

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 #	Date Received
Date Accepted		Initials	Date FW: to FWP
<i>This space is for all Department of Transportation and SPA 124 permits (government projects).</i>			
Project Name			
Control Number		Contract Letting 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.**

	<u>PERMIT</u>	<u>AGENCY</u>	<u>FILL OUT SECTIONS</u>	<u>FEE</u>
	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
	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): Mat McCallum

Has the landowner consented to this project? ☒ Yes ☐ No

Mailing Address: 406 Bogert Place, Bozeman, MT 59715

Physical Address: 406 Bogert Place, Bozeman, MT 59715

Cellphone: 406-581-4652 Home Phone: 406-586-8326 E-Mail: mat@signsofmontana.com

LANDOWNER NAME (if different from applicant): Mary Louise / Bruce McCallum & John Stewart

Mailing Address: 412 Bogert Place, Bozeman, MT 59715

Physical Address: 412 Bogert Place, Bozeman, MT 59715

Cellphone: 406-581-2570 Home Phone: 406-580-2207 E-Mail: smilesinmontana@gmail.com

LANDOWNER NAME (if different from applicant): John Stewart

Mailing Address: 412 Bogert Place, Bozeman, MT 59715

Physical Address: 1005 Pineridge Cir, Red Lodge, MT 59068

Cellphone: 406-672-9281 Home Phone: 406-672-9281 E-Mail: dg5390.2013@gmail.com

CONTRACTOR/COMPANY NAME (if applicable): Rocky Mountain Dirt Detail

PRIMARY CONTACT NAME: Dave Huntley

Mailing Address: 624 East Griffin Drive, Bozeman, MT 59715

Physical Address: 624 East Griffin Drive, Bozeman, MT 59715

Cellphone: 406-579-8371 Home Phone: 406-539-0576 E-Mail: dirtdetail@hotmail.com

B. PROJECT SITE INFORMATION

1. NAME OF STREAM or WATER BODY at project location West Rosebud Creek Project Address/Location: 351 Nye Road, Fishtail, MT 59028 Nearest Town: Fishtail, MT
County: Stillwater Geocode: 32-0617-28-4-01-05-000
NE 1/4 of the SW 1/4 of, Section 28 Township 4 South Range 18 East Latitude 45.4593 N
Longitude 109.5218 W Refer to section B1 in the instructions.
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.
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.

The proposed project area is located along the West Rosebud Creek and consists of multiple reaches where the stream channel has become widened, less defined, and hydraulically unstable following high-flow and flood events approximately two years ago.

Historically, flow was more evenly distributed within the channel system; however, current conditions indicate that the primary flow path has shifted and is now concentrated along the channel margin adjacent to the property bank. This realignment has created an imbalanced hydraulic condition, resulting in increased flow velocities and erosive forces acting directly on the bank.

Observed site conditions include:

- Active streambank erosion and undercutting along multiple sections
- Lateral channel migration, with an estimated 3 to 4 feet of bank loss in certain areas
- Overhanging vegetation and exposed root systems due to ongoing instability
- Sloughing and localized bank failure
- Loss and displacement of previously installed stabilization materials, including riprap and larger rock
- Reduced flow within the historic channel alignment, portions of which are now partially abandoned.

Streambanks within the project area are generally 2 to 5 feet in height, with slopes ranging from gentle to moderately steep depending on location. Many sections exhibit undercutting at the toe, creating unstable overhangs that are susceptible to continued erosion and collapse.

The streambed and bank materials consist primarily of rounded cobble and gravel, with limited larger angular material. These materials have proven insufficient to resist high flow velocities or provide long-term stability, contributing to continued channel adjustment and bank degradation.

Riparian vegetation is present throughout the project reach and includes mature trees, shrubs, and grasses. While vegetation remains generally intact, many areas are compromised due to undercutting and loss of supporting soil, increasing the likelihood of continued vegetation loss.

No permanent in-stream structures such as bridges or irrigation diversions are located within the immediate project area. Nearby features include residential improvements and local access roads, including Nye Road and Rosebud Isle Road, which are located outside of the active channel.

No delineated wetlands were observed within the immediate project limits. All proposed work will occur within the existing channel and adjacent streambank areas and is not expected to impact wetlands.

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 _____

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.

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

This project is necessary to address ongoing channel instability and active streambank erosion that has significantly impacted conditions along the property following major high-flow and flood events approximately two years ago.

Since that time, the stream has experienced measurable lateral migration, with an estimated 3 to 4 feet of bank loss occurring along portions of the property. The channel has widened and become less defined, and the primary flow path has shifted from its historic alignment to a position concentrated along the property bank. This shift has resulted in increased flow velocities and erosive forces acting directly on the bank, accelerating erosion and contributing to continued instability.

Additionally, previously existing and permitted bank stabilization and flow management features have been displaced or rendered ineffective due to these flood events and changing channel conditions.

Observed and ongoing impacts include:

- Active bank erosion and continued lateral channel migration
- Loss of previously stable bank material and protective features
- Increased hydraulic pressure on the property bank due to concentrated flow
- Progressive instability of both the main bank and adjacent channel features

Without corrective action, these conditions are expected to worsen, resulting in:

- Continued erosion and loss of property
- Further bank instability and potential collapse
- Increased risk to adjacent land, vegetation, and nearby improvements
- Ongoing degradation of channel form and function

The purpose of this project is to:

- Stabilize the affected streambanks
- Reduce erosive forces acting on the property
- Restore and reinforce previously permitted stabilization measures
- Re-establish a more defined and hydraulically balanced flow path consistent with historic channel behavior

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

The proposed project consists of reconstructing previously permitted stream stabilization features and installing additional bank protection measures along the subject reach of West Rosebud Creek. The work includes a total of three (3) treatment areas, consisting of one primary energy dissipation/flow deflection structure and two additional bank stabilization locations.

The primary objective is to restore channel stability by reducing flow velocity, redirecting concentrated current away from the property bank, and reinforcing actively eroding streambank sections.

1. Energy Dissipation and Flow Deflection Structure:

The project includes reconstruction of a previously permitted and historically installed rock structure that functioned as both an energy dissipator and current deflector.

1. The structure will consist of large native boulders (approximately 3'–4' in diameter)
2. Boulders will be placed in an angled, non-continuous alignment with spacing between rocks
3. Designed to:
 - Reduce flow velocity and dissipate hydraulic energy
 - Redirect concentrated flow away from the property bank
 - Guide water into a more defined and stable channel alignment

This structure is intended to restore the function of previously effective stabilization measures that were displaced or rendered ineffective during recent flood events.

2. Bank Stabilization (Riprap Installation):

Riprap will be installed at two (2) additional locations along the property where active erosion is occurring.

