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SUMMARY OF RIVER RESTORATION PROGRAM PROJECTS MONTANA FISH, WILDLIFE & PARKS 1990 - 1994

Fisheries Division
1420 East 6th Avenue
Helena, MT 59620

Prepared by:

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MONTANA FISH, WILDLIFE & PARKS

Fisheries Division

River Restoration Program

Program Summary

The River Restoration Program (RRP) was initiated by the 1989 Montana Legislature; they recognized that the conservation of rivers and their fisheries is of vital social and economic importance to Montana. House Bill 754 established a fund using license dollars and donations to help ensure that Montana rivers and streams will continue to provide high quality fishing to the State of Montana and its people.

Rules were developed to administer the RRP in 1990 following standard public review procedures. The rules were approved by the Secretary of State and are found in the Administrative Rules of Montana, i.e., 17.7.1101 through 17.7.1112 (Appendix A). Additionally, rules were developed to categorically exclude certain RRP projects from the need to prepare an Environmental Assessment to meet the requirements of the Montana Environmental Policy Act. These rules (12.2.454) were approved by the Secretary of State in August, 1994 (Appendix B). The form presently used by applicants seeking River Restoration Grants is included as Appendix C.

Montana has two laws designed to protect and preserve rivers and streams in their natural or existing state. The Stream Protection Act of 1963 and the Natural Streambed and Land Preservation Act of 1975 require entities proposing projects that may physically alter or affect a river or stream to first obtain a permit that specifies measures required to protect the stream.

Prior to initiation of these acts, projects were often designed without consideration for fish habitat and some blocked spawning migrations. Additionally, certain land management activities that occur near streams sometimes degrade river fish habitat. Such activities as subdivision development, livestock use, logging, dewatering and streamflow manipulations have all degraded fish habitat. The RRP provides reliable funding to restore fish and wildlife habitat through physical projects designed to improve rivers and their associated lands. The Department works cooperatively with individuals, landowners, private groups, conservation districts, and local, state and federal governmental agencies to implement specific river restoration projects.

The RRP fund was established by earmarking fifty cents from each resident and one dollar from each non-resident fishing license sold. The program generates approximately $110,000 annually and to date has netted $556,453. Additionally, the 1993 Montana Legislature authorized the Department to budget $200,000 of federal aid dollars towards RRP projects. To date, applicants have been

awarded $623,698 from the program. Table 1 summarizes program funding and activities for each fiscal year since inception of the program through November 1, 1994.

TABLE 1. River Restoration Program Funding and Accounting

Fiscal Year	RRP Income	Projects Authorized		Projects Initiated		Cost Share
		Budgeted	Number	Expended	Completed	
1990	$72,644[a]	$4,940	1	$4,940	1	---
1991	89,482	146,954	15	87,132	11	$469,987
1992	114,606	28,092	5	27,804	5	22,730
1993	111,583	109,815	13	74,133	9	69,390
1994	251,730[b]	227,282	14	50,450	3	637,875
1995	116,409[b,c]	106,615	4	---	---	75,730
Interest Earned	19,399					
TOTALS	756,453	623,698	52	244,459	29	1,275,712

[a] Income from March 1 to June 30, 1990.
[b] Total includes $100,000 of federal aid.
[c] July 1 to November 1, 1994.

Two of the applications submitted to date, the Gold Creek project (RRA-37-93), and the Milesnick stream enhancement project (RRA-57-94) will likely be funded with federal aid dollars. The applicants for these two projects are requesting $122,200 of RRP funds. There is one more funding period this fiscal year during which projects will be awarded; we anticipate that expenditures and income will be nearly equal following award of these projects.

As of the date of this report, the Department has received 70 applications for RRP project funding. From these applications, 55 were approved for funding and 15 disapproved because they were judged to provide marginal benefits to fishery resources. Three of the approved projects were withdrawn by the applicants for various reasons. Project proposals were received from the following categories of applicants: private landowners - 40; public organizations - 14; Conservation Districts - 9; State Government - 6; and Federal Government - 1.

A variety of projects for enhancing fish habitat in rivers and streams have been approved; representative projects of various types are depicted in Photos 1 through 6. Projects authorized include: riparian fences - 22; channel rehabilitation or

stabilization - 12; irrigation diversion modifications - 7; bank stabilization - 4; fish passage - 3; spawning channel - 1; and watershed restoration that involves a variety of treatments to improve fish habitat, water quality and land management - 3.

Projects authorized for funding to date will have far reaching impacts on fish populations. When the 52 projects are completed, they will have directly enhanced fish habitat on 44.7 miles of rivers and streams. These projects will enhance spawning conditions and facilities, improve water quality, promote bank cover, reduce loss of fish to irrigation diversions and provide fish passage to spawning grounds. It is estimated that 141 miles of rivers and streams and three lakes will contain enhanced populations of fish as a result of the RRP. Of significance, these projects will be supplemented with over 1.2 million dollars of matching funds, grants, cost sharing and in-kind services. In several cases, the RRP funds were the catalyst needed to generate other sources of funds required to initiate projects.

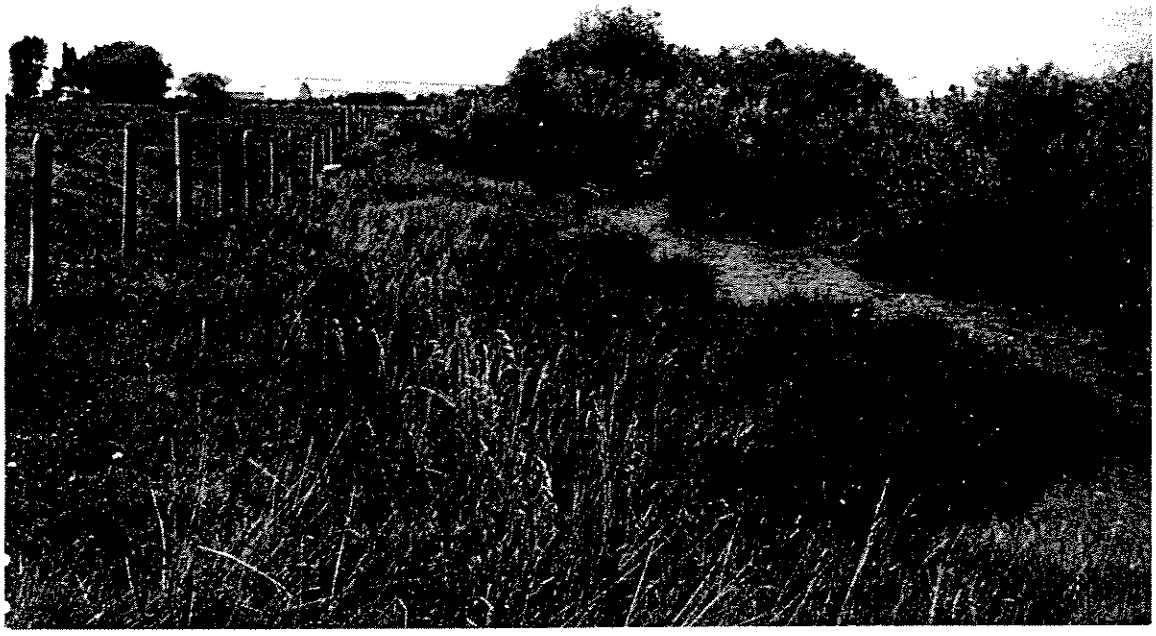

Photo 1. Riparian Fence. This project on Willow Spring Creek was completed to enhance and protect streambank vegetation from damage caused by livestock. Vegetation is vital for streambank stability and provides shade and cover for fish.

Photo 2. Channel Stabilization and Irrigation Diversion. This rock drop structure on the Big Blackfoot River stabilized the channel as well as providing a permanent rock irrigation diversion structure, thereby eliminating the need for annual maintenance work in the channel. The headgate is off the photo.

