



**US Army Corps
of Engineers**

Omaha District

PUBLIC NOTICE

Application No: 2001-90-796
Applicant: Mick Miller
Waterway: Holter Lake/Missouri River
Issue Date: 17 January 2002
Expiration Date: 16 February 2002

30 DAY NOTICE

Helena Regulatory Office 301 South Park, Drawer 10014 Helena, Montana 59626-0014

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

The application submitted by Mr. Mick Miller, 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. *Please note that the project described herein is not being proposed by the Corps, but by the applicant. The Corps will be evaluating the proposed work to determine if it is permissible under current laws and regulations.*

Description of Proposed Project: The applicant requests permission to stabilize eroding shoreline on Holter Lake. The length of the stabilization will be approximately 550 feet and will extend 50 feet out into the waterway. Topsoil will be stripped and stockpiled from the area on top of the bank. The 75-foot high bank will be sloped 2(h):1(v), the stockpiled topsoil will be spread uniformly over the slope and reseeded with native grasses. A rock shoreline will be constructed at the base of the sloped bank. Excess fill from the sloping will be hauled off site. Sediment will be controlled by the placement of silt fence on the lakeward side of the work area along the entire length of the project. Photos and drawings showing the location and extent of the project are attached to this notice.

Location: The proposed activity is located in the SE1/4, NE1/4 of Section 9, Township 10 North, Range 1 West, Lewis and Clark County, Montana.

Purpose: The purpose of the proposed project, as stated by the applicant, is to eliminate a safety hazard, to improve aesthetics of the property, to stop the loss of property due to erosion, and to eliminate a source of sediment in the lake.

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 Corps of Engineers, Omaha District will comply with the National Historic Preservation Act of 1966, as amended. We have checked the National Register of Historic Places and its current supplements, and there are no known National Register sites in the vicinity; however, we will evaluate input by the State Historic Preservation Office and the public in response to this public notice,

and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic or prehistoric properties, if warranted.

Threatened / Endangered Species: This project is in the known range of the **bald eagle**. In compliance with the Endangered Species Act, a preliminary "may-affect" determination has been made. Coordination with the U.S. Fish and Wildlife Service and other interested agencies will be completed to determine the effects on the **bald eagle** or its critical habitat.

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, 301 South Park, Drawer 10014, Helena, Montana 59626-0014. 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, county, state, federal agency, 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, 301 South Park, Drawer 10014, Helena, Montana**

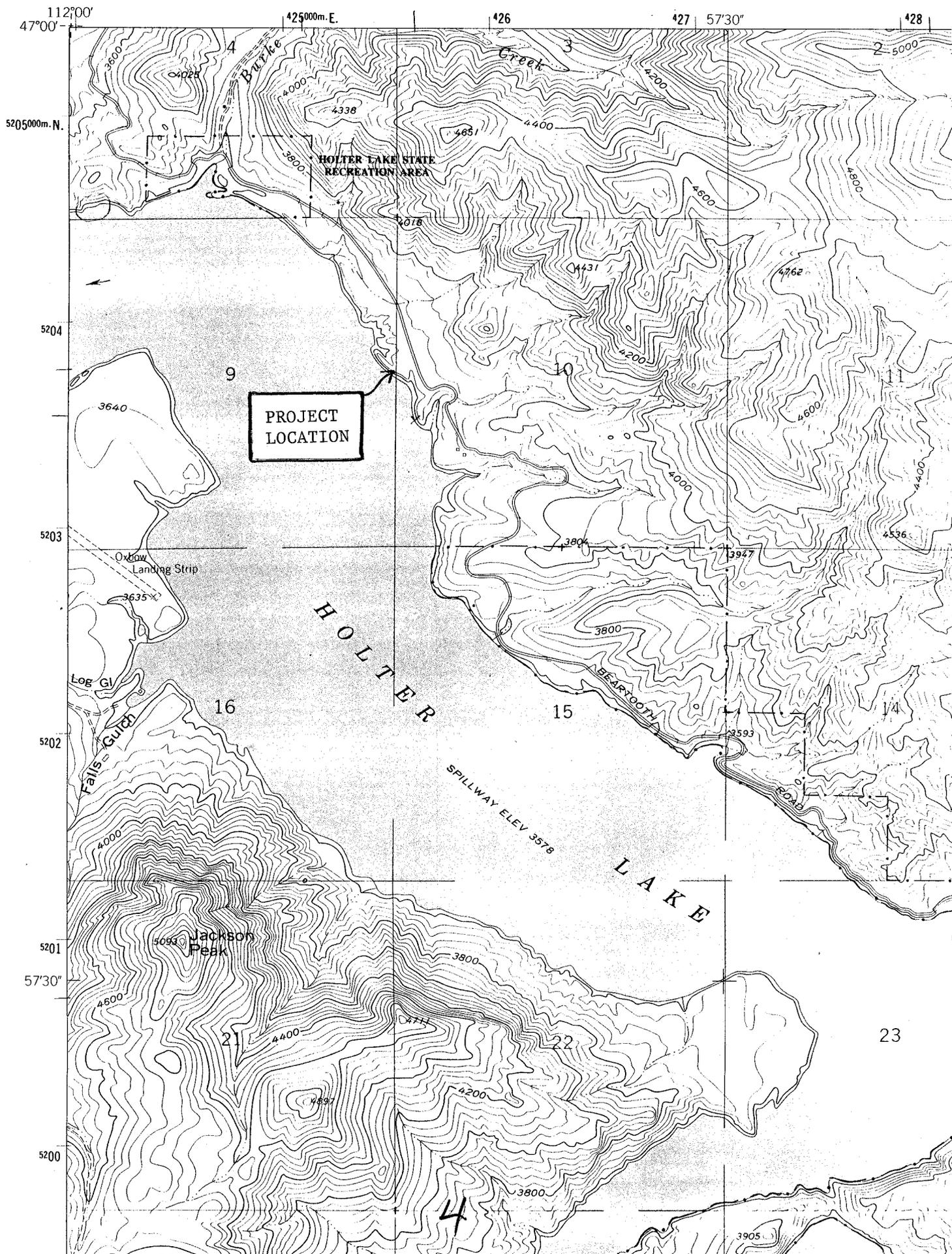
59626-0014. Please reference the Application Number found on the first page of this notice in any correspondence. Jean Ramer, telephone number (406) 441-1375, may be contacted for additional information. You may also fax your comments to (406) 441-1380. Comments postmarked after the expiration date of this public notice will not be considered.

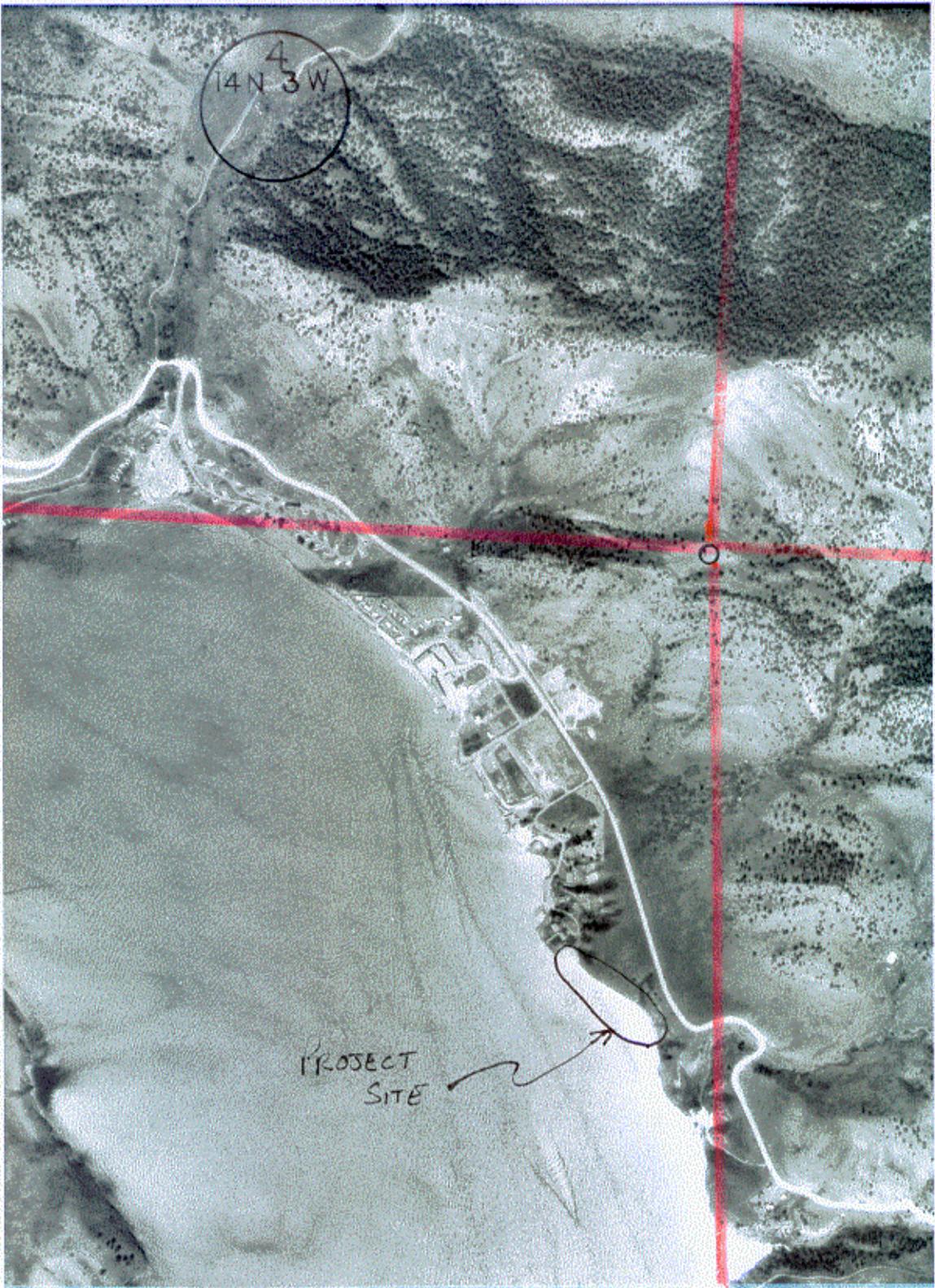
Statutory Authorities: A permit, if issued, will be under the provisions of Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.