- Placement will occur along the toe and face of the streambank as needed
- Designed to:
- Stabilize vulnerable bank sections
- Reduce scour and prevent undercutting
- Minimize further lateral channel migration

Riprap will be installed in a manner that maintains a natural appearance consistent with the surrounding stream environment.

3. Materials:

All stabilization features will utilize:

- Large, angular, clean rock and native boulders
- Rock sized appropriately for anticipated hydraulic conditions
- Material free of fines, debris, or deleterious substances

4. Construction Methods:

- Work will be performed using an excavator placing individual rocks from the bank where feasible
- In-channel activity will be minimized, but limited and controlled equipment access within the active channel may be necessary
- All work will be conducted during low-flow conditions to reduce turbidity and environmental impact
- Minor excavation and grading may be required to properly seat rock and ensure long-term stability

5. Functional Design and Environmental Considerations:

- Structures are designed to allow water to pass freely through and around the rock
- No continuous barriers or impoundments will be created
- Fish passage will be maintained at all flow levels
- The project is not expected to adversely impact aquatic habitat
- Placement of larger boulders may provide added habitat complexity and cover for fish

6. Project Intent:

Each treatment area is designed to address localized erosion and instability while working together to:

- Reduce erosive forces acting on the property
- Stabilize streambanks
- Restore a more defined and hydraulically balanced channel
- Maintain natural stream function

The proposed work represents the minimum necessary intervention to stabilize the site while restoring previously permitted and effective stabilization measures. Historic survey information and photographic documentation confirm that the primary channel alignment has shifted towards the subject property over time.

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.

Several alternatives were evaluated to accomplish the purpose of stabilizing the streambank and reducing ongoing erosion within the project reach.

1. No-Action Alternative

The no-action alternative was considered but rejected due to ongoing and active erosion within the channel.

- The site has already experienced an estimated 3 to 4 feet of bank loss in recent years
- Channel instability and lateral migration are ongoing
- Without intervention, conditions are expected to worsen, resulting in continued property loss and increased instability

2. Riprap-Only Bank Stabilization

Installation of riprap alone along eroding banks was also considered.

- While this approach would provide localized bank protection, it would not address the underlying issue of concentrated and misaligned flow within the channel
- Without correcting flow patterns, erosive forces would likely persist or shift to adjacent areas
- This alternative was determined to be incomplete and less effective over the long term

3. Smaller or Rounded Rock Materials

The use of smaller or rounded rock was evaluated.

- Existing site conditions indicate that similar material has previously been displaced under high flow conditions
- Smaller or rounded rock lacks the stability and interlocking capability needed to resist expected hydraulic forces
- This alternative was rejected due to insufficient durability and performance

4. Vegetative Stabilization

Vegetative stabilization methods were also considered.

- Given the current hydraulic conditions, active erosion, and recent flood impacts, vegetation alone would not provide adequate immediate stabilization
- Establishment of vegetation would be difficult in actively eroding areas with unstable banks
- This approach may be suitable as a supplemental measure, but not as a standalone solution

Selected Alternative

The proposed approach was selected because it provides a comprehensive and balanced solution by addressing both in-channel flow behavior and bank stability.

- Reconstructs a previously permitted and historically effective energy dissipation and flow deflection structure
- Utilizes appropriately sized, angular rock and large boulders for long-term stability
- Includes targeted riprap placement at actively eroding locations
- Reduces flow velocity and redirects current away from the property bank
- Helps restore a more defined and hydraulically stable channel alignment

This combined approach represents the minimum necessary intervention to effectively stabilize the site while maintaining natural stream function and minimizing environmental impact.

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?

Temporary increases in turbidity and minor sediment disturbance may occur during construction activities, particularly during placement of boulders and riprap within or near the active channel. These impacts are expected to be short-term and localized.

To minimize these impacts, the following measures will be implemented:

- Work will be conducted during low-flow conditions to reduce the potential for sediment transport
- Construction will be completed as efficiently as possible to limit the duration of disturbance
- Equipment will operate primarily from the bank where feasible, with limited and controlled in-channel activity as necessary
- All materials used will be clean, free of fines, and appropriately sized to prevent breakdown and movement within the stream
- Disturbed areas will be minimized and stabilized promptly following installation
- Equipment will be properly maintained to prevent leaks
- Standard best management practices (BMPs) will be followed throughout construction

No hazardous materials or contaminants will be introduced into the waterbody as part of this project.

Long-Term Effects / Benefits

Following completion, the project is expected to provide the following benefits:

- Reduction in streambank erosion
- Decreased sediment input and turbidity over time
- Improved channel stability and reduced lateral migration
- Protection of adjacent riparian areas and vegetation
- Improved flow distribution within the existing channel

The project will not significantly alter overall flow patterns but will reduce localized erosion and restore more stable hydraulic conditions.

Fish / Aquatic Habitat

No long-term adverse impacts to fish or aquatic habitat are expected.

Short-term disturbance during construction will be minimal and localized.

Floodplain

The proposed work will not increase flood elevations and will maintain existing channel capacity.

No floodplain encroachment or adverse hydraulic impacts are anticipated.

Vegetation

Vegetation removal will be minimal and limited to areas necessary for construction.

Disturbed areas are expected to revegetate naturally over time, and stabilization efforts will help preserve existing riparian vegetation by reducing ongoing bank erosion.

Upstream / Downstream Impacts

The project is expected to reduce erosion and sediment transport within the project reach and is not anticipated to create adverse upstream or downstream impacts.

Stabilization measures will help prevent continued channel migration and reduce the likelihood of impacts to adjacent properties.

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

The project may result in minor, short-term disturbance to fish and aquatic habitat during construction activities, primarily due to localized increases in turbidity and limited equipment operation near the active channel. These impacts are expected to be temporary and confined to the immediate work area.

To protect fisheries and minimize impacts, the following measures will be implemented:

- Work will be conducted during low-flow conditions to reduce turbidity and sediment transport
- Construction will be completed as efficiently as possible to limit the duration of disturbance
- Equipment will operate from the bank where feasible, minimizing in-channel activity
- All materials used will be clean and free of contaminants
- Disturbance to the streambed and banks will be limited to the minimum necessary

The proposed structures are non-continuous and designed to allow water to pass freely through and around the boulders. Fish passage will be maintained at all flow levels, and the project will not create barriers or significantly alter habitat connectivity.

Post-Construction / Long-Term Effects

No long-term adverse impacts to fish or aquatic habitat are expected.

