Revised: 5/12/2021 310 Form 270 and Instructions may be downloaded from: http://dnrc.mt.gov/*licenses-and-permits/stream-permitting*	**CD/AGENCY USE ONLY** Application # Click to enter text. Date Received Date Date Accepted Date Initials Initials Date FW: to FWP Date

This space is for all Department of Transportation and SPA 124 permits (government projects).

Project Name Click to enter text.

Control Number Click to enter text. Contract Letting Date Date

MEPA/NEPA Compliance ☐Yes ☐No If yes, #C5 of this application does not apply.

JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS & OTHER WATER BODIES

This is a standardized application to apply for one or all local, state, or federal permits listed below.

- Refer to instructions to determine which permits apply and submit a signed application to each applicable agency.
- Incomplete applications will result in the delay of the application process.
- The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.
- **Other laws may apply.**

	PERMIT	AGENCY	FILL OUT SECTIONS	FEE
	310 Permit	Local Conservation District	A - E and G	Inquire locally
	SPA 124 Permit	Department of Fish, Wildlife and Parks	A - E and G	No fee
	318 Authorization 401 Certification	Department of Environmental Quality	A - E and G	$250 (318); $400 - $20,000 (401)
	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation, Trust Lands Management Division	A - E and G	$50, plus additional fee
X	Section 404 Permit, Section 10 Permit	U. S. Army Corps of Engineers (USACE)	A - G F1-8	Varies ($0 - $100)
	Floodplain Permit	Local Floodplain Administrator	A - G	Varies by city/county ($25 - $500+)

A. APPLICANT INFORMATION

APPLICANT NAME (person responsible for project)**:** Broadwater County
Has the landowner consented to this project? ☒ Yes ☐ No
Mailing Address: 515 Broadwater, Townsend, MT 59644
Physical Address: same
Cellphone:406-980-2050 Home Phone: Office 406-980-2050 E-Mail:commissioners@co.broadwater.mt.gov

LANDOWNER NAME (if different from applicant): Bureau of Reclamation, Dan Stremcha, Mgr.
Mailing Address: 7700 Canyon Ferry Road, Helena, MT 59602
Physical Address: same
Cellphone: 406-591-4634 Home Phone: Office 406-475-3923 E-Mail:dstremcha@usbr.gov

CONTRACTOR/COMPANY NAME (if applicable): NA
PRIMARY CONTACT NAME: Click here to enter name
Mailing Address: Click here to enter name or N/A.
Physical Address: Click here to enter name or N/A.
Cellphone:Click here to enter or N/A. Home Phone:Click here to enter or N/A. E-Mail:Click here to enter or N/A.

B. PROJECT SITE INFORMATION

1. NAME OF **STREAM** or **WATER BODY** at project location Canyon Ferry Reservoir
   Project Address/Location: Broadwater Bay, Silos Recreation Area Nearest Town Townsend, MT
   County C Geocode: Click here to enter text.
   NW1/4 of the NW 1/4 of, Section 35 Township 8N, Range 1E
   Latitude 46.41302Longitude-111.57080 Refer to section B1 in the instructions.
   See Attachment #1: GPS screenshot of project location.

2. Is the proposed activity within **SAGE GROUSE** areas designated as general, connected, or core habitat?
   Yes ☐ No ☒ Attach consultation letter if required. Refer to section B2 in the instructions.
   See Attachment #2: Sage Grouse habitat map for Broadwater County.

3. Is this a **STATE NAVIGABLE WATERWAY**? The state owns beds of certain navigable waterways**.**
   Yes ☐ No☒ If yes, send a copy of this application to the appropriate DNRC land office. Refer to section B3 in the instructions.

4. **WHAT IS THE CURRENT CONDITION** of the proposed project site? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands. What vegetation is present? Refer to section B4 in the instructions.

See Attachment # 3: Current Condition Description.

C. PROPOSED PROJECT OR ACTIVITY INFORMATION

1. **TYPE OF PROJECT** (check all that apply) Refer to section C1 in the instructions.