Photo 3. Stream Channel Rehabilitation. The channel of Rock Creek, a spring creek that enters the North Fork of the Blackfoot River, was rebuilt by removing sediment from pools, using excavated material to build point bars and to create a narrower meandering stream. Flow in the narrowed stream channel has greater energy to transport sediment and cleanse spawning gravels. Grass and other vegetation have become established on the streambanks. This photo was taken one year after treatment.

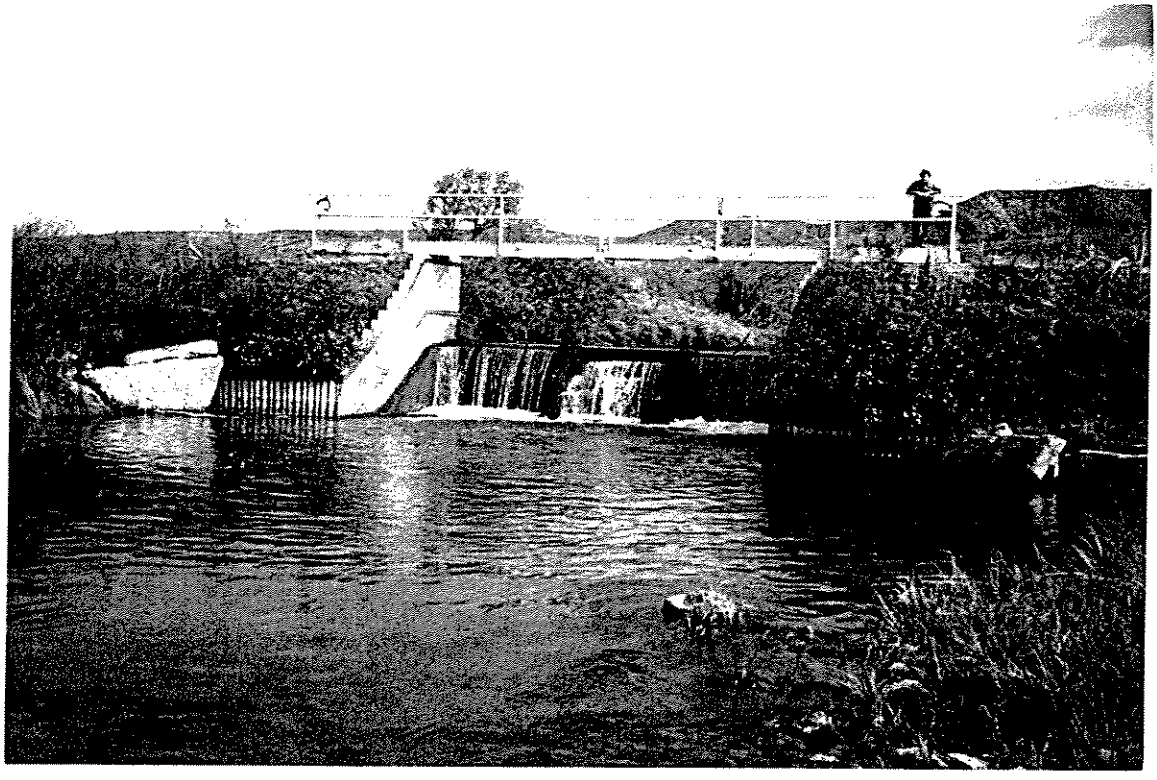

Photo 4. Fish Passage. The center spillway on this irrigation diversion was modified to allow spawning rainbow trout to access the upper reaches of Soap Creek, a tributary to the Big Horn River. The steel catwalk was installed to aid with manipulation of flashboards and maintenance.

Photo 5. Fish Passage. Fill and culverts on Belmont Creek, a tributary to the Big Blackfoot River, were removed and replaced with a bridge that allowed spawning fish to access upstream reaches.

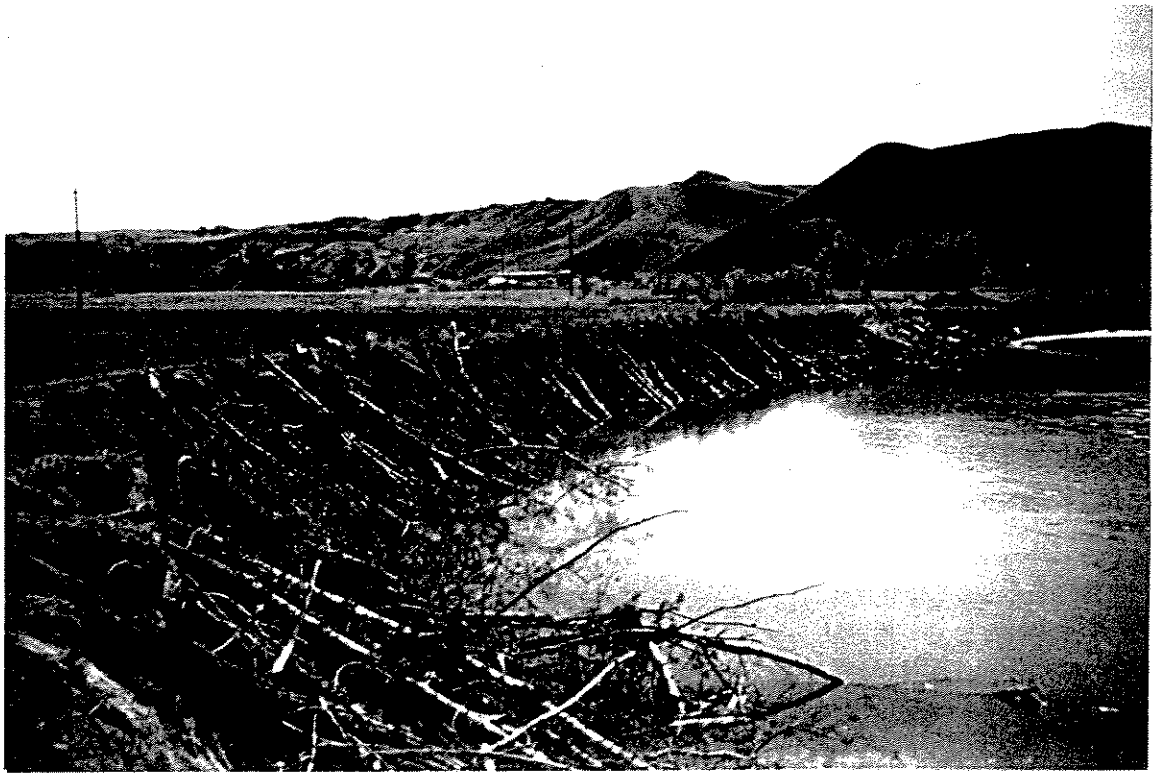

Photo 6. Bank Stabilization. Approximately 1,300 feet of the Marias River was treated with cottonwood logs to stabilize the river bank and prevent erosion of riparian areas and farmland. Small shrubs and other vegetation growing between the cabled down logs will add additional stability to the bank.

PROJECT DESCRIPTIONS

PROJECT RRA-1-89. Gold Creek Fish Passage project submitted by Montana Fish, Wildlife & Parks. Gold Creek is a tributary to the Clark Fork River near the community of Gold Creek. The project involved repair to fish passage facilities constructed in 1988. The original work involved removal of an abandoned Milwaukee Railroad crossing that prevented movement of spawning trout from the Clark Fork River into Gold Creek. The project was badly damaged by a flood event in the spring of 1989. Repair work involved regrading about 80 feet of stream channel and hauling in larger quarry rock for stabilization. The grant request for $4,940 was approved. The project was completed at a cost of $4,940.

PROJECT RRA-1-90. East Boulder River Bank Stabilization submitted by a private individual. Applicant requested $500 to purchase trees and shrubs to help stabilize 267 feet of river bank adjacent to their claim site. The river had undermined large conifers located near the bank causing some to fall over. The project was rated low priority and funding was not approved.