Following completion, the project is anticipated to provide beneficial effects, including:

- Improved channel stability and reduced bank erosion
- Decreased sediment input, which can improve water quality
- Increased habitat complexity, as larger boulders may create areas of cover, velocity refuge, and flow diversity for fish

- **What efforts will be made to decrease flooding potential upstream and downstream of project?**

The proposed project is not expected to increase flooding potential upstream or downstream of the project area.

The design does not include any continuous, channel-spanning, or impounding structures that would restrict flow or reduce channel capacity. All stabilization features consist of non-continuous, strategically placed boulders and riprap, allowing water to pass freely through and around the structures at all flow levels.

Key design elements that minimize flooding risk include:

- Maintaining natural channel conveyance by avoiding any obstruction to flow
- Use of non-continuous, angled rock placement that dissipates energy without impounding water
- No reduction in cross-sectional flow area or channel capacity
- Avoidance of structures that would backwater or redirect flow in a manner that increases flood elevations

By reducing excessive flow velocities and helping re-establish a more defined and stable channel alignment, the project is expected to:

- Improve flow efficiency within the existing channel
- Reduce uncontrolled channel spreading and lateral migration
- Minimize the formation of unintended flow paths that could contribute to localized flooding

Overall, the project is designed to work with natural stream processes, and is not expected to result in measurable increases in flood elevations or adverse impacts to upstream or downstream properties.

- **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?**

Temporary, localized changes to water flow and minor disturbance to the streambed and banks may occur during construction activities, particularly during the placement of boulders and riprap. These impacts are expected to be short-term and limited to the immediate work areas.

To minimize these temporary impacts, the following measures will be implemented:

- Work will be conducted during low-flow conditions

- Construction will be completed as efficiently as possible to reduce disturbance duration
- Equipment will operate from the bank where feasible, minimizing in-channel activity
- Disturbance will be limited to the minimum area necessary for installation
- All materials will be clean, appropriately sized, and resistant to movement or degradation
- Any disturbed areas will be stabilized promptly following construction

Post-Construction / Permanent Conditions:

Following completion, the project will result in controlled and intentional improvements to flow patterns and channel stability.

- Flow will be redirected and concentrated into a more defined channel alignment, reducing uncontrolled spreading
- Placement of boulders will reduce excessive flow velocities and dissipate energy within the channel
- Riprap will stabilize the toe and face of actively eroding banks, reducing scour and preventing further lateral migration
- Changes to the bed and banks will be limited to areas where stabilization is necessary

The project is designed to work with existing stream processes, not alter them, and will not create barriers or significantly change overall channel capacity.

Overall Outcome:

The proposed work is expected to:

- Improve channel stability and resilience
- Reduce future erosion and unplanned changes to the bed and banks
- Maintain natural stream function and flow conveyance

Overall, the project represents the minimum necessary intervention to stabilize the system while creating a more stable and sustainable channel condition over time.

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

Existing vegetation will be protected by limiting disturbance to only those areas necessary to complete the project. Equipment access, excavation, and material placement will be carefully controlled to avoid unnecessary impacts to existing trees, shrubs, grasses, and other riparian vegetation along the streambanks.

To minimize vegetation impacts:

- Work will be performed from the bank where feasible to reduce disturbance within the riparian area
- Equipment access routes and work areas will be limited to the minimum necessary
- Vegetation removal will be minimized and restricted to areas required for access or installation
- Mature trees and established vegetation will be preserved wherever possible

Following construction, disturbed areas above the ordinary high-water mark (OHWM) will be stabilized and revegetated using an appropriate native riparian grass seed mix suitable for the West Rosebud Creek corridor and surrounding site conditions. Native seed mix and revegetation recommendations will be coordinated through Circle S Seeds, 14990 Madison Frontage Rd., Three Forks, MT 59752, a supplier familiar with regional native grass and riparian restoration applications.

Disturbed areas will be monitored following construction, and additional seeding or stabilization measures will be implemented if necessary to promote vegetation establishment and minimize erosion.

Weed control measures will be implemented as needed following construction. Disturbed areas will be monitored for invasive or noxious weeds, and treatment will be performed by the landowner or qualified weed management personnel if necessary.

Overall, vegetation disturbance will be minimized to the greatest extent practicable, and revegetation efforts will focus on restoring a stable, natural riparian condition consistent with the surrounding stream corridor.

D. CONSTRUCTION DETAILS

1. PROPOSED CONSTRUCTION DATES. Include a project timeline. Start date June 1, 2026
Finish date June 30, 2026 How long will it take to complete the project? Approximately one week of active construction, scheduled to occur during early June prior to peak high-water conditions, and timed to coincide with the most favorable low-flow window within this period.

Is any portion of the work already completed? ☐ Yes ☒ No (If yes, describe previously completed work.) Refer to section D1 in the instructions.

2. PROJECT DIMENSIONS. Describe length and width of the project. Refer to section D2 in the instructions.

The proposed project consists of streambank stabilization and flow management improvements along multiple sections of the West Rosebud Creek. The project is divided into three primary treatment areas as described below:

Energy Dissipation / Flow Management Section:

Approximately 60 linear feet of work at the upstream portion of the project area. This section will include reconstruction of a previously permitted energy dissipation and flow deflection structure using large boulders placed within and along the channel to reduce flow velocity and redirect current away from the eroding bank.

Middle Section:

Approximately 144 linear feet of streambank stabilization within the central portion of the property. Work will include installation and reinforcement of riprap along the bank and limited shaping of the bank profile to properly key in materials.

Driveway Section:

Approximately 320 linear feet of streambank stabilization along the downstream portion of the property. Work in this area will include placement of riprap along the bank extending from the ordinary high-water mark (OHWM) up the bank slope as needed to stabilize actively eroding areas.

Total Project Length:

Approximately 524 linear feet of combined treatment areas.

Extent of Work:

- Work will occur along the streambank and extend into the active channel where necessary for placement of large rock associated with the energy dissipation and flow management structure
- Riprap placement will extend from the toe of the bank at or near the ordinary high-water mark upward along the bank face as required for stabilization
- In-channel work will be limited to the minimum necessary to properly install stabilization features

Disturbance Width:

The work area will extend approximately 8 to 25 feet from the streambank, depending on bank slope and the amount of stabilization required at each location.

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.

Equipment to be used for the project will include an excavator, mini excavator, skid steer, dump truck, and side dump for material transport.

The excavator and mini excavator will be used to place large boulders and riprap along the streambank and within the channel where necessary for installation of the energy dissipation and flow management structure. Work will be performed from the bank wherever feasible; however, limited and controlled operation within the active channel may be required to properly position larger rock materials.

The skid steer will be used for staging, handling, and transporting materials along the bank and designated access areas. Dump trucks and side dumps will be used to deliver and stage rock materials at approved locations outside of the immediate channel area.

