



## Stream Projection Act (SPA 124) Permit Review

**January 28, 2025**

**Applicant name:** Montana Fish Wildlife & Parks Region, Design & Construction  
1522 9<sup>th</sup> Avenue  
Helena, MT. 59620

**Permit No.:** SPA-0128-25-R7

**Waterbody:** Missouri River near Red Water Confluence South of Poplar MT. in McCone County.

**Project Name:** Installation of a gravel aggregate boat ramp on the southern streambank of the Missouri River approximately 700 feet upstream of the confluence of the Missouri-Red Water rivers.

**Description of Project:** The overall project consists of developing a new fishing access site including a gravel access road, cattle guards, fencing, drainage culverts, parking area, vault latrine, and a gravel aggregate boat ramp. Installation of the boat ramp is the only activities of the proposed project requiring a 124 Permit and 318 Authorization. Construction of the boat ramp includes minor excavation of the riverbank and some streambed to create the correct slope and room to install underlayment materials consisting of a geotextile fabric, 6 inches of 2.5 inch minus coarse road ballast, and 4 inches of ¾ inch minus base coarse rock. The gravel aggregate boat ramp will be 16 feet wide by 73 feet long by 10 inches thick and extend 25 feet into the water with 2 feet of water over the end of the boat ramp (as measured during normal base river flows).

For awareness, the Missouri River includes the endangered pallid sturgeon. This includes seasonal presence of adult pallid sturgeon during spawning migrations (April-July) and year-round residence by juvenile pallid sturgeon. Any construction project that impacts the streambed or streambanks of the river need to acknowledge this fish presence and plan projects accordingly.

In accordance with the Montana Stream Protection Act (SPA), Montana Fish, Wildlife & Parks has reviewed the project based on information provided in the joint application. Authorization for this work is approved provided work is carried out as presented in the application, meets the following stipulations, and adheres to the attached general conditions.

1. Construction conducted during low flow periods and all in-river work completed expeditiously to minimize potential impacts to the stream and water quality.

2. No in-river work from May 15-July 15 to minimize impacts to adult pallid sturgeon spawning migrations and drifting larvae as noted in Note #15 on page 2 of 16 drawing sheets.
3. All work shall be conducted in a manner that minimizes turbidity and that minimizes unplanned disturbances to the streambed or streambanks.
4. Work executed as outlined in the application.
5. To prevent the inadvertent introduction of petroleum products to the waterway, no defective or leaking equipment shall be operated in the stream or in adjacent areas capable of contributing surface flow to the local drainage.

**Term of Permit:** 2.5 years

**Timing Restrictions:** No in-river work May 15-July 15.

**318 Authorization Review:** The above project has also been reviewed 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. Based on review of the project application, 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 124 Permit, are appropriate for this project. Please review, sign, and return a signed copy for the files.

This project may also require review for a Section 404 Permit from the U.S. Army Corps of Engineers. Please contact the Corps office in Helena (406) 441-1363 for further information.

Please call or email if you have questions or concerns regarding this permit or other aspects of the project.

Issuing Biologist: Kenneth M Backes, Region 7 Fisheries Manager  
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Signature: 

Cc: Corps of Engineers [Montana.Reg@usace.army.mil](mailto:Montana.Reg@usace.army.mil)

Keenan Storrar, Department of Environmental Quality [Keenan.Storrar@mt.gov](mailto:Keenan.Storrar@mt.gov)

## **Stream Protection Act 124 Permit General Conditions**

1. Complete work affecting a streambed or streambank in an expeditious manner to avoid unnecessary impacts to the stream.
2. Limit the clearing of vegetation to that which is 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 streambank, streambank 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.
  - c. Not restrict stream flow 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, and other deleterious materials in a manner that will prevent their entering streams.
8. Do not permit wash water from cleaning related equipment 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. Power wash 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.