☐ **Agricultural and Irrigation Projects:** Diversions, Headgates, Flumes, Riparian fencing, Ditches, etc.

☐ **Buildings/Structures:** Accessory Structures, Manufactured Homes, Residential or Commercial Buildings, etc.

☒ **Channel/Bank Projects:** Stabilization, Restoration, Alteration, Dredging, Fish Habitat, Vegetation or Tree Removal, or any other work that modifies existing channels or banks.

☐ **Crossings/Roads:** Bridge, Culvert, Fords, Road Work, Temporary Access, or any project that crosses over or under a stream or channel.

☐ **Mining Projects:** All mining related activity, including; Placer Mining, Aggregate Mining, etc.

☒ **Recreation related Projects:** Boat Ramps, Docks, Marinas, etc.

☒ **Other Projects:** Cistern, Debris Removal, Excavation/Pit/Pond, Placement of Fill, drilling or directional boring, Utilities, Wetland Alteration. Other project type not listed here: _excavation of lakebed materials to the mouth of Broadwater Bay to extend an earlier designed and approved boat access into Canyon Ferry Reservoir._____

2. IS THIS APPLICATION FOR an annual maintenance permit? ☒ Yes ☐ No
(If yes attach annual plan of operation to this application) – Refer to section C2 in the instructions.
See attachment # 4: Annual Maintenance Plan.

3. WHY IS THIS PROJECT NECESSARY? STATE THE PURPOSE OR GOAL of the proposed project. Refer to section C3 in the instructions.

The purpose of this project is to complete the originally designed excavation of the boat access channel from the Broadwater Bay boat ramp to the lake. The channel is designed to be at a uniform depth of 3775 feet msl to allow for safe passage of boats at the lower water levels. The original purpose was to "dredge Broadwater Bay to provide boaters with a safe deep-water access on the south west side of Canyon Ferry Reservoir." The results of the original excavation are that the Broadwater Bay has become the premier boating access site on Canyon Ferry Reservoir. On summer weekend days there are over 200 boats per day going into and out of the bay and using the ramp. In years of adequate water depth, the bays boat launch facilities are heavily used from spring ice-off to ice-on in the fall. The bay does provide a refuge for boaters when the winds create rough unsafe water conditions out on the lake.

However, the original channel excavation was not completed to the length and uniform depth as planned. Water levels began to rise and shoreline areas where equipment was operating from became soft and unstable. This left a berm/channel plug of existing lakebed higher than the designed uniform channel bottom which blocks access to the lake during low water periods in spring and fall. Since the original excavation of the Bay there has been some wave and ice created movement of shoreline

materials that have silted in the channel reducing its width and depth. The berm creates a public safety hazard as water levels drop or rise in fall or spring periods. Boaters get grounded, damaging their boats and motors. Grounded boats put people at risk when trying to remove their boats from the gravel berm. Emergency Broadwater County Search and Rescue operations utilize this bay as their primary access onto the lake for their call-outs and are restricted accessing the lake during these shoulder season periods with low water.

The restricted boating access is an economic loss to the community businesses and Broadwater County. Local businesses that rely upon the recreating public for business are being impacted by loss of business when boat access in Broadwater Bay is lost or reduced by seasonal or low water use of the reservoir and adjacent campgrounds.
The recreating public has reduced access to the lake for fishing, hunting access and general lake use.
There is a need to complete the originally designed uniformly level bottom boat channel excavation for safety, health, recreational and economic reasons. The preferred excavation is to do it when the lake is low and the channel is dry. However, should the lake not drop enough to dry the channel there is still a need to open the remaining channel as originally designed.
See Attachment #5, Original Bureau of Reclamation EA and FONSI, October 26, 2000.

4. **PROVIDE A BRIEF DESCRIPTION** of the proposed project plan and how it will be accomplished. Refer to section C4 in the instructions.