Access to the channel will be limited to the minimum necessary to complete the work, and disturbance will be confined to designated work areas. Equipment will enter and exit the channel at controlled access points to minimize impacts to the bank and streambed.

All equipment used in or near the water will be cleaned, drained, and dried prior to entering the site to prevent the introduction or spread of aquatic invasive species (AIS), in accordance with Montana requirements. Equipment will be free of mud, vegetation, organic debris, standing water, and excess grease.

Equipment cleaning may include pressure washing and biodegradable industrial cleaning products appropriate for environmentally sensitive construction activities to remove mud, vegetation, grease, and other potential contaminants prior to entering the waterbody.

All machinery will be properly maintained and inspected prior to use to prevent leaks of fuel, oil, hydraulic fluid, or other contaminants. Refueling and maintenance activities will occur outside of the immediate work area away from the waterbody.

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: Approximately 100–200 cubic yards of material will be used across three (3) treatment areas, totaling approximately 524 linear feet of streambank and channel stabilization. Individual treatment areas range from approximately 60 to 320 linear feet.

Size and Type: Large boulder riprap (armor stone), approximately 3'–4' diameter. Angular granite rock, durable and suitable for high-flow conditions. Material will be clean, free of fines, debris, organic material, and pollutants. Rock will be sized and placed to resist movement, reduce flow energy, and provide long-term stability within the channel and along the streambank

Source: Stillwater Excavating, 1101 Old US Highway 10 Columbus, MT 59019

E. REQUIRED ATTACHMENTS

1. **PLANS AND/OR DRAWINGS** of the proposed project. **Include:**

- Plan/Aerial view
- an elevation or cross section view
- dimensions of the project (height, width, depth in feet)
- location of storage or stockpile materials dimensions and location of fill or excavation sites
- drainage facilities
- location of existing/proposed structures, such as buildings, utilities, roads, or bridges
- an arrow indicating north
- Site photos

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).

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

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.

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 406441-1375 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.
The proposed project is anticipated to qualify under Nationwide Permit 13 – Bank Stabilization, and may also fall under Nationwide Permit 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities, if applicable. Final determination will be made by the U.S. Army Corps of Engineers during review.
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? 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.

The proposed project includes placement of rock material within and along the West Rosebud Creek for bank stabilization and flow management.

Estimated fill below ordinary high-water mark: Approximately 100–200 cubic yards

Total project length: Approximately 524 linear feet

Impact width: Approximately 10–25 feet from the bank, depending on location and slope conditions

Impact area: Primarily limited to the streambank and immediately adjacent channel margin

Impacts will occur within an actively eroding reach where previous stabilization has failed and flow has shifted toward the property bank.

3. 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.

The project has been designed to avoid and minimize impacts to waters of the United States to the maximum extent practicable.

Measures include:

- Limiting work to areas of active erosion and previously disturbed locations
- Conducting work during low-flow conditions
- Minimizing the duration and extent of in-channel activity
- Using designated access points to reduce disturbance to the streambed and banks
- Performing work from the bank where feasible, with only limited in-channel equipment use as necessary for proper placement of large rock materials
- Using clean, durable, appropriately sized angular rock to reduce the likelihood of future movement or failure
- Avoiding unnecessary vegetation removal and preserving riparian areas where possible

- Stabilizing disturbed areas immediately following construction

The project is intended to stabilize existing conditions and reduce ongoing sediment input rather than alter the overall channel alignment.

4. 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.

Compensatory mitigation is not anticipated to be required for this project.

The work is limited in scope and is intended to stabilize an actively eroding bank and reduce sediment input into the stream. The project is expected to provide a net benefit by improving channel stability and reducing ongoing erosion.

5. 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

The project is located on the West Rosebud Creek.

This reach is not within a designated Wild and Scenic River segment.

6. 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

The project is not located within a federally authorized Corps civil works project area.

7. 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.

The project is not expected to impact any threatened or endangered species or designated critical habitat.

Work will be conducted in a manner that minimizes disturbance to aquatic habitat.

re to enter text.

8. List any **HISTORIC PROPERTY(S)** that are listed, determined to be eligible or are potentially eligible (over 50 years old) for listing on the National Register of Historic Places.” Refer to section F8 in the instructions.

The project is not expected to impact any known cultural or historic resources.

9. 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. re to enter text.

10. 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).

NAME/ADDRESS OF **Adjacent Landowner**: Tim Schaff – P.O. Box 41, Fishtail, MT 59028

NAME/ADDRESS OF **Adjacent Landowner**: Montana Fish & Game – P.O. Box 200701, Helena, MT 59620

NAME/ADDRESS OF **Adjacent Landowner**: Debbie Harms – 1017 Parkhill, Billings, MT 59102

NAME/ADDRESS OF **Adjacent Landowner**: Mark Hedin – 876 Senora Ave, Billings, MT 59105

NAME/ADDRESS OF **Adjacent Landowner**: The Walter Family LLC – 6828 Frey Road, Shephard, MT 59079

11. **Floodplain Map Number** 30095C0850D Refer to section F11 in the instructions.

12. Does this project comply with **local planning or zoning regulations**? Refer to section F12 in the instructions.

☒ Yes ☐ No

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):

LANDOWNER:

Print Name: Mat McCallum

Print Name: Mary Lou McCallum

Matt McCallum 5/12/26
Signature of Applicant Date

Mary Lou McCallum 5/12/26
Signature of Landowner Date

*CONTRACTOR'S PRIMARY CONTACT (if applicable):