PROJECT RRA-2-90. Big Hole River Stabilization submitted by the Beaverhead Conservation District. Applicant requested $11,000 to cost share a $47,750 channel and grade stabilization project near Melrose. Other funding sources included a Water Development grant, a 223 grant, and over $14,000 from adjacent landowners, sportsman's clubs, Beaverhead County and the town of Melrose. The river activity threatened to wash out a county bridge, make a Department fishing access unusable, dry up two diversions supplying water to three ranches and erode the bank and riparian habitat. Project completed at a cost of $3,625 from RRA.

PROJECT RRA-3-90. Jack Creek Riparian Enhancement submitted by Plum Creek Timber Company. Applicant requested $10,000 to purchase materials to fence about 3.5 miles of streambank that had been heavily grazed on Jack Creek and tributaries. Jack Creek is a tributary to the Madison River near Ennis. The applicant offered about $4,000 in cost share services for labor and equipment to construct the fence, and will provide future maintenance and monitoring of the aquatic habitat. Plum Creek's lands are open to public recreation. Project was completed for the grant amount of $10,000.

PROJECT RRA-4-90. Soap Creek Fish Passage submitted by the Magic City Fly Fishers Chapter of Trout Unlimited. Applicant requested $20,000 to modify the Soap Creek diversion to provide upstream passage for rainbow trout spawners. The applicant offered labor for cost sharing. Soap Creek potentially offers major spawning habitat for Big Horn River rainbows, but spawning grounds are blocked by the diversion structure. The project was completed for $3,724. Donations and volunteer work provided about $8,000 of in-kind services.

PROJECT RRA-5-90. Butcher Creek Restoration submitted by the Stillwater Conservation District. Applicant requested $20,000 for fencing materials, vegetative plantings, off stream water development, bank stabilization and irrigation water management on Butcher Creek, a tributary to Rosebud Creek near Absarokee. Applicant offered $6,000 contribution from individual landowners and a $112,000 grant from the non-point pollution program for a total project cost of $138,000. The objective of this project is to improve water quality in Butcher Creek through the implementation of sediment reducing management practices. These practices will improve trout habitat on Butcher Creek and water quality in Rosebud Creek and the Stillwater River. The project has potential to improve trout populations over several miles of streams. The project is not completed.

PROJECT RRA-6-90. Bitterroot River Riparian Enhancement submitted by the Missoula County Conservation District. Applicant requested $5,941 for fencing materials, shrubs, and grass seed to improve the riparian area on about 2.5 miles of the Bitterroot River near Lolo, MT. Applicant provided cost share of about $1,300 for labor, use of machinery and fuel. The project was completed at a cost of $5,697.

PROJECT RRA-7-90. Whitefish River Bank Stabilization Demonstration submitted by the Flathead

Conservation District. The applicant requested $3,000 for construction of bank barbs to stabilize a severely eroding reach of the Whitefish River near Rose Crossing just north of Kalispell, MT. The applicant cost shared $4,000 in labor and capital to complete the project. The project was completed for the grant amount of $3,000.

PROJECT RRA-8-90. Butcher Creek Stream Riparian Enhancement submitted by the Carbon County Conservation District. The applicant requested $20,000 to assist with purchase of fence material and off stream stock watering equipment. The applicant and participating landowners will contribute $19,000 in labor, capital and planning. Carbon and Stillwater Conservation Districts submitted sister projects on different reaches of Butcher Creek as a cooperative effort to apply best management practices over a wide area of the watershed. The goal is to improve water quality in Butcher Creek, as stated earlier under project RRA-5-90. The project has not been completed.

PROJECT RRA-1-91. Tincup Creek Riparian Fencing Project submitted by the Bitterroot Chapter of Trout Unlimited. The project involved fencing about 1,700 feet of Tincup Creek near Darby to prevent cattle from walking on trout redds. This area of the creek is heavily used by spawning rainbow trout from the Bitterroot River. About 50 redds were observed in this area last year. The applicant requested $1,000 for fence materials and donated labor and equipment. The project was completed. Restoration funds spent, $1,000.

PROJECT RRA-2-91. Skalkaho Creek Grade Stabilization Project submitted by the Bitterroot Conservation District. This project involved stabilizing a 6-foot high, log crib irrigation diversion dam on Skalkaho Creek near Hamilton, and providing fish passage over the structure. The applicant requested total funding of the project for $15,000. The river restoration rules limit funding for permanent irrigation diversions to a maximum of 50 percent cost share. The project was not approved because of low fishery benefits and no cost share by the applicant.

PROJECT RRA-3-91. Gehring Irrigation Diversion submitted by the Gehring Ranch Company. The project involved constructing a permanent irrigation diversion on the Blackfoot River near Lincoln. The site has been fraught with problems, including bulldozing of about 300 feet of in-stream gravel dams during low flow years. This reach of the Blackfoot River is used by spawning bull trout and cutthroat trout. The applicant requested a grant of $13,000. A demonstration project consisting of a rock drop structure was designed to replace the river gravel dike. The project was completed at a cost of $6,900.

PROJECT RRA-4-91. Willow Springs Enhancement Project submitted by a landowner in Jefferson County. The project involved constructing about one mile of permanent fence adjacent to the spring creek to enhance bank vegetation and channel development for spawning trout from the Jefferson River. Other grants totaling $6,900 have been used to replace culverts with a bridge, clean channel debris and construct riparian fencing. The applicant requested $7,700 for materials and labor to complete the fence. The project was completed at a cost of $8,135.

PROJECT RRA-5-91. Glen Bridge Diversion Reclamation Project on the Big Hole River submitted by the Big Hole River Foundation. This project eliminated a hydraulicly unsound irrigation diversion and ditch complex and replaced it with a pump and pipe system. The project also eliminated erosion and sediment recruitment from the existing diversion, increased stream flow, and improved angler access at the Glen Bridge FAS. The project cost over a 10 year period was $32,230. The RRA grant request was for $10,230. The applicant provided $10,000 and the landowner contributed the remaining $12,000 through maintenance and operations costs. The project was completed for the requested amount of $10,230.

PROJECT RRA-6-91. Rock Creek Habitat Improvement Project submitted by the Big Blackfoot Chapter of Trout Unlimited. This project improved spawning and rearing habitat in Rock Creek, a spring-fed tributary to the North Fork Blackfoot River. The project included about 6,000 feet of riparian fencing for livestock grazing management, re-establishment of riparian vegetation along 4,200 feet of streambank, placement of log structures to promote scouring and sediment displacement and excavation of sediment laden pools. The total cost of this project was $20,000; the RRP grant request was $10,000. The remaining funding was provided by small grants from the Cinnabar Foundation, Montana Trout Foundation

and in-kind services provided by the applicant. The project was completed and RRP contributed $10,000.

PROJECT RRA-7-91. Grass Valley French Ditch Company Stabilization Project on the Clark Fork River near Missoula submitted by Grass Valley French Ditch Company. The purpose of this project was to upgrade a concrete irrigation diversion structure and provide fish passage over the structure. This project was judged to provided marginal value to fish habitat since upstream passage of fish was not impacted. The total project cost was $60,880 of which $33,500 was requested from the RRA program. This project was not funded.

PROJECT RRA-8-91. Irrigation Diversion Drop Structures in the Dearborn River submitted by a private landowner. This project involves river grade stabilization by construction of three rock drop structures near an irrigation diversion. The Dearborn River is the primary rainbow trout spawning tributary to the middle section of the Missouri River. The project area has been badly damaged by past bulldozing to create a quarter mile long gravel dike to divert irrigation water. The project cost is $26,000. The RRA grant request is for $13,000. Trout Unlimited will provide 50 percent of the funding. The project has not been completed.

PROJECT RRA-9-91. Tree Management Bank Stabilization on the Marias River submitted by the Toole County Conservation District. This project stabilized a severely eroding bank with cottonwood logs cabled together and anchored. The project was a cost effective demonstration to treat a problem common along many Montana rivers. The eroding bank was about 1,300 feet long and threatened a gas well, pipeline and a power line as well as contributing considerable sediment to the river. The RRA grant request was for $5,800. The landowner supplied labor, equipment and cottonwood logs. The project was completed for the grant amount.

