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Bill Semmens, Resources Section Supervisor
Attn: Shane Talley, Statewide District Biologist
Montana Department of Transportation
2701 Prospect Avenue
Helena, Montana 59620-1001

Issue Date: 04/13/2023
SPA No.: MDT-R2-19-2023
I-90 Structures W of Alberton
Project No.: N/A
CN No.: 9786000
Core Drilling

Dear Mr. Talley:

Montana Fish, Wildlife & Parks (FWP) has reviewed MDT's SPA 124 permit application for Core Drilling activities related to the I-90 Structures West of Alberton subsurface investigation on the Clark Fork River near Alberton. The proposed work is authorized in accordance with the Montana Stream Protection Act (SPA) provided the following General and Special conditions listed below are met:

General Conditions:

- Adhere to the general provisions listed in Subsection 208.03.3 edition of the MDT Standard Specifications for Road and Bridge Construction.
- Comply with all the conditions as included in the Preconstruction SPA 124 authorization and the STREAM PROTECTION AUTHORIZATION 124 special provision in the contract bid package.

Special Conditions:

- Ensure that the cutting fluid is obtained from either ground water or from a known AIS-free surface water source.

The authorization is valid for two years from the date of issuance.

The proposed work will not result in a significant increase in turbidity. The FWP representative has determined that this project is within the scope of the programmatic Environmental Assessment prepared by the Montana Department of Environmental Quality and FWP for the issuance of narrative turbidity standards (see enclosed letter).

If you have any questions, please contact me at 444-3175 and reference **SPA No.:** MDT-R2-19-2023.

Sincerely,

Jonathan Ferree
SPA 124 Program Manager
Montana Fish, Wildlife & Parks

Copy: FWP Region 2 – Ladd Knotek



SHORT-TERM WATER QUALITY STANDARD
FOR TURBIDITY RELATED TO
CONSTRUCTION ACTIVITY
(318 Authorization)

Dear Mr. Talley:

This 318 authorization is the result of your recent application for a 310 permit from your local Conservation District or a 124 permit from Montana Fish, Wildlife and Parks. This authorization is valid for one year.

This is not your 310 or 124 permit and no construction activity should occur until you have received a valid 310 or 124 permit as well as any other permits that apply to this proposed construction activity.

This authorization is the result of an Operating Agreement between the Montana Department of Environmental Quality (DEQ), and Montana Fish, Wildlife and Parks (FWP).

The applicant agrees to the comply with the conditions stated below, as well as other conditions listed in the 310 or 124 permit issued for this project. Signatures of the applicant and FWP are required to validate this authorization.

1. Construction activity in or near the watercourse are to be limited to the minimum area necessary, and conducted so as to minimize increases in suspended solids and turbidity that could degrade water quality and adversely affect aquatic life outside the immediate area of operation.
2. The use of machinery in the watercourse shall be avoided unless absolutely necessary.
3. All disturbed stream banks and adjacent areas created by the construction activity shall be protected with erosion control measures during construction. These areas shall be reclaimed with appropriate erosion control measures and revegetated to provide long-term erosion control.
4. Any excess material generated from this project must be disposed of above the ordinary high water mark, in an area not classified as a wetland, and in a position not to cause pollution of State waters.
5. Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project.
6. This authorization does not authorize a point source surface water discharge. MPDES permit is required for said discharge.
7. Open cut creek crossings will not be allowed in flowing water. Stream water must be diverted around the open cut area (pump, flume etc.)
8. The applicant must conduct all activities in full and complete compliance with all terms and conditions of all permits required for this activity issued pursuant to the Montana Natural Streambed and Land Preservation Act (310 permit), the Stream Protection Act (124 permit) the Federal Clean Water Act (404 Permit), any MPDES permits for dewatering or storm water control in the construction area and any valid Memorandum of Agreement and Authorization (MAA) negotiated for this activity.

The FWP representative has determined that this project is within the scope of the programmatic Environmental Assessment prepared by DEQ and FWP for the issuance of narrative turbidity standards.

 Date: 04/13/2023
FWP Representative's Signature

 Date: 4/17/2023
Applicant's Signature

Name and location of project: I-90 Structures West of Alberton, Clark Fork River Core Drilling near Alberton.