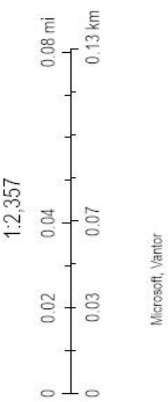
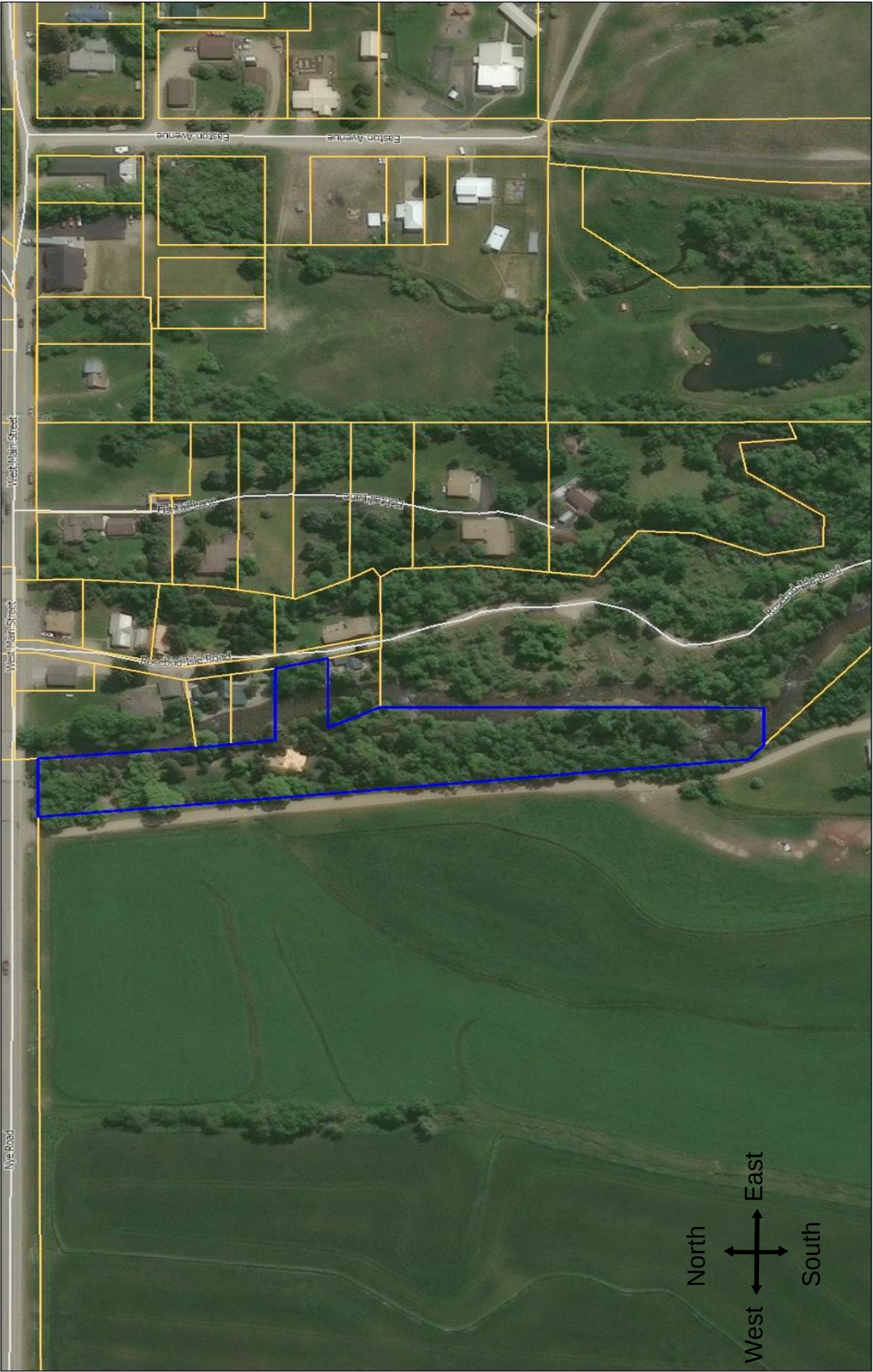
Print Name: Dave Huntley

D. Huntley 5-12-26
Signature of Contractor/Agent Date

*Contact agency to determine if contractor signature is required.

West Rosebud Creek Bank Stabilization Project
351 Nye Road, Fishtail, MT 59028
DNRC 310 Permit Application – Property Line Map

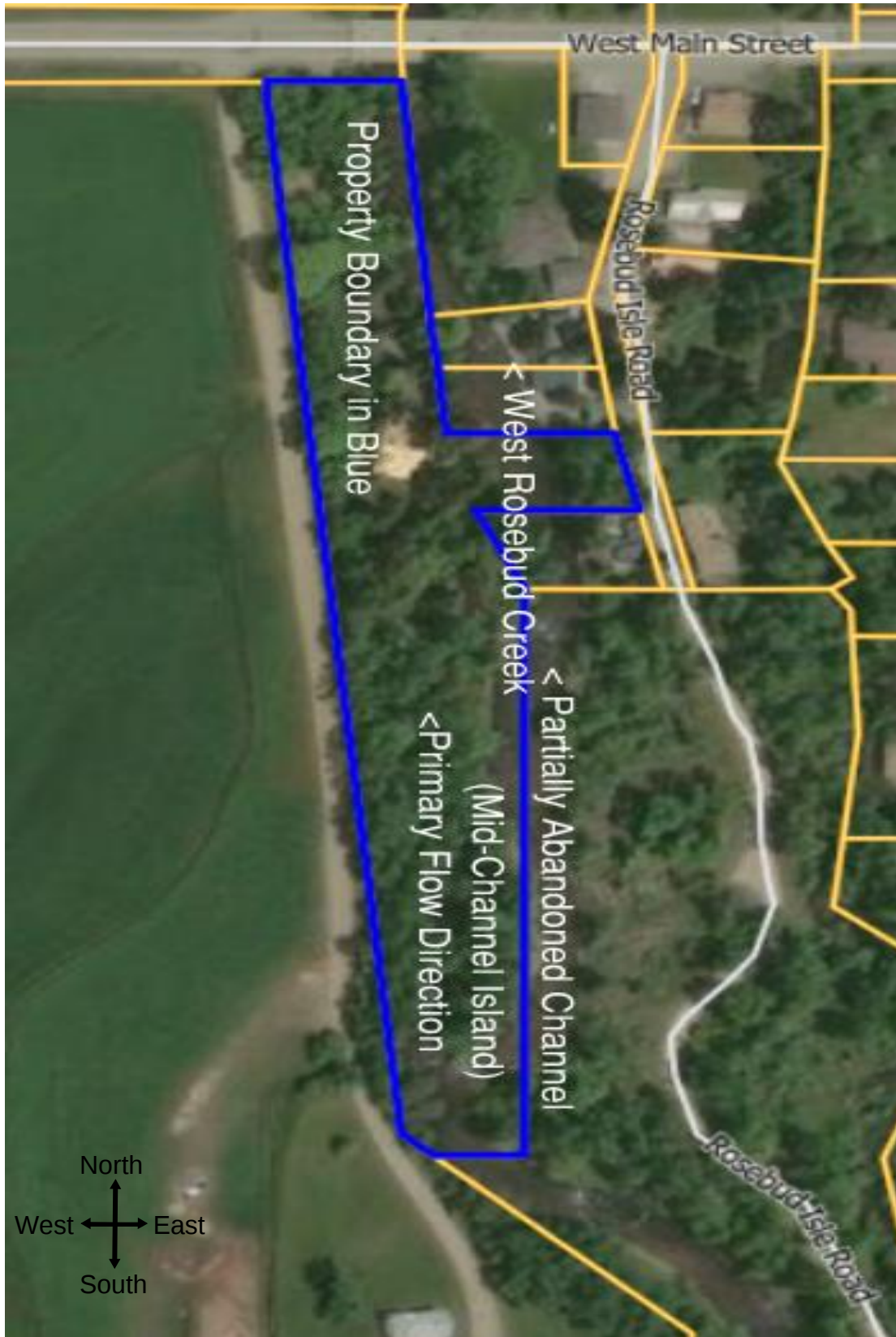
ArcGIS Web Map



4/7/2026, 5:29:34 PM

West Rosebud Creek Bank Stabilization Project
351 Nye Road, Fishtail, MT 59028
DNRC 310 Permit Application – Existing Site Conditions Map

Figure 1. Existing Site Conditions along West Rosebud Creek showing the primary flow path, partially abandoned channel, mid-channel island, and property boundaries.