PROJECT RRA-10-91. Mud Creek Restoration submitted by a private landowner near Ronan. The project is intended to stabilize eroding banks on the creek by fencing out livestock and reestablishing riparian vegetation. About one-half mile of creek will be fenced and shrubs and trees will be planted. This project will serve as a model and educational tool for other farmers and ranchers in the area. Total cost of the project is $5,664. The RRA project request was for $4,176; the applicant offered $1,488 for in-kind labor. The upland game bird habitat program will pay for shrubs and trees and half of the fencing costs. A cost-share of $1,848 was recommended from the RRA program. The project is not completed.

PROJECT RRA-11-91. Post Creek Restoration Project submitted by a private landowner near St. Ignatius. The proposed project involved construction of 1,100 feet of fence to exclude livestock grazing. Trees, shrubs and grass were to be planted on steep slopes to establish cover to control erosion and siltation into Post Creek. This project was withdrawn by the landowner.

PROJECT RRA-12-91. Missouri River Bank Restoration submitted by a private landowner. The proposed project involved restoration of a short reach of riverbank in a subdivision. This project was judged to have limited benefits to fisheries and other river resources, it was not funded.

PROJECT RRA-13-91. Broken O Ranch Bridge Protection submitted by a private landowner. The proposed project involved rip-rapping of about 1,300 feet of bank on the Sun River above a private bridge. The applicant did not describe how the project would benefit fisheries or other river resources. The costs requested for the project were very high, consequently the applicant request was not funded. The applicant was directed to the local conservation district for funding suggestions.

PROJECT RRA-14-92. Heart Bar Heart Riparian Enhancement submitted by a private landowner. The project involved constructing 3.9 miles of fence to control livestock grazing within the riparian area along a section of the Big Blackfoot River and lower Monture Creek. The project will protect shoreline willow and shrub growth which has been badly overgrazed in the past. Enhanced shoreline vegetation will provide cover for fish, help stabilize the banks and improve water quality. The grant application was approved for $6,000 with the applicant supplying at least this amount with in-kind services, supplies, equipment and labor. The project was completed for the amount of the grant request.

PROJECT RRA-15-92. Cartersville Diversion Dam, Fish Passage submitted by the Rosebud-Treasure Wildlife Association. The applicant proposed a study to identify and design a structure to facilitate passage of sauger and shovelnose sturgeon over a diversion dam on the Yellowstone River near Forsyth. The estimated cost of the project was $50,000. It was felt that other funding sources were more appropriate for a design study. If a suitable engineering design for fish passage facilities is developed, the construction phase of the project would qualify for RRP consideration. The project was not funded.

PROJECT RRA-16-92. Hellgate River Ranch Riparian Protection submitted by a private landowner. The project involved construction of 1,500 feet of fence near the Clark Fork River to control bank damage by livestock. This project provided shoreline cover for fish, stabilized the banks and improved water quality. The grant application was approved for $1,303 with the applicant supplying equipment and labor. A local Trout Unlimited Chapter assisted by planting trees and shrubs to help stabilize the area. The project was completed at a cost of $1,015 from RRP.

PROJECT RRA-17-92. Rock Creek Habitat Improvement Project submitted by the Big Blackfoot Chapter Trout Unlimited. This is a continuance of project RRA-6-91 for habitat rehabilitation on Rock Creek and Kleinschmidt Creeks, two spring fed tributaries to the North Fork Blackfoot River. Project activity included replacement of culvert crossings with bridges to aid fish passage, sediment removal, placement of bank logs to provide fish cover, planting of woody vegetation adjacent to the streams and fencing to control livestock grazing. The grant application was approved for $9,242. The project opened up over three miles of spring fed streams for spawning and rearing of migrating trout from the North Fork Big Blackfoot River. The project was completed for the grant amount.

PROJECT RRA-18-92. Belmont Creek Culvert Removal and Bridge Installation submitted by the Big Blackfoot Chapter Trout Unlimited. This project was intended to improve fish passage up Belmont Creek for spawning trout from the Big Blackfoot River. Twin culverts near the mouth of the creek prevented upstream fish movement. The culverts were removed and replaced with a clear span bridge. The grant application was approved for $8,500 and the landowners, Champion International, cost shared $8,000 to design and construct the project. Elimination of the culvert barrier added approximately 11 miles of tributary spawning habitat to the Big Blackfoot River system. The project was completed for the grant amount of $8,500.

PROJECT RRA-19-92. Petty Creek Riparian/Fisheries Enhancement project submitted by a private landowner. The project involved construction of a fence along 2,010 feet of Petty Creek, a tributary to the Clark Fork River. The fence excluded livestock grazing to promote riparian growth and provide bank stability and cover for fish. The project was approved for $3,048 with the applicant providing $4,730 in labor costs, gates and water troughs. The project will serve as a demonstration to other landowners along the creek. The project was completed for the grant amount.

PROJECT RRA-20-92. Bitterroot River Channel Stabilization, Blodgett Park project submitted by Ravalli County. The proposed project involved a series of channel structures designed to stabilize a reach of the Bitterroot River in the Blodgett Park area north of Hamilton. The grant application amount of $5,000 was approved. Remaining funds were to come from local landowners, the county and Department of Transportation. After this funding request was approved, the project was withdrawn by the applicant.

PROJECT RRA-21-92. Big Springs Spawning Channel submitted by a public group. The project involved construction of a spawning channel in the Missouri River utilizing the Big Springs outflow near Toston. The project provided spawning habitat for brown and rainbow trout. The grant application for $15,500 was approved; $20,000 cost share funding was provided from a federal source. The project was completed for the grant amount.

PROJECT RRA-22-92. Turner Place Fence on the Big Blackfoot River submitted by a private landowner. The project consisted of fence construction along 5/8 mile of the Big Blackfoot River to protect the banks and shoreline from livestock grazing. The grant application for $2,560 was approved. The applicant offers weed management and rest rotation grazing practices to further enhance area vegetation. The project was completed for the grant amount.

PROJECT RRA-23-92. Lake Mary Ronan Tributary Fencing submitted by a private corporation. The project consisted of five miles of fence construction to protect about three miles of spawning tributaries from livestock grazing and trampling and to help protect water quality in Lake Mary Ronan. The grant application of $9,550 was approved with the applicant cost sharing $10,000 in equipment and labor costs. This project will complement a 208 project initiated in 1978 to protect water quality and fisheries habitat vital to Lake Mary Ronan. This project is nearly completed.

PROJECT RRA-24-92. Horn Creek Restoration submitted by private landowners. The purpose of this project was to restore a small spring fed tributary to Cliff Lake for spawning and rearing. Actions included improving the accessibility of the stream to fish, creating holding water and suitable spawning areas and restoring riparian vegetation to provide overhead cover for spawning trout. About 2,000 feet of stream was treated. The applicants request for $17,000 was approved. The applicant provided $5,000 cost share for construction of a riparian fence and development of a rock ford for cattle crossing. A feasibility and design study was completed by the Department using other funding sources. The project was completed for the grant amount of $17,000.

PROJECT RRA-25-92. Fish Friendly Irrigation Designs on the Bandy, Boyd and Dryer Ranch Properties submitted by the Department of Fish, Wildlife & Parks. The purpose of this project was to design alternative irrigation systems that would enhance/restore native fish populations, reduce loss of fish to irrigation diversions and enhance stream flows in Cottonwood Creek, a tributary to the Big Blackfoot River. The total project cost of $5,500 was cost shared with the Bureau of Land Management. The grant request of $2,750 was approved. The project was completed.

