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Ravalli County Commissioners

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July 10, 2020

Ravalli County Commissioners  
Ravalli County  
215 South 4<sup>th</sup> Street, Suite A  
Hamilton, MT 59840

**DEQ Application Number: MT4011078**  
**USACE Application Number: NWO-2010-02126-MTH**  
**Applicant: Ravalli County Commissioners**  
**Water Body: Gird Creek**  
**Location: Section 20, Township 6 North, Range 20 West, Ravalli County, Montana**

To Whom It May Concern:

The Montana Department of Environmental Quality (DEQ) reviewed your application for 401 Water Quality Certification for completeness and has deemed the application sufficiently complete. The following outlines DEQ's **tentative determination**:

**Description of the Proposed Project:**

The proposed project involves expanding the Ravalli County airport to meet FAA design standards for a B-II facility. This requires a larger runway and taxiway to be installed adjacent to the existing facilities. The proposed project will permanently impact 6.22 acres of wetland and 511 linear feet of Gird Creek. During active construction operations 0.05 acres of wetland will be temporarily impacted. Permanent impacts to Gird Creek include routing it into a 60-inch diameter culvert to pass under the new runway. The creek will briefly daylight in an open-channel before flowing into another 60-inch diameter culvert to pass under the taxiway. The culverts will be embedded in the stream channel to reduce flow velocities and accommodate fish passage. Wetland delineations were completed in 2003/2004, 2012, and 2019. Palustrine emergent wetlands make up the majority of the permanently impacted wetland area.

**401 Water Quality Certification General:**

Montana's 401 Certification Rules are found at ARM 17.30.101 through ARM 17.30.109. These rules provide Montana's framework for implementing Section 401 of the Federal Clean Water Act. 33 U.S.C. § 1341.

Section 401 Certification is a federal/state cooperative program that increases the role of the state in decisions regarding natural resources. More specifically, the Montana Department of Environmental Quality (DEQ) reviews proposed activities to determine the impacts, if any, upon state water quality standards. State water quality standards include the beneficial uses of a water body, the applicable numeric and narrative water quality criteria, and the state's nondegradation

policy. Following its certification review, DEQ may waive certification, deny certification, grant certification, or grant certification with conditions. In the event beneficial uses of state waters, such as aquatic habitat or aquatic life are unavoidably impacted or lost, conditions of the 401 Certification may also require the applicant to provide compensatory mitigation for impacts or losses.

**Project Specific Conditions:**

1. **Mitigation:** The applicant has proposed compensatory mitigation for permanent impacts by purchasing credits through the Montana Statewide In-Lieu-Fee Program administered by Montana Aquatic Resources Services. Please provide the Corps approved mitigation plan to DEQ within 30 days of issuance of the 404 permit.
2. All work in and near waters of the state shall be done so as to minimize turbidity, erosion, and other water quality impacts. Construction stormwater, sediment, and erosion control Best Management Practices (BMPs) suitable to prevent exceedances of state water quality standards shall be in place before clearing, filling, and grading work and shall be maintained throughout construction.
3. **Isolation of in-water work areas:** Isolation of in-water work areas should be accomplished to the maximum extent practicable. Methods of isolation include, but are not limited to: timing work at low water so as to effectively work in the dry; using silt curtains, cofferdams, inflatable bags, geo blocks, sandbags, sheet pilings, or similar materials for isolation techniques.
4. **Turbidity:** All practical BMPs on disturbed banks and within waters must be implemented to minimize turbidity during in-water work.
5. **Clean Fill Criteria:** The Applicant shall ensure that fill (soil) placed for the proposed project does not contain toxic materials in toxic amounts.
6. **Deleterious Waste Materials:** All construction debris, excess sediment, and other solid waste material shall not be stockpiled below the Ordinary High Water Mark (OHWM) and shall be properly managed and disposed of in an upland disposal site approved by the appropriate regulatory authority.
7. **Spill Prevention:** Vehicles must be fueled, operated, maintained, and stored in upland areas that minimize disturbance to habitat and prevent contamination to any surface water.
  - a. No petroleum products, fresh concrete, lime, wash water, chemicals, or other toxic or harmful materials shall be allowed to enter state waters.
  - b. All equipment is to be inspected for oil, gas, diesel, antifreeze, hydraulic fluid and other petroleum leaks. All such leaks will be properly repaired and equipment cleaned prior to being brought on site. The equipment is not allowed to continue operating upon discovery of the leak and will be removed from the project area until it is repaired.
8. **Cut Slopes Adjacent to Waterbodies:** Ensure cut slopes adjacent to waterbodies are stabilized and revegetated to prevent further erosion into state waters.

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The Commission on the Status of Women  
has the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the proposed amendments to the Convention on the Elimination of All Forms of Discrimination Against Women.

The Commission is currently engaged in the study of the proposed amendments and will report to the General Assembly of the United Nations at its session in 1948. The Commission is also engaged in the study of the proposed amendments to the Convention on the Elimination of All Forms of Discrimination Against Women.

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**401 Water Quality Certification:**

DEQ certifies that this project in its current form will not violate water quality standards. Certification of this proposal does not authorize the Applicant to exceed applicable state water quality standards.

Please contact Water Protection Bureau Staff at (406) 444-5546, if you have questions.

Sincerely,



Jon Kenning  
Bureau Chief  
Water Protection Bureau  
Department of Environmental Quality

cc: Sage Joyce, U.S. Army Corps of Engineers  
Rick Donaldson, PE, Robert Peccia & Associates