Broadwater County proposes to follow the designs as originally approved for excavation of Broadwater Bay boat channel in 2003. This project proposal lies completely within the approved project boundaries and utilizing the same design standards and drawings as approved in the 2003 permit. This proposal is to complete the bay boat channel out to the main lakebed as designed creating a uniformly level channel bottom to 3775 feet msl. The same original design plans are still to be used and are being re-submitted with this application. There is 400 feet of channel that needs to be excavated to the uniform depth of 3775 feet msl to clear the current plug and washed in material. Mechanized equipment will be used to complete the excavation and material removal. Equipment likely is a long reach excavator(s) to do the excavation of the channel material from the shoreline and a dump truck(s) to remove excavated material to the waste site previously used for the 2005/6 excavation waste material, approximately 1350 feet to the west. At the waste material dump site, a crawler tractor, front end loader or motor grader will be used to level excavated materials. Excavated waste material will be placed on the now existing waste pile on the west side of the boat ramp parking lot. Soil sediment fencing will be placed along the active work site shoreline and water turbidity mitigation barrier will be utilized at the mouth of the boat channel if the channel is not dry at the time of excavation. Duration of work is expected to be a few days to a few weeks but may be ongoing for up to a month depending upon weather and water level conditions. Portable mats or a gravel-based platform may be used to provide solid platforms for equipment to operate from on each side of the bay as necessary. We expect all excavation can be completed from the north side of the bay however if it cannot we would also work from the south shoreline. The gravel platforms will utilize shoreline gravels that will be replaced to its original shape once excavation equipment is leaving the site. Should the platforms for the excavation equipment require more material than we can get from the lakebed we would use the waste pile of material originally excavated back in 2005-2006 and stockpiled. Any material used will be removed and returned to the waste pile area when excavation is completed.
See Attachment #6: Work Plan for the Construction of Broadwater Bay Phase V and Design drawings.

5. **WHAT OTHER ALTERNATIVES were considered to accomplish the stated purpose of the project?** Why was the proposed alternative selected? Refer to section C5 in the instructions.

The only alternative considered at this point is to leave the berm in the channel.
Various types of equipment may be used as long as they operate within the requirements of the permits and designs.
Excavated materials could be spread across the existing shoreline so it does not have to be hauled to the waste site however we felt removal to be the best long-term option

6. **NATURAL RESOURCE BENEFITS OR POTENTIAL IMPACTS. Please complete the information below to the best of your ability**.

* Explain any temporary or permanent changes in erosion, sedimentation, turbidity, or increases of potential contaminants. What will be done to minimize those impacts?

This proposal creates minimal positive benefits to natural resources since it is excavation of part of the lakebed that is normally under water. It may create better fish passage into the Broadwater Bay in low water years. We do not see benefits nor impacts to the lakebed soils, aquatic habitat, water quantity or quality or riparian vegetation.

Temporary impacts may occur to water turbidity while the final channel is excavated and the berm blocking access into the lake is removed. If the channel is not completely dry a turbidity curtain can be installed beyond the end of the excavation until sediment settles. Disturbance during excavation is no greater than the daily wave action of the lake when at this level. The length of work needed, limited amount of excavation and no riparian vegetation involved limits any other resource impacts.
All work will be within the originally designed project area, no excavation will occur that does not meet the original designs and within the originally identified work boundaries.

1. Will the project cause temporary or permanent impacts to fish and/or aquatic habitat? What will be done to protect the fisheries?

This project does not create any permanent adverse impacts to fish or aquatic habitats. It will allow for fish passage into and out of the Broadwater Bay to a lower water level (3775") that is several feet lower than currently exists when the channel has the plug in it.
This project may create a turbidity impact but should be minimal for fish and any aquatic habitat in this depth of the lake and in the lowest water levels when work is expected to be accomplished.

2. What will be done to minimize temporary or permanent impacts to the floodplain, wetlands, or riparian habitat?

This project does not occur in or impact designated floodplains, wetlands or riparian habitat. However, the anticipated work will occur during the lowest anticipated lake drawdown levels, usually occurring prior to April 30th of each year.

3. What efforts will be made to decrease flooding potential upstream and downstream of project?

This project will have no effect on flooding potential since it is in the lakebed at its lowest water level times.

4. Explain potential temporary or permanent changes to the water flow or to the bed and banks of the waterbody. What will be done to minimize those changes?