PROJECT RRA-26-92. Restoration of Shanley Creek submitted by the School of Forestry, University of Montana. The purpose of this project is to fence and restore two reaches of Shanley Creek, a tributary to Cottonwood Creek and the Big Blackfoot River. Approximately two miles of riparian fence will be constructed to protect one mile of stream. Native shrubs and trees will be planted in the fenced area to assist with revegetation. The grant application request of $12,000 was approved. The applicant will provide $3,020 in cost share to provide labor for revegetation and habitat surveys prior to and following restoration. The project has not been completed.

PROJECT RRA-27-92. Clark Fork Riverbank Enhancement submitted by a private landowner. The purpose of this project was to protect about 1.5 miles of the Clark Fork River near Clinton from livestock grazing. The project promoted riparian growth to help stabilize the river bank, provided cover for fish and improved water quality. The grant request for $6,750 was approved. The applicant furnished equipment and labor to assist with fencing and clean up of streamside trash. The project was completed by the Montana Job Corps at a cost of $5,898.

PROJECT RRA-28-92. Keil Farm Project submitted by a private landowner. The applicant proposed to rip-rap 475 feet of the Yellowstone River near Huntley. The river bank currently is covered with broken concrete and some car bodies. The U.S. Army Corps of Engineers cited the applicant for being in violation of their laws and ordered corrective action. The application grant request for $20,400 for rip-rap was denied.

PROJECT RRA-29-92. Turah Ranch Restoration submitted by a private landowner. This project involved construction of 1.8 miles of fence along the Clark Fork River near Turah. Livestock grazing is excluded to promote riparian growth, stabilize the river bank and provide cover and shade for fish. The grant application was approved for $11,400. The applicant cost shared $3,000 for grass seed, willow plantings and labor. The project was completed for the approved amount.

PROJECT RRA-30-92. Fleshman Creek Channel Improvement submitted by Joe Brooks Chapter Trout Unlimited. This project improved spawning and rearing habitat for trout in lower Fleshman Creek, a tributary to the Yellowstone River. Work included narrowing and deepening portions of the channel, placement of spawning gravels, trash cleanup and bank stabilization near an old dump. The grant application for $10,000 was approved. Cost shared contributions from other sources in the form of cash,

labor and donated services amounted to $13,500. Cost sharing was contributed from several entities including the SCS, City of Livingston, Park Conservation District, a consultant, and Trout Unlimited. The project was completed at a cost of $6,992 from RRP.

PROJECT RRA-31-93. Warren Creek Restoration project submitted by the Big Blackfoot Chapter Trout Unlimited. The project involves replacing culverts with bridges to improve fish passage, removing a cattle feeding area form the stream channel, and fence construction for livestock grazing management. About two miles of riparian areas will be enhanced through these activities. The grant application request for $5,435 was approved. The applicant and the landowners offered contributions of $5,835 to assist with the project. This project is nearly complete.

PROJECT RRA-32-93. Hellgate River Ranch Riparian project on the Clark Fork River near Clinton submitted by a private landowner. The project consisted of construction of 1,850 feet of fence to enhance and protect riparian areas from livestock use. The applicant requested $1,150 for fence materials and donated in-kind labor to construct the fence. The project complemented another project completed in 1992. Project completed at a cost of $1,143.

PROJECT RRA-33-93. Big Otter Creek Streambank Restoration project submitted by a private landowner. The project was withdrawn by the landowner after grant funding had been approved.

PROJECT RRA-34-93. Yellowstone River, Save the Grittystone Access submitted by a private landowner. The applicant proposed to rip-rap several hundred feet of the Yellowstone River adjacent to the Grittystone Fishing Access east of Billings. The applicant requested $30,000 with no cost sharing. The project was judged to have little benefit to public fisheries and was not approved for funding.

PROJECT RRA-35-93. Fleming Ranch River Fencing project submitted by a private landowner. The applicant requested $15,000 to construct a riparian fence along 1.75 miles of the Clark Fork River near Clinton. The project will exclude livestock use of the river banks thereby enhancing fish and wildlife habitat along the river corridor. The project was approved for funding but has not been completed.

PROJECT RRA-36-93. Bitterroot River Riparian Fence project submitted by a private landowner. The project involved construction of 1,300 feet of fence to protect and enhance the riparian area from livestock use on the Bitterroot River near Missoula. The applicant requested $720 for fence materials and provided $1,000 in in-kind services for equipment and labor to build the fence. The project was completed for the $720 request.

PROJECT RRA-37-93. Gold Creek Stream Habitat and Water Quality project submitted by a private landowner. The project involves riparian fencing to control livestock use along one mile of Gold Creek, relocation of livestock facilities that are currently located on the stream and well development for off-stream watering facilities. Relocation of livestock facilities involves moving corrals, barns, loading sheds, a granary and a scale. Total project costs are about $220,000 with $50,000 requested form the River Restoration Program, $150,000 from ARCO and $20,000 in-kind services from the applicant. Gold Creek is an important brown trout spawning stream for the Clark Fork River near the community of Gold Creek. The project has not been completed.

PROJECT RRA-38-93. Hell's Canyon Creek Pipeline project submitted by a private landowner. The project involves replacement of an irrigation ditch diversion with a screened pipe diversion and a gravity sprinkler system. The purpose of this project is to prevent loss of rainbow trout fry down the irrigation ditch and to maintain water flow in Hell's Canyon Creek for trout survival. The project cost will be about $90,000. A grant for $45,000 with cost sharing of $35,000 from ASCS and $10,000 from the landowners was approved. The project will improve fish habitat in the creek and benefit rainbow trout production in several miles of the Jefferson River near Twin Bridges. The project has not been completed.

PROJECT RRA-39-93. Blackfoot River Streambank Stabilization project submitted by the Big Blackfoot Chapter of Trout Unlimited. The project involved streambank stabilization along 300 feet of the Big Blackfoot River adjacent to the Flesher Lakes diversion ditch. Water diversion is necessary to maintain

fish and wildlife habitat in Flesher lakes. The applicant requested $8,100 in grant funding and provided in-kind services that included $6,500 for rock. Project completed for the grant request of $8,100.

PROJECT RRA-40-93. Rock Creek T-Heart Ranch Fence project submitted by a private landowner. The project will involve construction of a riparian fence to exclude livestock use and improve fish habitat along one-half mile of upper Rock Creek west of Philipsburg. The applicant requested $3,000 in grant funding and will provide $1,000 in-kind services for the project. The project has not been completed.

PROJECT RRA-41-93. Rock Creek Wright Property Fence project submitted by a private landowner. The project will involve construction of a riparian fence along upper Rock Creek west of Philipsburg to protect the streambank from livestock trampling and to improve fish habitat. The fence will protect about one-half mile of stream. The applicants request for $3,000 for materials and labor was approved. The project has not been completed.

PROJECT RRA-42-93. Muddy Creek Watershed project submitted by the Cascade County Conservation District. The project involves bank stabilization including shaping and revegetation along six miles of Muddy Creek to control erosion and improve water quality. The total cost of this demonstration project is about $343,500 with the applicant requesting $15,000 from the River Restoration program and matching funds of $328,500 from other sources. This project was approved. Funds requested through the River Restoration Program will be used for acquiring and planting vegetation, fencing, erosion control material and miscellaneous supplies for volunteer workers. The project has been initiated, but is not yet complete.

PROJECT RRA-43-93. Schwartz Creek Fence project submitted by a private landowner. The project involves construction of about four miles of riparian fence to protect the banks from livestock use on about two miles of Schwartz Creek near Clinton. The applicant will construct three bridges to prevent livestock from fording the creek. Improvement of habitat on Schwartz Creek will enhance spawning potential for trout species from the Clark Fork River. The grant application was approved for $21,000 for fence materials and construction. The applicant will cost share $2,000 for bridge construction labor. The project has been initiated, but is not yet complete.

