976533.33	17652896.54	1976369.29	17652978.65	1976197.87	17653028.59
651898.81	1976628.08	17652038.47	1976707.72	17652171.87	1976729.69	17652308.90	1976603.02	17652611.00	1976515.40	17652798.16	1976393.61	17652881.65	1976248.17	17652942.16
551021.14	1076579.36	17652030.08	1076614.36	17652136.05	1076654.67	17652242.77	1076571.66	17652516.04	1076497.47	17652600.78	1076417.02	17652784.65	1076208.47	17652855.73

APPROVED	DATE
DESIGNED	DATE
DRAWN	DATE
CHECKED	DATE

PLAN VIEW BARBS 1-7  
 STREAMBANK STABILIZATION  
 BROUGH EQUIP  
 HILL COUNTY  
 MONTANA

**NRCS**  
 Natural Resources  
 Conservation Service

CAD FILE NAME  
 DRAWING NO.

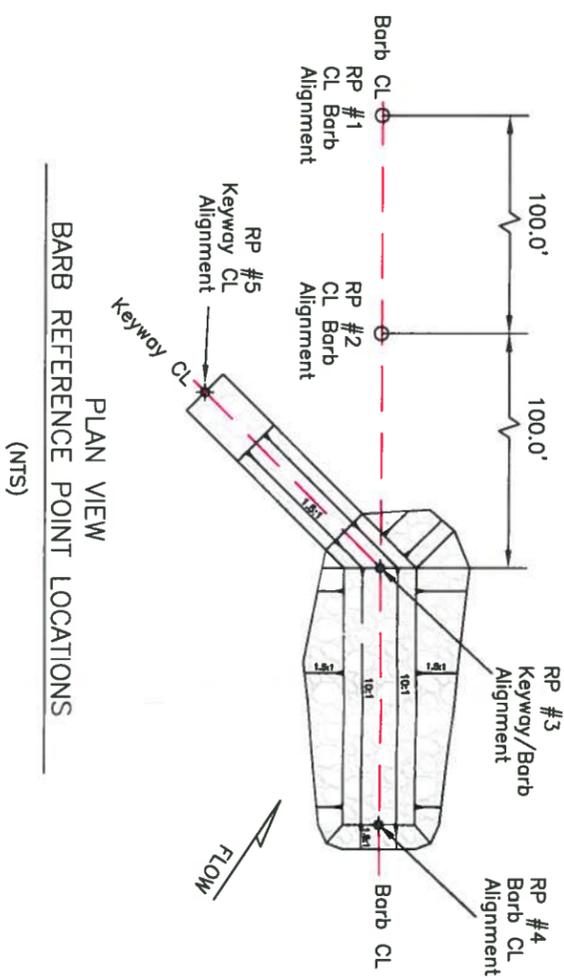
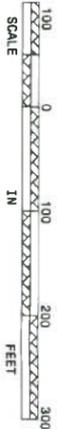


PLAN VIEW  
 BARB REFERENCE POINT LOCATIONS  
 (NTS)

H/V POINT	DESCRIPTION	EASTING	NORTHING	ELEVATION
TBM #1	Top of rebar at a fence line corner brace post	1976614.10	17652011.73	2474.60
TBM #2	Top of rebar near the 1st conc fence post. (See Page 3)	1977922.30	17654056.93	2469.28
TBM #3	Top of rebar at a rail road tie fence line corner. (See Page 3)	1977547.44	17652453.31	2468.78
TBM #4	GPS Base. On top of Riser.	1976528.53	17652754.19	2471.71

### SURVEY HORIZ. & VERT. CONTROL POINTS

# PLAN VIEW



PLAN VIEW  
BARB REFERENCE POINT LOCATIONS  
(NTS)

H/V POINT	DESCRIPTION	EASTING	NORTHING	ELEVATION
TBM #1	Top of rebar at a fence line corner brace post (See Page 2)	1976614.10	17652011.73	2474.60
TBM #2	Top of rebar near the 1st conc fence post.	1977922.30	17654056.93	2469.28
TBM #3	Top of rebar at a rail road tie fence line corner.	1977547.44	17652453.31	2468.78
TBM #4	GPS Base. On top of Riser. (See Page 2)	1976528.53	17652754.19	2471.71

## BARB STRUCTURE LAYOUT

RP	Barb #8	Barb #9	Barb #10	Barb #11	Barb #12	Barb #13
	EASTING	NORTHING	EASTING	NORTHING	EASTING	NORTHING
#1	1978122.46	17653713.19	1978093.25	17653488.25	1977310.75	17652868.52
#2	1978042.20	17653772.85	1978032.96	17653568.03	1977397.07	17652919.01
#3	1977961.95	17653832.51	1977972.67	17653647.81	1977483.39	17652969.50
#4	1977937.88	17653850.41	1977954.58	17653671.74	1977509.29	17652984.65
#5	1977973.63	17653835.29	1977984.65	17653647.20	1977472.09	17652973.54



## PLAN VIEW BARBS 8-13 STREAMBANK STABILIZATION

BROUGH EQIP

HILL COUNTY

MONTANA

APPROVED	DATE
TITLE	DATE
DESIGNED Daniel Ostrem	DATE: July 2012
DRAWN Daniel Ostrem	DATE: July 2012
CHECKED	DATE: