



Montana Fish, Wildlife & Parks

490 North Meridian Road
Kalispell, MT 59901

Stream Protection Act (SPA 124) Permit

Date: 9/30/2013

Applicant Name: City of Whitefish

Address: PO Box 158
Whitefish, MT 59937

Permit #: 124-MISC-017-2013

Waterbody: Cow Creek

Project Name: Cow Creek box culvert

Project Description:

Install box culvert at road crossing of Cow Creek.

Montana Fish, Wildlife & Parks has reviewed the proposed project. The project is approved provided the conditions included in this permit are followed.

Expiration: This permit is valid for _____ year(s) from the date of issuance.

Timing Restrictions: No Yes if yes see below.

No in-stream work between _____ and _____.

Conditions:

Adhere to all general conditions listed on Page 3 of this permit.

Special Conditions:

All stream flow will be bypassed around construction site so work can be done in dry conditions without stream flow. All instream work will be completed during low stream flow time periods. Streambed elevations at inlet and outlet of the culvert will match the elevations of the existing streambed at those locations. Streambed material in the culvert will adhere to the specifications provided on 9/30/2013.

318 Authorization Review

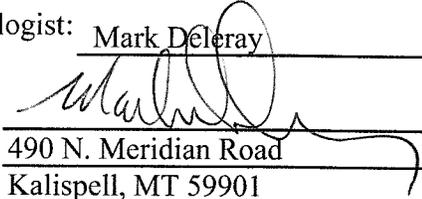
I have reviewed the above project on behalf of the Montana Department of Environmental Quality (DEQ) pursuant to the Montana Water Quality Act Short-term Water Quality Standards for Turbidity 75-5-318 MCA:

- This project **will not** increase turbidity if completed according to the conditions listed in the 310 or 124 permit. Therefore, application to DEQ for a 318 authorization **is not** required.

- Impacts to the physical and biological environment from turbidity generated as a result of this project are uncertain. Therefore, the applicant must contact the Montana Department of Environmental Quality, 1520 East Sixth Avenue, Box 200901, Helena, MT 59620-0901, (406 444-3080) to determine project specific narrative conditions required to meet short-term water quality standards and protect aquatic biota.

- Turbidity generated from this project is expected to be short-term and have only temporary and minor impacts on the physical and biological environment. Therefore, compliance with the conditions stated in the attached letter outlining **DEQ's Short Term Water Quality Standard for Turbidity Related to Construction Activity**, as well as other conditions listed in the 310 or 124 permit, are appropriate for this project.

Issuing Biologist: Mark Deleray

Signature: 

Address: 490 N. Meridian Road
Kalispell, MT 59901

Phone: (406) 751-4543

Email: mdeleray@mt.gov

Stream Protection Act 124 Permit General Conditions

1. Complete work affecting a streambed or stream bank in an expeditious manner to avoid unnecessary impacts to the stream.
2. Limit the clearing of vegetation to that which is absolutely necessary for construction of the project. Take precautions to preserve existing riparian vegetation. Salvage and reuse native vegetation where possible.
3. Install and maintain erosion control measures where appropriate to protect aquatic resources. Do not clear and grub land adjacent to streams prior to installing proper erosion and sedimentation controls. Conduct all work in a manner that minimizes turbidity and other disturbances to aquatic resources.
4. Plan temporary construction facilities to:
 - a. Minimize disturbance to stream banks, stream bank vegetation, and the streambed by locating staging or storage facilities at least 50' horizontally from the highest anticipated water level during construction;
 - b. not restrict or impede fish passage in streams; and
 - c. not restrict any flow anticipated during use.
5. Provide sediment controls for drainage from topsoil stockpiles, staging areas, access roads, channel changes, and instream excavations.
6. Isolate work zones from flowing and standing waters to prevent turbid water and sediments from being discharged into streams or other drainages that flow directly into the stream. Divert flowing waters around the work zone.
7. Do not spill or dump material into streams. Store and handle petroleum products, chemicals, cement and other deleterious materials in a manner that will prevent their entering streams.
8. Do not permit wash water from cleaning concrete-related equipment or wet concrete to enter streams.
9. Do not operate mechanized equipment in any stream or flowing water unless special authorization is obtained. If special authorization is granted, the following conditions apply:
 - a. Powerwash all equipment allowed in a stream prior to entering the stream channel.
 - b. Clean and maintain all equipment so that petroleum-based products and hydraulic fluids do not leak or spill into the waterway.
10. Reclaim streambeds and stream banks as closely as possible to their pre-disturbed condition.
11. Restore disturbed stream banks to their natural or pre-disturbed configuration to match adjacent ground contours or as specified in the project plans. Stabilize, reseed, and re-vegetate disturbed areas. Install and maintain long-term biodegradable erosion-control measures to protect these areas until adequate vegetation has been established.
12. Restore temporary access routes and any temporarily disturbed areas to original conditions, including original contours and vegetation.
13. Dispose of any excess material generated from the project above the ordinary high water mark and in an area not classified as a wetland.