



**US Army Corps
of Engineers**

Omaha District

PUBLIC NOTICE

Applicat: 200290604
Project Name: Sportsman's Campground East &
Dickie Bridge – Wise River
Applicant: Montana Dept. of Transportation
Waterway: Seymour Creek, Deep Creek, Bear
Creek, Alder Creek, Meadow Creek,
unnamed drainages and wetlands
Issue Date: December 23, 2002
Expiration Date: January 6, 2003

15 DAY NOTICE

Regulatory Branch 106 South 15th Street Omaha, Nebraska 68102-1618

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

The application of the Montana Department of Transportation (MDT) 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.

Description of Proposed Project: The applicant requests permission to place fill material and riprap in conjunction with the reconstruction of 13.9 miles of State Route 43 (S.R. 43), located between Sportsmans Campground and the town of Wise River. MDT proposes to generally follow the existing roadway alignment but also include some minor alignment shifts, grade changes, and overlays. The existing pavement varies in width from 24 to 26 feet and will be replaced with pavement approximately 30.2 feet wide. Two substandard timber bridges at Seymour Creek and Deep Creek would be replaced, and the two new bridges will be at least the standard width of 35.4 feet. The Big Hole River bridge rails and approach guardrails are also to be replaced. There will be an overlay of existing pavement in two locations: one near the Dickie Bridge and the other in the town of Wise River. Driveway approaches and roadway intersections are proposed to be rebuilt and improved, and existing culverts are to be replaced. Irrigation ditch crossings are to be maintained in their existing locations and conditions. A total of 14.36 acres of wetlands would be filled by the project and would be mitigated for with the creation of a 15.6 acre wetland adjacent to the project near Sportsman's Campground. A total of 0.37 acres of wetlands would be temporarily impacted by mowing and covered with geotextile prior to receiving fill. During restoration, the fill and matting would be removed

and revegetation would occur from existing root systems and seed bank. All culverts would be replaced, except in the overlay portions. See attached sheets for details.

Location: The project area extends from Sportsman's Campground east to the town of Wise River and includes areas in Deer Lodge, Silver Bow and Beaverhead Counties. See attached location map.

Purpose: The applicant's stated project purpose is to bring a 13.9-mile section of State Highway 43 up to current MDT standards. S.R. 43 serves as an important east-west link between I-15 on the east and U.S. 93 to the west. Originally constructed between 1941 and 1944, the roadway is one of the only paved east-west routes in the extreme southwestern portion of the state. S.R. 43 currently provides access to homes, ranches, recreation facilities and businesses along the route. The existing narrow shoulders and poor sight distances at some curves contribute to accident rates at driveways and access roads. As part of this project, a consistent roadway width will be maintained, driveways will be reconstructed to current design standards, and access road intersections will be reconstructed as necessary. These improvements are also expected to improve traffic safety throughout and project area. The project is not intended to be growth inducing, but is being proposed to bring the roadway up to current design standards and to accommodate current and reasonably foreseeable traffic. Level of service (LOS) A is projected for design year 2021.

401 Water Quality Certification: The Montana Department of Environmental Quality, P.O. Box 200901, 1520 East Sixth Avenue, 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 (NRHP) and its current supplements, and there are no known National Register sites in the vicinity. However, the applicant has conducted a cultural resources inventory for the area, and has determined that there are two sites in the vicinity of the project that are NRHP-eligible. We will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and may require a reconnaissance survey of the permit area or check for unknown historic or prehistoric properties, if warranted.

Threatened / Endangered Species: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. Three listed threatened and endangered wildlife species may be present in the S.R. 43 project area. These include the bald eagle, gray wolf, and Canada lynx. 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 that 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. Requests should be submitted to the U.S. Army Corps of Engineers, Omaha District, Regulatory Branch, 106 South 15th Street, Omaha, Nebraska 68102-1618. If it is decided that additional information is required and 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 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 identify their concern or interest 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, Omaha District, Regulatory Branch, 106 South 15th Street, Omaha, Nebraska 68102-1618. Please reference the Application Number found on the first page of this notice in any correspondence. Ms. Kathy Iske, telephone number (402) 221-3055,

may be contacted for additional information. You may also fax your comments to (402) 221-4939 or e-mail them to : Kathy.L.Iske@usace.army.mil.

Comments received after the close of business on 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 Federal Clean Water Act.