West Rosebud Creek Bank Stabilization Project
351 Nye Road, Fishtail, MT 59028
DNRC 310 Permit Application – Project Overview and Treatment Areas Map

Figure 2. Project overview showing the locations of proposed treatment areas (Areas 1-3), including the energy dissipation and flow structure and riprap stabilization areas along the West Rosebud Creek.

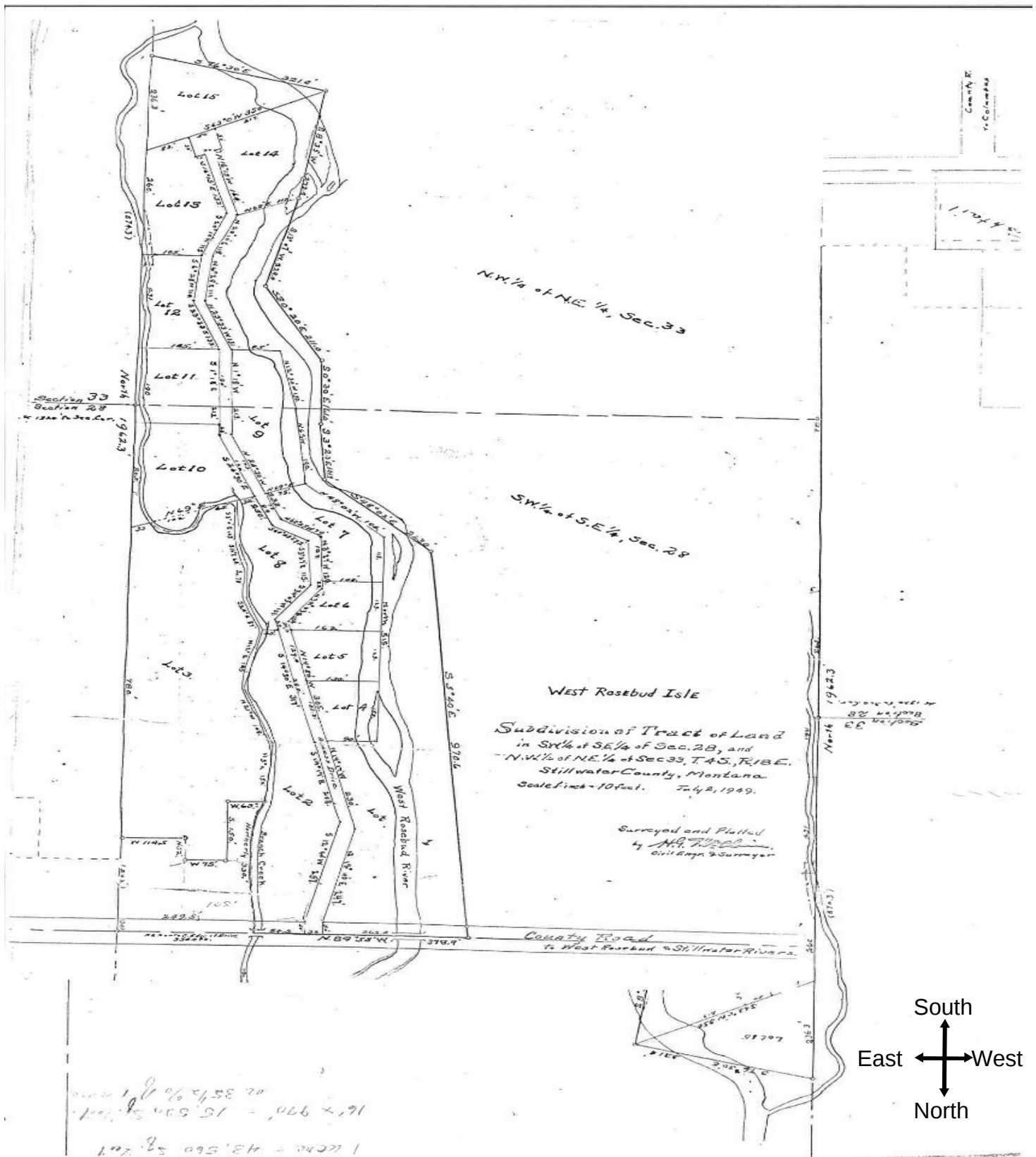


West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Historic Survey – Channel Alignment (1949)

Figure 3. Historic survey illustrating previous channel alignment and flow distribution within the project reach.