3572 II SE
WOLF CREEK

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Beartooth Mountain Quad





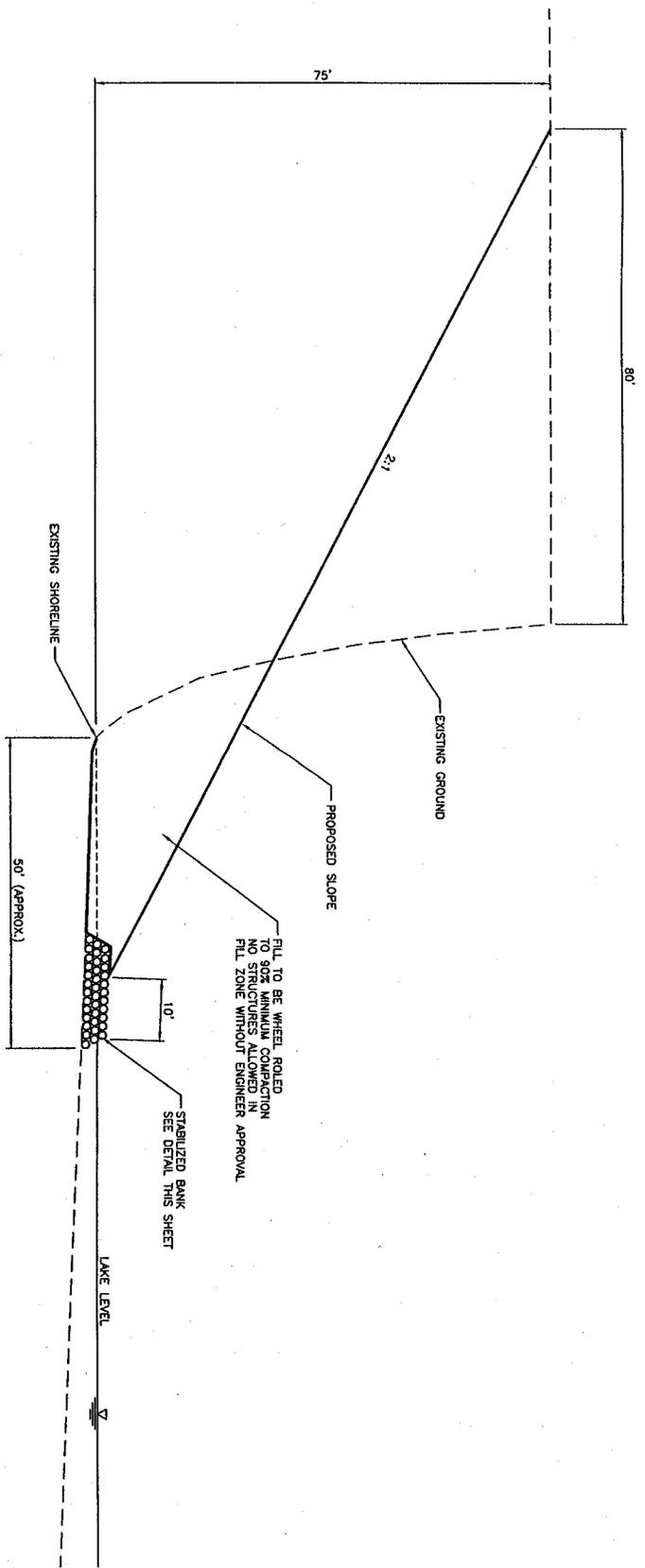
1991 photo

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1" ≈ 1000'

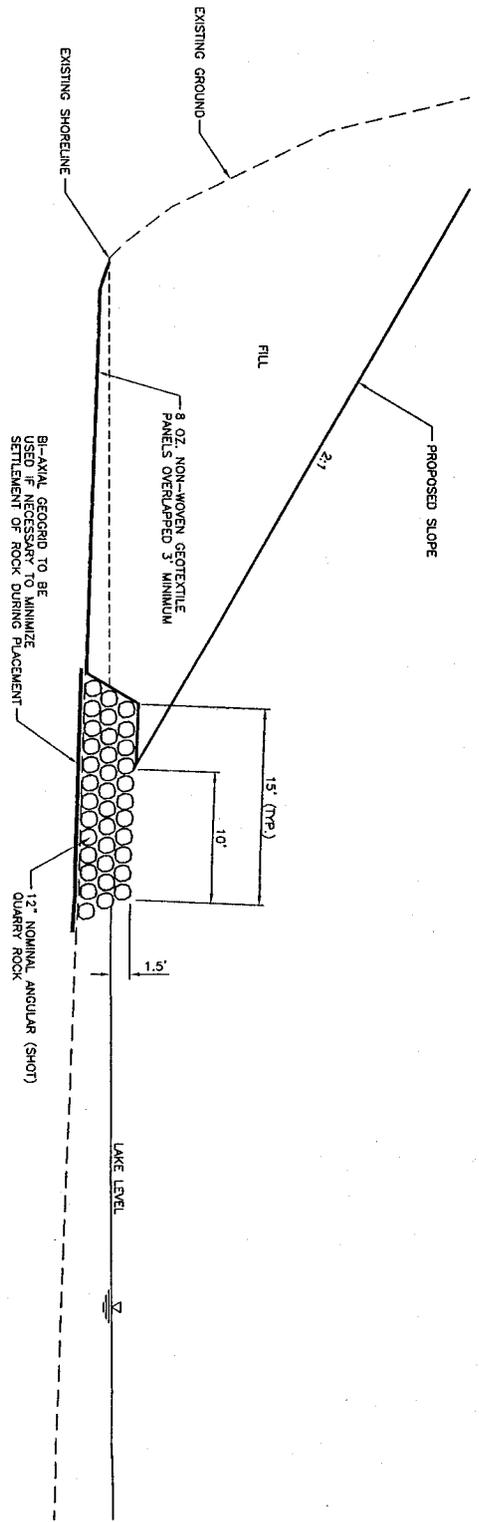
MILLER BEACH STABILIZATION
PROJECT
PROJECT LOCATION MAP



6



SECTION A-A
NO SCALE



STABILIZATION DETAIL
NO SCALE

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PROJECT TITLE MILLER BEACH IMPROVEMENTS	SHEET TITLE SECTIONS AND DETAILS	JOB/ACAD NUMBER: 01101	 ENTRANCO <small>2300 11TH AVE. SUITE 11 P.O. BOX 4877 MELBOURNE, FLORIDA 32904</small>
		DRAWN BY: B. ANDERSON	
		APPROVED BY: R. CHURCH	
		CHECKED BY: R. CHURCH	
		DATE: SEPTEMBER 2001	
FIRST SCALE: 1:1			