This project will allow for a longer free water movement into and out of Broadwater Bay down to 3775" msl. Excavation of the remaining channel length will create engineer designed slopes and flat bottom and is similar to most of the natural topography associated with this reservoir. Over time, years, wave action and ice movement of lakeshore gravels may fill in portions of the most exposed portions of the channel and may need to be re-excavated to maintain the design and uniform function of the channel. This will only occur during the abnormally low water years.

5. How will existing vegetation be protected and its removal minimized? Explain how the site will be revegetated. Include weed control plans.

There is no vegetation in the excavation zone and access to the shoreline is via already existing gravel travel ways onto the beach lakeshore areas.

D. CONSTRUCTION DETAILS

1. PROPOSED CONSTRUCTION DATES. Include a project timeline. Start date 11/29/2021
Finish date 4/30/2022 How long will it take to complete the project? 30 days Is any portion of the work already completed?
☒ Yes ☐ No (If yes, describe previously completed work.)
Refer to section D1 in the instructions.
This project proposal is to complete the final boat access channel excavation out of Broadwater Bay that was done in 2005/2006. Utilizing the original project contract for removal of 210,460 cy and with a residual of 3695cy of the project as originally designed the project is 99 percent complete and we are just trying get the last 1% completed. The bay is completed, boat ramps are done and the channel excavation is nearly completed but was halted due to equipment suitability and rising water levels. Low water this year presents the opportunity to finish the original planned excavation needed using the same excavation designs. Materials washed into the channel at or near the current mouth of the channel over the past 15 years will be removed along with the channel plug.
Attachment #7: Phase drawing with completion

2. PROJECT DIMENSIONS Describe length and width of the project. Refer to section D2 in the instructions.
The original project channel design was for 1000'of excavation from the boat ramp, about 600 feet were completed leaving about 400 feet to complete. We intend to bring portions of the original excavation back to the 3775'msl if we find places that have silted in and are accessible without disturbing any of the placed rip-rap, then finish the residual length of the channel as designed. Channel width is designed to be from 145 – 75 feet wide at the top. The channel bottom is designed to be 70 feet wide through this last section of excavation and an excavation depth of 5 to zero feet at the end of the channel. This will bring the entire boat access channel to a uniform channel bottom depth of 3775" msl.
Area treated is 400 feet of channel at 65-70 feet wide and comes to 42,000 SF or .96 acres.
This excavated channel is 22' below full pool and 25 feet below flood pool for Canyon Ferry. This channel is only exposed at the 3775' msl at very low pool and only susceptible to wave action near that level.
See Attachment #6: Original Design engineer design sheets for the Bay and channel.

3. EQUIPMENT. List all equipment that will be used for this project. How will the equipment be used on the bank and/or in the water? Note: All equipment used in the water must be clean, drained and dry. Refer to section D3 in the instructions.

Possible equipment would include one or two long reach excavators capable of spanning the designed channel width from the dry shorelines. A long reach drag-line could also be used. Excavators would remove the channel material and place into dump trucks that will haul excavated material to the waste site. It may be necessary to build a gravel platform for stability of the machines or place structural mats to stabilize equipment on the shoreline. Gravel platforms would be built from lakebed material that is out of the water and reshaped once completed or utilize original excavated materials that have been stockpiled on site since the 2005/2006 excavation. Structural mats will be removed once excavation is complete.
A dump truck will be used to haul excavated materials to the already existing waste pile site on the west end of the Broadwater Bay parking lot, about 1350 feet to the west. A dozer or grader may be utilized to level and smooth the waste material at the waste stockpile site. A water turbidity fence or a coffer dam will be used in the lake if the channel excavation still has water in it at time of excavation of the berm/plug. Shoreline erosion control fencing will be used where excavation is occurring.

Will equipment from out of state be used? YES ☐ NO ☐ UNKNOWN ☒
Will the equipment cross west over the continental divide to the project site? YES ☐ NO ☐ UNKNOWN ☒
Will equipment enter the Flathead Basin? YES ☐ NO ☐ UNKNOWN ☒

4. MATERIALS. Provide the total quantity and source of materials proposed to be used or removed. Note: This may be modified during the permitting process therefore it is **recommended you do not purchase materials until all permits are issued.** List soil/fill type, cubic yards and source, culvert size, rip-rap size, any other materials to be used or removed on the project. Refer to section D4 in the instructions.

Cubic yards/Linear feet	Size and Type	Source
No materials will be imported into this site. An un-estimated amount or previous excavated materials may be needed to build the excavation platforms to complete the 400 feet of excavation. They will be removed back to the waste pile when done.		
3965 CY	Removed materials will be mixed lakebed gravels. See Attachment # 9, Log of test Pits TP01-1,TP01-2, TP01-3and TP01-4	Lakebed

E. REQUIRED ATTACHMENTS

1. **PLANS AND/OR DRAWINGS** of the proposed project. **Include**:
   6. Plan/Aerial view: Attachment #10, #11, #12
   7. an elevation or cross section view: Attachment #14
   8. dimensions of the project (height, width, depth in feet): Attachment #8
   9. location of storage or stockpile materials dimensions and location of fill or excavation sites Attachment #15
   10. drainage facilities
   11. location of existing/proposed structures, such as buildings, utilities, roads, or bridges: Attachment #16
   12. an arrow indicating north
   13. Site photos : Attachment #17

2. **ATTACH A VICINITY MAP OR A SKETCH** which includes: The water body where the project is located, roads, tributaries, other landmarks. Place an "X" on the project location. Provide written directions to the site. This is a plan view (looking at the project from above).
   S**ee attachment #10.**

3. **ATTACH ANNUAL PLAN OF OPERATION if requesting a Maintenance 310 Permit.**

   See Attachment #4: Annual Maintenance Plan

4. **ATTACH AQUATIC RESOURCE MAP.** Document the location and boundary of all waters of the U.S. in the project vicinity, including wetlands and other special aquatic sites. Show the location of the ordinary high-water mark of streams or waterbodies. **if requesting a Section 404 or Section 10 Permit.** Ordinary high-water mark delineation included on plan or drawings and/or a separate wetland delineation.
   See Attachment #13.

F. ADDITIONAL INFORMATION FOR U.S. ARMY CORPS OF ENGINEERS (USACE) SECTION 404, SECTION 10 AND FLOODPLAIN PERMITS.

Section F should only be filled out by those needing Section 404, Section 10, and/or Floodplain permits. Applicants applying for Section 404 and/or Section 10 permits complete F 1- 8. Applicants applying for Floodplain permits, complete all of Section F. Refer to section F in the instructions.

FOR QUESTIONS RELATING TO SECTION F, QUESTIONS 1-8 PLEASE CONTACT THE USACE BY TELEPHONE AT 406-441-1375 OR BY E-MAIL MONTANA.REG@USACE.ARMY.MIL.