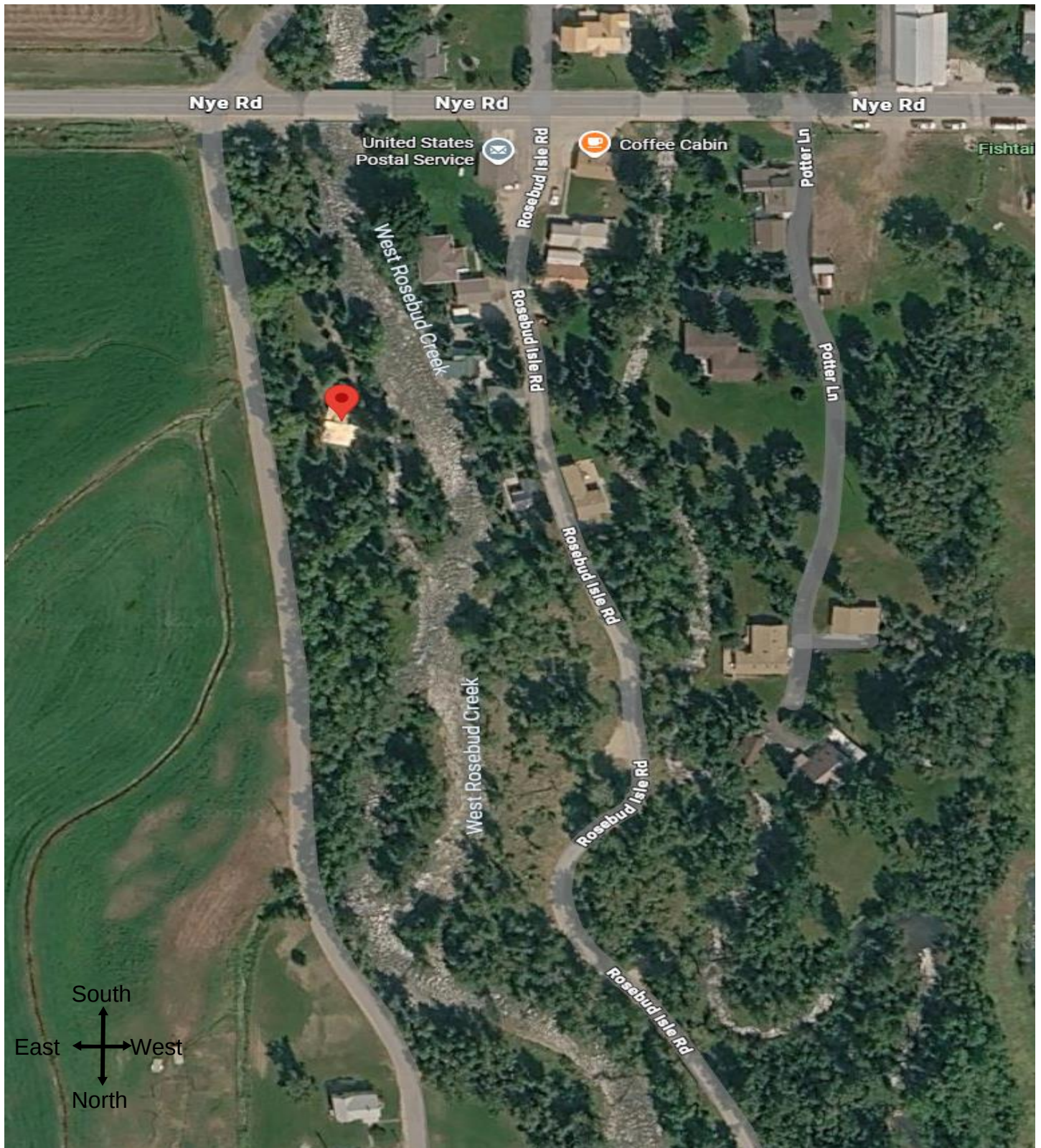


West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Vicinity Map

Figure 4. Regional location of the project site along West Rosebud Creek, including nearby roads and landmarks.



West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Property Vicinity Aerial

Figure 5. Aerial imagery showing subject property boundaries, surrounding roadway access, and the location of West Rosebud Creek within the project vicinity.



West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Site Photographs – Existing Conditions

Figure 6. Photographs documenting existing site conditions along West Rosebud Creek, including channel realignment, bank erosion, failure of previously installed stabilization measures, and the condition of the historic channel. The following photo exhibits provide visual documentation supporting observed channel instability and the need for stabilization within the project reach.

West Rosebud Creek Bank Stabilization Project
351 Nye Road, Fishtail, MT 59028
DNRC 310 Permit Application – Early Channel Realignment

Figure 7. Photographs documenting early stages of channel realignment following the washout and loss of previously installed and permitted energy dissipation and flow management features. These images show the initial shift of flow toward the property bank and the beginning of increased hydraulic pressure and erosion within this reach.



North Facing – Downstream Aerial Photo



North Facing – Downstream Aerial Photo

West Rosebud Creek Bank Stabilization Project
351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Current Channel Realignment

Figure 8. Photographs illustrating the current primary flow path concentrated along the property bank. Flow is no longer evenly distributed across the channel and is instead directed toward the bank, resulting in increased velocities, sustained hydraulic pressure, and ongoing erosive forces within this reach.



South Facing – Upstream



South Facing – Upstream

West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Bank Erosion & Riprap Failure

Figure 9. Photographs showing active bank erosion and failure of previously installed riprap along the project reach. Displaced, deteriorated, and missing rock protection has left sections of the bank exposed to direct hydraulic forces, resulting in continued erosion, undercutting, and progressive bank instability.



North Facing – Downstream



North Facing – Downstream

West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Bank Instability

Figure 10. Photographs showing localized areas of bank instability, including visible undercutting, exposed root systems, sloughing, and measurable bank edge recession. These conditions indicate ongoing erosion, loss of supporting materials, and increased susceptibility to continued bank failure if left unaddressed.



East Facing – Across Channel



South Facing – Upstream

West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Active Toe Erosion & Bank Exposure

Figure 11. Photographs documenting active toe erosion, exposed bank conditions, and limited remaining bank protection along the stream reach adjacent to the primary driveway access serving the property. These areas exhibit direct hydraulic contact against the streambank, localized scour, exposed bank edges, and ongoing erosion contributing to continued channel instability and lateral migration. Continued erosion within this reach could threaten the stability of the property's only vehicle access route and potentially limit or prevent access to the property during future high-flow events.



North Facing – Downstream Along Driveway Reach



South Facing – Upstream Bank Edge Adjacent to Driveway

West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Loss of Energy Dissipation and Flow Management Features

Figure 12. Photographs showing remnants and absence of previously installed energy dissipation and flow deflection structures. The loss of these features has reduced energy dissipation within the channel, allowing flow to remain concentrated against the property bank and contributing to increased erosion and channel instability.



Northeast Facing – Downstream



Northeast Facing – Downstream

West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Abandoned Historic Channel

Figure 13. Photographs illustrating reduced flow and partial abandonment of the historic channel alignment located on the opposite side of the island. These conditions reflect a significant shift in channel dynamics, with the majority of streamflow now concentrated along the property bank.



North Facing – Downstream



West Facing – Upstream

West Rosebud Creek Bank Stabilization Project

351 Nye Road, Fishtail, MT 59028

DNRC 310 Permit Application – Historic Site Conditions (1991)

Figure 14. Historic photographs showing previously installed energy dissipation and flow deflection structures within the project reach. These structures were previously functioning to dissipate energy and direct flow prior to displacement and loss during subsequent flood events.



