



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
HELENA REGULATORY OFFICE
10 WEST 15TH STREET, SUITE 2200
HELENA MT 59626

RECEIVED

JUL 07 2014

Ravalli County Commissioners

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July 2, 2014

Regulatory Branch
Montana State Program
Corps No. NWO-2010-2126-MTH

Subject: Ravalli County Airport Improvements

FAA Helena Airport District Office
Attn: Diane Stilson, P.E.
2725 Skyway Drive, Suite 2
Helena, Montana 59602-1213

Dear Mr. Stilson:

We have reviewed your letter submitted on behalf of Ravalli County concerning the above-referenced project, which was received in our Helena office on May 15, 2014. The proposed work is located in Section 29, Township 6 North, Range 20 West, in Ravalli County, Montana.

The mission of the U.S. Corps of Engineers (Corps) Regulatory Program is to protect the Nation's aquatic resources while allowing reasonable development through fair, flexible and balanced permit decisions. In particular, under Section 404 of the Clean Water Act (CWA), we work to protect the biological, physical, and chemical integrity of the Nation's aquatic resources. Projects are evaluated on a case-by-case basis to determine the potential benefits and detriments that may occur as a result of the proposal. In all cases an applicant must avoid and minimize impacts to aquatic resources to the greatest extent practicable.

Under the authority of Section 404 of the CWA, Department of the Army (DA) permits are required for the discharge of fill material into waters of the U.S. Waters of the U.S. include the area below the ordinary high water mark of stream channels and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters. Isolated waters and wetlands, as well as man-made channels, may be waters of the U.S. in certain circumstances, which must be determined on a case-by-case basis. If waters of the U.S. will be impacted by the project, a DA permit is required.

Waters of the U.S. appear to be present in or near the project area identified on the map provided. Impacts to waters of the U.S. which exceed 0.5 acres may require an Individual (Standard) DA permit. Wetland losses exceeding 0.1 acre, and stream or tributary impacts exceeding 300 linear feet will require compensatory mitigation within the watershed. In this instance, both action alternatives appear to require an Individual DA permit and compensatory mitigation. It appears that this project will impact approximately 5.33 acres of wetlands. Although Alternative 4b is not the least environmentally damaging

alternative, it is the least damaging practicable alternative that meets the safety and efficiency needs of the airport.

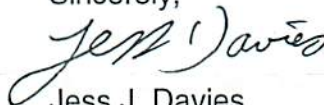
The Corps acknowledges the tentative plan to secure any necessary stream and wetland compensatory mitigation credit from an established mitigation bank within the watershed. As you know, 33 CFR 332.3(b) describes a preference for offsetting unavoidable impacts using the following mitigation hierarchy: first, consider securing necessary credit from an approved mitigation bank; second, if a bank is not selected or available, consider securing credit from an approved in-lieu fee program; finally, if neither of the aforementioned options are selected or available, then a permittee-responsible mitigation method needs to be pursued. An approved mitigation bank is available for this area and you have indicated that this is the preferred mitigation option. A final determination of the amount and type of mitigation credit required will be made at the time a permit application is submitted to and reviewed by the Corps.

In addition to the information above, you are reminded that any permit application must include an assessment of likely effects on federally listed threatened or endangered species and critical habitats, as well as an assessment of effects on any cultural and historic properties or resources. This would include assessments for the project areas as well as for any borrow areas needed for the work.

Federal agencies should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act and Section 7 of the Endangered Species Act. Agencies must provide the Corps with the appropriate documentation to demonstrate compliance with those requirements. The Corps will review the documentation and determine whether it is sufficient to address Section 106 and Section 7 compliance for the activity proposed.

Thank you for the opportunity to provide comments on this proposed activity. Please contact me at (406) 441-1365 if you have questions and reference Corps File Number NWO-2010-02126-MTH.

Sincerely,



Jess J. Davies
Natural Resources Specialist

Copy Furnished:

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