PROJECT RRA-44-93. Camp Creek Stream Relocation project submitted by the Bitterroot Chapter of Trout Unlimited. The project involves developing an engineering design for relocating Camp Creek to its former channel. Over a mile of the stream channel south of Sula has been relocated into a straight channel adjacent to a highway. The engineering plans are needed to estimate the cost of restoring the stream. The grant application of $5,000 was approved for the project.

PROJECT RRA-45-94. Blanchard Creek Fish Passage project submitted by Montana Fish, Wildlife & Parks. The project consists of construction of fish ladders and screening devices to allow spawning migrations and prevent loss of fish into irrigation ditches. Blanchard Creek is a tributary to the Clearwater River. A grant of $12,000 was approved with a private landowner providing in-kind services of $5,000 for planning, equipment and labor. The project will improve water flow in the lower one mile of Blanchard Creek as well as aid in recruitment to fish populations in several miles of the Clearwater River.
This project has been completed for the grant amount.

PROJECT RRA-46-94. Mill Creek Riparian Fencing project submitted by the Bitterroot Chapter of Trout Unlimited. The project involves construction of a riparian fence along both banks for one-quarter mile of Mill Creek--a tributary to the Bitterroot River near Corvallis. Mill Creek is an important spawning stream for the Bitterroot and the project should improve recruitment. The grant of $2,278 was approved for fence materials and supplies. The applicant will provide in-kind services estimated at $1,840 for labor and equipment. This project has been completed for the grant amount.

PROJECT RRA-47-94. Clark Fork Fencing-Hilde. This project was submitted by a private landowner to construct a riparian fence along 1,000 feet of the Clark Fork River. The project was judged low priority since the river bank is in good condition. The project was not approved for funding.

PROJECT RRA-48-94. Clark Fork Fencing-Simms. This project was submitted by a private landowner to construct a fence along the Clark Fork River to prevent degradation of the river bank and vegetation. The project was judged to have marginal benefits to fisheries and other river resources. The project was not approved for funding.

PROJECT RRA-49-94. Bitterroot River Protection project submitted by a private landowner to construct a fence along 3.5 miles of the Bitterroot River. Costs were high for the benefits that would have been realized. The project was not approved for funding because of low priority and no cost sharing.

PROJECT RRA-50-94. Spring Gulch Stream Enhancement project submitted by the Bitterroot National Forest. Located on the East Fork Bitterroot River. The project involves placement of large boulders in the river to create fish habitat adjacent to handicap access facilities constructed by the Forest Service. A grant of $2,000 was approved with the applicant contributing $2,000.

PROJECT RRA-51-94. Spring Creek Trout Habitat Restoration project submitted by a private landowner and sponsored by the Montana Land Reliance. The project will rehabilitate over a mile of Spring Creek where an old hatchery complex impaired the natural characteristics of the stream. The project will improve spawning areas and provide recruitment to Rock Creek for rainbow, brown and bull trout. Waterfowl habitat will also be enhanced. Total project costs are $75,000. A RRP grant of $40,000 was approved. The applicant will cost share $10,000, the National Fish and Wildlife Foundation will provide $20,000, and the U.S. Fish and Wildlife Service, $5,000. The project has begun, but is not complete.

PROJECT RRA-52-94. Mission Creek Stream Channel Rehabilitation project submitted by a private landowner. This project involves bank stabilization, riparian fencing and revegetation to restore stream channel integrity and improve fish habitat over about one-third mile of Mission Creek near St. Ignatius. The landowner, the Confederated Salish and Kootenai Tribe and the Lake County Conservation District are providing $8,035 toward the project. A grant of $5,904 was approved. Funds will be used for fencing and revegetation of the project area.

PROJECT RRA-53-94. Gallatin River Streambank Stabilization project submitted by a private landowner. The proposed project involved installation of rock bank barbs, riparian fencing, revegetation and rip-rapping on a reach of the Gallatin River, west of Bozeman. The applicant requested $50,000 in grant funds with $15,000 in labor and fencing as in-kind service. The project was rated as low priority and not approved.

PROJECT RRA-54-94. Stone Creek Channel and Cutthroat Habitat Restoration project submitted by a private corporation and the Ruby Valley Conservation District. The Left Fork of Stone Creek has been degraded by livestock use and sedimentation from a haul road that parallels the stream. This project will involve relocation and reclamation of the road, reworking about 7,700 feet of stream channel to restore fish habitat and protection of the riparian zone. Cooperative funding of $30,000 will be provided by the applicant and $3,000 by the Bureau of Land Management. A River Restoration grant of $15,000 was approved. This project will benefit one of only two pure cutthroat populations found in the Ruby Mountains. Work has not yet begun.

PROJECT RRA-55-94. Cora Creek Ranch Company project submitted by a private landowner. Cora Creek is a small tributary to Belt Creek near Belt. The proposed project involved relocating livestock corrals off the creek to an adjacent area. The stream has a low value fishery and the project was judged low priority. Funding was not approved.

PROJECT RRA-56-94. Cottonwood Creek Fish Friendly Diversion project submitted by Montana Fish, Wildlife & Parks. The project will involve lining 1.5 miles of an irrigation ditch to increase water delivery efficiency. This will increase stream flow in Cottonwood Creek, a tributary to the Big Blackfoot River, and will benefit bull, brown and rainbow trout fisheries. Other elements of this project include improving irrigation structures for fish passage. The grant request of $20,308 was approved and the Wildlife Division will cost share $14,000. Labor and other in-kind services will be provided by a ranch manager and Department personnel.

PROJECT RRA-57-94. Milesnick Stream Enhancement project submitted by a private landowner. This project involves enhancement of two Gallatin Valley Spring Creeks. Streambed materials will be removed to create pools and placed to create point bars, thereby narrowing the stream channel and creating deeper water. About 10,700 feet of Benhart Creek and 4,160 feet of Thompson Creek will be treated. The applicant is requesting $72,200 in RRP funds and will contribute $46,230 in labor, machinery and fill material. Approval of this project is pending access negotiations with the landowner.

PROJECT RRA-58-94. Mill Creek Riparian Fencing project submitted by Chapters of Trout Unlimited and Audubon Society. The project will involve construction of a riparian fence to exclude livestock from about one-half mile of Mill Creek, a tributary to the Bitterroot River near Corvallis. The area to be protected is heavily used by spawning rainbow trout. The applicants requested $4,107 for materials and will donate about $2,500 in-kind services for labor to construct the fence. The project has been approved but work has not yet begun.

PROJECT RRA-59-94. Swartz Creek Fence project submitted by a private landowner. Project involves fence construction along a reach of Swartz Creek to exclude livestock use. The Department has already provided funding for fence projects along two miles of the creek. The requested amount was high and the project judged low priority. The project was not funded.

PROJECT RRA-60-94. Big Hole River Bank Stabilization project submitted by a private landowner. The project involves treatment of about 520 feet of bank to stop erosion on the Big Hole River near Melrose. Alternative methods to rip-rap will be used. This includes bio-engineering with vegetation, geotextile fabrics, rock barbs, rock toeing of the bank and a cattle control fence with a water gap. Fish habitat will be improved by overhanging vegetative cover and more stable banks. The applicant requests $10,000 of RRP funds with matching funds of $10,000 from the U.S. Fish and Wildlife Service Partners for Wildlife program and $3,000 in-kind services for maintenance over a 10-year period. The project has been approved but work has not yet begun.

PROJECT RRA-61.94. Bitterroot River Restoration project submitted by a private landowner. Same as project RRA-49-94 submitted in the spring of 1994. Applicant desires $21,917 to construct a riparian fence along 3.5 miles of the Bitterroot River to exclude cattle use. Benefits to the fishery were judged to be low relative to the costs. The project was not funded.

RIVER RESTORATION ACT RULES

12.7.1101 (RULE I) PURPOSE. (1) To preserve rivers and streams of recreational and economic importance to Montana by providing financial assistance for design, planning and construction of projects to restore streambeds, banks and associated adjacent lands to conserve and enhance fish and wildlife habitat.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1102 (RULE II) DEFINITIONS. As used in these rules, the following definitions apply:

(1) "Account" means river restoration account as provided under 87-1-258, MCA.