North Facing – Downstream



South Facing – Upstream

Appendix A – Montana Cadastral Property Report

Supporting property ownership, parcel boundary, aerial imagery, and legal description documentation for the subject property located at 351 Nye Road, Fishtail, MT 59028

Tax Year: 2026

Scale: 1:1989.20 Basemap: Imagery Hybrid



Tax Year: 2026

Summary

Primary Information

Property Category: RP	Subcategory: Residential Property
Geocode: 32-0617-28-4-01-05-0000	Assessment Code: 0004060091
Primary Owner: MCCALLUM MARY LOUISE & BRUCE D & 412 BOGERT PL BOZEMAN, MT 59715-4805 Note: See Owners section for all owners	Property Address: 351 NYE RD FISHTAIL, MT 59028
Certificate of Survey: n/a	Legal Description: WEST ROSEBUD ISLE SUBD, S28, T04 S, R18 E, Lot 4, IN LOT 1E COS 193548 LT 1W COS 156688 LESS MDOT
Last Modified: 5/2/2026 6:2:30 AM	

General Property Information

Neighborhood: 232.007	Property Type: Improved Property
Living Units: 1	Levy District: 32-0853-13
Zoning: n/a	Ownership: 100
LinkedProperty: No linked properties exist for this property	
Exemptions: No exemptions exist for this property	
Condo Ownership:	Limited: n/a
General: n/a	

Property Factors

Topography: n/a	Fronting: n/a
Utilities: n/a	Parking Type: n/a
Access: n/a	Parking Quantity: n/a
Location: n/a	Parking Proximity: n/a

Land Summary

Land Type:	Acres:	Value:
Grazing	n/a	n/a
Fallow	n/a	n/a
Irrigated	n/a	n/a
Continuous Crop	n/a	n/a
Wild Hay	n/a	n/a
Farmsite	n/a	n/a
ROW	n/a	n/a
NonQual Land	n/a	n/a
Total Ag Land	n/a	n/a
Total Forest Land	n/a	n/a
Total Market Land	2.404	n/a

Cadastral Property Report

Tax Year: 2026

Deed Information

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
12/23/2022	n/a	n/a	1/5/2023	388799	Quit Claim Deed
2/8/2017	n/a	n/a	2/15/2017	367948	Warranty Deed
4/26/1995	113	824	N/A	n/a	n/a
4/26/1995	113	822	N/A	n/a	n/a
4/26/1995	113	820	N/A	n/a	n/a

Owners

Party #1

Default Information:	MCCALLUM MARY LOUISE & BRUCE D & 412 BOGERT PL BOZEMAN, MT 59715-4805
Ownership %:	100
Primary Owner:	Yes
Interest Type:	Tenants in Common
Last Modified:	6/7/2023 14:24:24 PM

Party #2

Default Information:	STEWART JOHN & SUSAN LIVING TRUST 412 BOGERT PL BOZEMAN, MT 59715-4805
Ownership %:	100
Primary Owner:	Yes
Interest Type:	Tenants in Common
Last Modified:	6/7/2023 14:24:24 PM

Party #3

Default Information:	STEWART JOHN S TRUSTEE 412 BOGERT PL BOZEMAN, MT 59715-4805
Ownership %:	100
Primary Owner:	Yes
Interest Type:	Tenants in Common
Last Modified:	6/7/2023 14:24:24 PM

Tax Year: 2026

Party #4

Default Information:	STEWART SUSAN SHEA TRUSTEE 412 BOGERT PL BOZEMAN, MT 59715-4805
Ownership %:	100
Primary Owner:	Yes
Interest Type:	Tenants in Common
Last Modified:	6/7/2023 14:24:24 PM

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2025	200910	169990	370900	MKT
2024	122341	164759	287100	MKT
2023	122341	164759	287100	MKT

Market Land

Market Land Item #1

Method: Acre	Type: Category 1
Width: n/a	Depth: n/a
Square Feet: n/a	Acres: 2.404
Class Code: 2201	Value: n/a

Dwellings

Dwelling #1

Dwelling Information

Dwelling Type SFR	Style 09 - Bungalow	Year Built 1940
Residential Type: SFR	Style: 09 - Bungalow	Roof Material: 10 - Asphalt Shingle
Year Built: 1940	Roof Type: 3 - Gable	Attic Type: 0 - None
Effective Year: 1975	Exterior Walls: 1 - Frame	Exterior Wall Finish: 3 - Masonite
Story Height: 1.0	Degree Remodeled: n/a	
Grade: 3		
Class Code: 3501		
Year Remodeled: 1980		

Tax Year: 2026

Mobile Home Details

Manufacturer: n/a	Serial #: n/a
Width: n/a	Length: n/a
Model: n/a	

Basement Information

Foundation: 1 - Wooden or Masonry Piers/Posts	Finished Area: n/a
Daylight: N	Basement Type: 0 - None
Quality: n/a	

Heating/Cooling Information

Type: None	System Type: 0
Fuel Type: 0 - None	Heated Area: n/a

Living Accommodations

Bedrooms: 2	Family Rooms: n/a
Full Baths: 1	Half Baths: n/a
Addl Fixtures: 3	

Additional Information

Fire Places	Stacks: n/a
Stories: n/a	Prefab/Stove: 1
Openings: n/a	
Garage Capacity: n/a	Cost & Design: n/a
Flat Add: n/a	% Complete: n/a
Description: n/a	

Dwelling Amenities

View: n/a	Access: n/a
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Area Used in Cost

Basement: n/a	Addl Floors: n/a
First Floor: 844	Second Floor: n/a
Half Story: n/a	Unfinished Area: n/a
Attic: n/a	SFLA: 844

Depreciation Information

CDU: n/a	Physical Condition: Average (7)
Desirability Property: Good (8)	Location: Very Good (9)

Depreciation Calculation

Age: 49	Pct Good: 0.72
RCNLD: n/a	

Additions / Other Features

Cadastral Property Report

Tax Year: 2026

Lower Addtns	First	Second	Third	Area	Year	Cost
n/a	14 - Porch, Frame, Enclosed	n/a	n/a	24	n/a	n/a
n/a	33 - Deck, Wood	n/a	n/a	340	n/a	n/a
n/a	33 - Deck, Wood	n/a	n/a	151	n/a	n/a

No additional features exist for this property

Other Buildings

Outbuilding/Yard Improvement #1

Type: Residential Description: RRG3 - Garage, frame, detached, unfinished

Quantity: 1 Year Built: 1940

Grade: 4 Condition: Res Fair

Functional: n/a Class Code: 3501

Dimensions

Width/Diameter: n/a Length: n/a
Size/Area: 192 Height: n/a
Bushels: n/a Circumference: n/a

Outbuilding/Yard Improvement #2

Type: Residential Description: RRS1 - Shed, Frame

Quantity: 1 Year Built: 1942

Grade: A Condition: Res Fair

Functional: n/a Class Code: 3501

Dimensions

Width/Diameter: n/a Length: n/a
Size/Area: 96 Height: n/a
Bushels: n/a Circumference: n/a

Commercial

No commercial buildings exist for this parcel

Ag/Forest Land

No ag/forest land exists for this parcel



Cadastral Property Report

Tax Year: 2026

Conservation Easements

No conservation easements exist for this parcel

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