1. Identify the specific **Nationwide Permit(s)** that you want to use to authorize the proposed activity. Refer to section F1 in the instructions.
   NWP- 35 Maintenance dredging of existing facilities.
2. Provide the **quantity of materials** proposed to be used in waters of the United States. What is the length and width (or square footage or acreage) of impacts that are occurring within waters of the United States?
   Channel varies from 145" to 75" in width and is 400 " in length. Station by station calculations show the impact area of .96 acres.
3. How many cubic yards of fill material will be placed below the ordinary high-water mark, in a wetland, stream, or other waters of the United States? Note: Delineations are required of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Refer to section F2 in the instructions.
   No materials will be permanently imported to the site nor used in this final execution of the original project proposal. Some of the originally excavated by material may be used to establish the operating platform for the excavators on the dry lakebed but all of this material will be removed as the channel is excavated.
4. How will the proposed project avoid or minimize **impacts to waters of the United States?** Attach additional sheets if necessary. Refer to section F3 in the instructions.
   Excavation will occur during the lowest water levels of the year. Sediment fences may be installed along shoreline where excavation is occurring. Excavated materials will be removed by the excavator and placed into a dump truck for hauling. Materials will not be stockpiled on the shoreline.
   Turbidity fence or a coffer dam may be installed outside of the channel opening into the lake to prevent sediment from moving into the lake if the water level is above the finished channel level, 3775' msl during excavation.
5. Will the project impact greater than 0.10-acre of wetland and/or more than 300 linear feet of stream or other waters? If yes, describe how the applicant is going to **compensate (mitigation bank, in-lieu fee program, or permittee responsible)** for these unavoidable impacts to waters of the United States. Refer to section F4 in the instructions.
   This project impacts existing lakebed well below the high-water levels (22-25 feet below) and does not impact wetlands or stream channels.
6. Is the activity proposed within any component of the **National Wild and Scenic River System**, or a river that has been officially designated by Congress as a **"study river"**? Refer to section F5 in the instructions.
   ☐ Yes ☒ No
7. Does this activity require permission from the USACE because it will alter or temporarily or permanently occupy or use a **USACE authorized civil works project? (Examples include USACE owned levees, Fort Peck Dam, and others)**? Refer to section F6 in the instructions.
   ☐ Yes ☒ No
8. List the **ENDANGERED AND THREATENED SPECIES** and **CRITICAL HABITAT(s)** that might be present in the project location. Refer to section F7 in the instructions.

   See Attachment #5: Original Bureau of Reclamation EA and FONSI, October 26, 2000.
9. List any **HISTORIC PROPERTY(S)** that are listed, determined to be eligible or are potentially eligible (over 50 years old) for li sting on the National Register of Historic Places." Refer to section F8 in the instructions.
   The Bureau of Reclamation has previously assessed archaeological and historical resources and **c**leared the site originally. See Attachment 5: Original Bureau of Reclamation EA and FONSI, October 26, 2000.

10. List **all applicable local, state, and federal** permits and indicate whether they were issued, waived, denied, or pending. Note: All required local, state, and federal permits, or proof of waiver must be issued prior to the issuance of a floodplain permit. Refer to section F9 in the instructions.

No other permits are determined to be required.

11. List the **NAMES AND ADDRESSES OF LANDOWNERS** adjacent to the project site. This includes properties adjacent to and across from the project site. (Some floodplain communities require certified adjoining landowner lists). See Attachment #5: Page 9, List of original public contacts.
12. Please add : Citizens Action Group for the Silos Recreation Area, PO Box 115, Townsend, MT 59644
    Bureau of Land Management, Butte Field Office Manager, Lindsey Babcock, 106 N. Parkmont, Butte, MT 59701
    NAME OF **Adjacent Landowner**: Click here to enter name Click here to enter Address
    NAME OF **Adjacent Landowner**: Click here to enter name Click here to enter Address
    NAME OF **Adjacent Landowner**: Click here to enter name Click here to enter Address
    NAME OF **Adjacent Landowner**: Click here to enter name Click here to enter Address

13. **Floodplain Map Number** NA Refer to section F11 in the instructions.

14. Does this project comply with **local planning or zoning regulations**? Refer to section F12 in the instructions.
    ☒ Yes ☐ No
    Project complies with the Canyon Ferry Resource Management Plan.

G. SIGNATURES/AUTHORIZATIONS

Some agencies require original signatures. **After completing the form**, make the required number of copies and **then sign each copy.** Send the copies with original signatures and additional information required directly to each applicable agency.

The statements contained in this application are true and correct. The applicant possess' the authority to undertake the work described herein or is acting as the duly authorized agent of the landowner. The applicant understands that the granting of a permit does not include landowner permission to access land or construct a project. Inspections of the project site after notice by inspection authorities are hereby authorized. Refer to section G in the instructions.

APPLICANT (Person responsible for project):
Print Name: Mike Delger, Chair
Broadwater County Commission

_____
Signature of Applicant Date

LANDOWNER:
Print Name: Click here to enter name.

_____
Signature of Landowner Date

*CONTRACTOR'S PRIMARY CONTACT (if applicable):
Print Name: Click here to enter name.

NA_____
Signature of Contractor/Agent Date
*Contact agency to determine if contractor signature is required.