(2) "Associated lands" means the beds, banks and immediate adjacent lands associated with a river.

(3) "Department" means the department of fish, wildlife and parks.

(4) "Program" means the river restoration program.

(5) "Restoration" means to restore to a good condition, regenerate, or make over in an improved form.

(6) "River" means a river, stream, creek or other naturally occurring body of flowing water.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1103 (RULE III) ELIGIBILITY. (1) Participants eligible for program funding include individuals, private, conservation district, city, county, state, tribal and federal organizations and land occupiers as defined by the Conservation District Act.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1104 (RULE IV) PROJECT APPLICATION. (1) Application for program funding must be submitted on forms supplied by the department. Completed applications must be submitted to the fisheries division at one of the department regional headquarters. Offices are located in Kalispell, Missoula, Bozeman, Great Falls, Billings, Glasgow, Miles City and Helena.

(2) Plans, technical designs, detailed sketches and/or maps must accompany the application. Applications without adequate project description will be returned to the applicant as incomplete.

(3) Applications will be reviewed twice each year. Applications must be received by March 1 and September 1 of each year.

(4) Applicants proposing more than one project must submit a separate application for each proposal.

(5) Applicants proposing projects on lands other than their own must include written consent of the landowner and/or lessee for the project, including an agreement for any maintenance and evaluation activities that may be necessary.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1105 (RULE V) PROJECTS. (1) Program funding may be provided for costs of design, planning and construction of projects which will conserve and enhance fish and wildlife habitat. Potential projects may include but are not restricted to the following:

(a) Fish habitat improvement;

(b) Barrier removal or other improvements to provide fish passage;

(c) Riparian enhancement or protection;

(d) Stream channel rehabilitation and stabilization;

(e) Clean up of debris and trash in river corridors;

(f) Watershed enhancement (sediment source abatement, grazing management systems, vegetative development);

(g) Stabilization or modification of irrigation diversions presently in use, including innovative techniques not presently used in Montana;

(h) Bank stabilization (vegetative, sloping, rip-rap).

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1106 (RULE VI) PROJECT REVIEW AND ASSESSMENT.

(1) Applications for program funding will be reviewed in March and September of each year. A program committee of three department personnel will review, evaluate and approve projects for funding. The fisheries division administrator will give the final approval for project funding.

(2) Copies of completed applications received by the department will be sent to the appropriate conservation district for their review and comments. In order to have their comments considered the conservation district must return its comments within 10 days after its monthly meeting following receipt of the application to the department Fisheries Division, Habitat Protection Bureau Chief, 1420 East Sixth Avenue, Helena, Montana 59620.

(3) The following criteria will be used for evaluating restoration projects:

(a) The degree to which the project optimizes benefits to public fisheries;

(b) The degree to which the project promotes benefits to other river resources, such as water quality, water quantity, wildlife habitat, non-fishing recreational values, property values, and aesthetic values;

(c) The level of in-kind services or cost-sharing from other sources;

(d) The severity of the problem and need;

(e) The importance of the river or stream (determined from the Montana Interagency database);

(f) The level of local support for the project;

(g) The potential for statewide application (demonstration projects);

(h) Public fishing allowed on or near the project area.

(4) All applicants will receive written notification of action taken on their project proposal within 60 days after the submittal deadline.

(5) Projects will be approved for funding only if account

money is available as requested to complete the project. There is no dollar limit on projects.

(6) Projects will be funded up to 100 percent of cost, except that installation of permanent irrigation diversions will be limited to 50 percent of the total cost. The project applicant's share may consist of "in-kind" services, other funding sources or both.

(7) When deemed necessary, the department will solicit outside technical design review of projects.

(8) No project conducted under the program may restrict or interfere with the exercise of any water right.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1107 (RULE VII) PERMITS. (1) Projects approved for account funding that require a permit under the Natural Streambed and Land Preservation Act (75-7-101 et. seq., MCA) must be submitted to the respective county conservation district for review. The project applicant is responsible for obtaining these permits and all other necessary permits. Permits must be obtained prior to project initiation to qualify for payment of funds.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1108 (RULE VIII) INSPECTION AND PAYMENT BY DEPARTMENT.

(1) Funds granted from the account shall be used only for purposes described in the application. Accurate records must be kept by the project applicant or sponsor. An itemized invoice of expenses and receipts approved by the applicant must be submitted to the department for payment.

(2) Payment may be made in installments for completed work as the project progresses. Upon completion of a project, a final inspection and payment will be made within 45 days by the department. If the department determines after inspection that the project is not complete, final payment shall be withheld pending completion and reinspection.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1109 (RULE IX) PROJECT MAINTENANCE. (1) Projects funded under the program such as fences, bridges, culverts, irrigation diversions, bank rock rip-rap or other channel stabilization measures will become the property of the landowner. Fish habitat improvement projects such as spawning channel development, fish barrier removal or modification and structural cover development must be maintained for the useful life of the project by the applicant. A memorandum of understanding shall be prepared by the department and the landowner as necessary to allow for any maintenance or monitoring activities of projects funded by the program.

(2) Projects with demonstrated benefits to public fisheries and conservation of rivers may be eligible for maintenance funding under this program. Maintenance funding may be requested by submitting a completed program application form to the department. These requests will be evaluated by the program committee when they are received and funding may be granted after all factors are considered.

(3) Additional funding may be available to complete a project if a natural catastrophic event has damaged or destroyed the project during construction. Requests for additional funding will be evaluated by the program committee. The committee may allocate funds outside of the normal review process depending on the urgency of the situation.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1110 (RULE X) EVALUATION. (1) Restoration projects involving devices to improve fish habitat, such as digger logs, K-dams, wing deflectors, trash collectors, boulder placement, bank cover, gabions, jetties, or any variations thereof, shall be evaluated by the applicant. A tentative evaluation plan shall be submitted along with the program application form in order to be considered for project funding. The evaluation plan must involve one year of pre-project data including fish population information and channel morphology measurements. Post-project evaluation must be conducted at least twice in the following five year period. The applicant shall submit a report to the department following each post-project evaluation activity. The report must summarize the findings of the evaluation.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1111 (RULE XI) RECORDS. (1) Records will be kept on each funded project and a fiscal year report will be prepared by the department.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

12.7.1112 (RULE XII) EFFECT OF RULE VIOLATIONS. (1) Any person or organization falsifying financial statements or using river restoration funds for purposes other than the intended project will be disqualified from further participation in the program and will be required to reimburse the department for any compensation received.

AUTH: 87-1-201(7), MCA IMP: 87-1-257, MCA

APPROVED AND ADOPTED JULY 16, 1990.

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS

OF THE STATE OF MONTANA

In the matter of the adoption of a rule classifying certain types of actions taken under the River Restoration Program as categorical exclusions	)))))	NOTICE OF PROPOSED ADOPTION OF A RULE CLASSIFYING CERTAIN TYPES OF ACTIONS AS CATEGORICAL EXCLUSIONS

TO: All Interested Persons:

1. On August 12, 1994, the Department of Fish, Wildlife and Parks proposes to adopt a rule which classifies certain types of actions taken under the River Restoration Program as categorical exclusions from the requirements of preparing an environmental impact statement or an environmental assessment under the Montana Environmental Policy Act and department rules 12.2.428 through 12.2.453.

2. The proposed rule provides as follows:

RULE I. ACTIONS THAT QUALIFY FOR A CATEGORICAL EXCLUSION. (1) The following types of actions do not individually, collectively, or cumulatively require the preparation of an environmental assessment or an environmental impact statement unless the action involves one or more of the extraordinary circumstances stated in (2) below:

(a) construction of riparian fences to protect streambanks.

(b) minor improvements in fish habitat by placement of habitat improvement structures.

(c) removal or modification of man-made obstructions in stream channels to provide or improve fish passage or to prevent loss of fish into diversions.

(d) clean up of trash or debris in the river corridor.

(e) vegetative bank stabilization projects.

(f) spawning channel development to provide additional habitat for reproduction.

(g) inventory, survey or engineering activities for design or development of plans for river restoration projects.

(h) maintenance or repair of existing river restoration projects.

(2) The preparation of an environmental assessment or an environmental impact statement will be required if the project involves any of the following:

(a) significant impacts to publicly owned parklands, recreation areas, wildlife refuges or significant historic sites.

(b) disturbance to a streambed that is significant enough to require a temporary exemption from water quality standards for turbidity.

(c) significant impact on air, noise, or water quality.

(d) significant impact on the human environment that may result in relocations of persons or business.

(e) substantial controversy on environmental grounds.

(f) any other kind of significant environmental impact, including cumulative or secondary impacts.
AUTH: 2-3-103, 2-4-201, MCA IMP: 2-3-104, 75-1-201, MCA

3. The Department is proposing this rule because the types of actions included in the rule are conducted specifically to improve aquatic environments by mitigating man caused alterations to streams. The objective of River Restoration projects is to return streams to a more natural condition. Projects are often sponsored or endorsed by local conservation organizations working cooperatively with a local landowner. The Department's experience with these types of actions (projects) is that impacts to the environment are positive and fish habitat and fish populations are enhanced. The projects are typically completed during low flow periods and require minimal disturbance to the channel. Negative impacts to the environment are minor and primarily temporary. The following descriptions offer more detail of typical actions taken under subsection (1) of the proposed rules:

(a) Construction of riparian fences to protect streambanks. Many Montana streambanks have been denuded, trampled, and damaged as a result of livestock having direct access to streams. Simply fencing off the riparian corridor greatly enhances riparian recovery. Riparian vegetation provides shade, stabilizes streambanks, enhances habitat for riparian dependent wildlife, and improves fish habitat. These projects typically involve installation of fencing 25 feet or more from the edge of the stream and planting of willows or other shrubs along the streambanks.

(b) Minor improvements in fish habitat by placement of habitat improvement structures. Streams that have been altered as a result of human activities often lack adequate instream structure to provide cover for fish. These streams can be enhanced by the careful placement of professionally designed structures, usually constructed of logs or rocks, within the river channel or along the banks. These structures provide deeper pools, underbank hiding cover, refuges from the current, and generally improve habitat diversity.

(c) Removal or modification of man-made obstructions in stream channels to provide or improve fish passage or to prevent loss of fish into diversions. In some instances, irrigation diversions or other instream barriers prevent the upstream and downstream movement of fish. Removal or modification of barriers often provides fish with access to essential spawning or overwintering areas and enhances fish production. Typical projects include installation of fish ladders that allow upstream movements of fish, installation of fish screens that are designed to prevent movement of fish into irrigation ditches or removal of barriers that serve no functional purpose.

(d) Clean up of trash or debris in the river corridor. Trash or debris in the stream corridor distracts from the natural pristine setting sought by recreationists. For example, old car bodies and other debris were once used for rip-rap. In some cases, these have been dislodged from the

bank and are present in the channel. Removal of this debris enhances river esthetics and eliminates hazards to floaters. In projects where debris is providing bank stability, it is typically replaced with vegetation or rip-rap.

(e) Vegetative bank stabilization projects. Banks of some Montana rivers and streams are unstable as a result of channelization or activities that have resulted in loss of woody vegetation from the banks. These banks can often be restabilized by resloping and revegetating.

(f) Spawning channel development to provide additional habitat for reproduction. Reproduction in some streams is limited by lack of spawning areas. Reproduction can sometimes be enhanced by adding suitable size gravels to side channels, bars, or other potential spawning sites.

(g) Inventory, survey or engineering activities for design or development of plans for river restoration projects. Some proposed projects require additional planning and engineering prior to implementation. The river restoration program sometimes funds these efforts.

(h) Maintenance or repair of existing river restoration projects. Routine repair and maintenance of river restoration projects is a requirement for funding.

Whenever projects have potential for significant negative impacts or where the Department is not certain of the impact, the Department will prepare either an environmental assessment or an environmental impact statement in compliance with Rules 12.2.428 through 12.2.453. Where other permits are required to conduct projects, the applicant will be required to obtain them before the project is implemented.

4. Interested parties may submit their data, views, or arguments concerning the proposed rules in writing to Larry G. Peterman, Administrator of the Fisheries Division, Department of Fish, Wildlife and Parks, 1420 East Sixth, P.O. Box 200701, Helena, Montana 59620-0701, no later than July 21, 1994.

5. If a person who is directly affected by the proposed adoption wishes to express his data, views and arguments orally or in writing at a public hearing, he must make written request for a hearing and submit this request along with any written comments he has to Larry G. Peterman, Administrator of the Fisheries Division, Department of Fish, Wildlife and Parks, 1420 East Sixth, P.O. Box 200701, Helena, Montana 59620-0701, no later than July 21, 1994.

Department of Fish, Wildlife and Parks

Robert N. Lane
Rule Reviewer

Patrick J. Graham
Director

Certified to the Secretary of State on June 13, 1994.
MAR Notice No. 12-2-211

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS

OF THE STATE OF MONTANA

In the matter of the adoption of a rule classifying certain types of actions taken under the River Restoration Program as categorical exclusions	))))))	NOTICE OF ADOPTION OF 12.2.454

TO: All Interested Persons:

1. On June 23, 1994, the Department of Fish, Wildlife and Parks published notice of a new rule pertaining to the River Restoration Program at page 1649, 1994 Montana Administrative Register, issue number 12.

2. The department has adopted the rule as proposed.

3. No comments or testimony were received

Department of Fish, Wildlife and Parks

Robert N. Lane
Rule Reviewer

Patrick J. Graham
Director

Certified to the Secretary of State on July 29, 1994.

MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
FISHERIES DIVISION
RIVER RESTORATION PROGRAM
GRANT APPLICATION

I. Applicant Information

A. Applicant Name _____

B. Mailing Address _____ City or Town _____

C. State _____ Zip _____ Telephone _____

D. Contact Person _____

Address if different from applicant _____

_____ Telephone _____

E. Landowner and/or lessee name, address, telephone (if other than applicant)

_____

F. This grant is requested by (check one):

___ Individual	___ State government	___ Rural improvement district
___ Corporation for profit	___ City, town or county	___ Irrigation district
___ Nonprofit corporation	___ Conservation district	___ Federal government agency
___ Other (specify) _____		

II. Project Information*

A. Project Name _____

River or Stream _____

Location: Township _____ Range _____ Section _____ County _____

B. Purpose of Project _____

_____

C. Brief Project Description _____

_____

_____

_____

D. Project Budget
Grant Request (Dollars) _____

Contribution by Applicant (Dollars) _____

Contribution from other sources (Dollars) _____
(attach certification)

(By sources) _____

Total Project Cost _____

E. Plans, sketches, technical designs and/or maps must accompany application, as applicable.

III. Project Benefits*

A. How will the project benefit fisheries? _____

_____

_____

B. Will project benefit other aspects of river resources? Yes _____ No _____

Explain: _____

_____

C. Will other conservation measures be employed to complement the project?

Yes _____ No _____ If yes, what? _____

_____

D. Is public fishing allowed on or near the project area? Yes _____ No _____

Explain: _____

_____

E. Does project have local support from public organizations, conservation district, rural group or agencies? Yes _____ No _____

If yes, who? (Attach letters of recommendation, if any.) _____

_____

F. Describe consequences to public and private resources if this project is not funded. _____

_____

_____

_____

IV. **Authorizing Statement**

I (we) hereby declare that the information, and all statements to this application are true, complete, and accurate to the best of my (our) knowledge and that the project or activity complies with rules of the River Restoration Program.

Applicant Signature _____ Date _____

Sponsor (if applicable) _____

*Use extra paper, if necessary.

river.frm/mp