

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 #	<u>Click to enter text.</u>	Date Received	<u> </u>	Date	<u> </u>
	Date Accepted	<u> </u>	Date	<u> </u>	Initials	<u> </u>	Initials	<u> </u>
<i>This space is for all Department of Transportation and SPA 124 permits (government projects).</i>								
Project Name	<u>Click to enter text.</u>							
Control Number	<u>Click to enter text.</u>		Contract Letting Date	<u> </u>				
MEPA/NEPA Compliance			<input type="checkbox"/> Yes	<input type="checkbox"/> 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): Montana Disaster and Emergency Services

Has the landowner consented to this project? Yes No

Mailing Address: 1956 Mt. Majo St., PO Box 4789, Fort Harrison, MT 59636-4789

Physical Address: 1956 Mt. Majo St., Fort Harrison, MT

Cellphone: N/A Home Phone: N/A E-Mail: desrecovery@mt.gov

LANDOWNER NAME (if different from applicant): N/A (Please see list of adjacent landowners from removal site)

Mailing Address: N/A

Physical Address: N/A

Cellphone: N/A Home Phone: N/A E-Mail: N/A

CONTRACTOR/COMPANY NAME (if applicable): TBD (There will be a different removal contractor per waterway.)

PRIMARY CONTACT NAME: TDB

Mailing Address: N/A

Physical Address: N/A

Cellphone: N/A Home Phone: N/A E-Mail: N/A

B. PROJECT SITE INFORMATION

1. NAME OF **STREAM** or **WATER BODY** at project location - Please see debris removal site location list.
Project Address/Location: N/A Nearest Town N/A
County C Geocode: N/A
Choose. 1/4 of the Choose. 1/4 of, Section Enter Township Enter , Range Enter
Latitude Enter Latitude. Longitude Enter Longitude. 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. TBD, please see report
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. Please see the attached debris removal site. Only navigable waterway is the Yellowstone River and DNRC is aware of the debris removal locations within this waterway section.
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. Bank condition varies by debris site. Please see attached report outlining each debris removal location.

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 to remove waterway debris deposited during the 2022 spring flooding event, FEMA disaster 4655. MT DES will be focusing on removing debris (vegetative and C&D) that poses a threat to life, health, safety, and public infrastructure in the counties of Carbon, Park, Stillwater, and Yellowstone. MT DES understands the benefits of woody vegetative debris in the waterway. If vegetative debris does not pose any of the threats listed above now or in the near future during the spring thaw, it will be left in the waterway.

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

MT DES will ensure debris is removed in the most non-destructive way possible. Different debris removal contractors will be hired for each waterway that requires removal to speed up the debris removal process. MT DES will rely on the contractor's experience and expertise to determine the exact methodology needed for debris removal. Contractors are currently TBD.

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.

A no-action alternative was considered, but the potential threats to life, health, safety, and public infrastructure to these communities during the spring thaw and runoff were too great to ignore. If it determined by regulating agencies, vegetative debris is more beneficial to the waterway than threatening, an effort will be made to leave the debris in the waterway.

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?

Any debris removed as a result of the June 2022 flood event from stream banks or within the waterway could result in temporary increased turbidity and/or sedimentation. BMP's/protective measures will be utilized to minimize these temporary impacts. Only debris that poses a risk to health and safety, or pose a risk to downstream infrastructure during future flood events will be removed, as we will leave debris in place that is beneficial to the waterway and/or stabilizes the banks without risk.

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

Any debris removed as a result of the June 2022 flood event from stream banks or within the waterway could result in temporary increased turbidity and/or sedimentation. BMP's/protective measures will be utilized to minimize these temporary impacts. Only debris that poses a risk to health and safety, or pose a risk to downstream infrastructure during future flood events will be removed, as we will leave debris in place that is beneficial to the waterway and fish/aquatic habitat. The project team will work closely with FWP to ensure all necessary protection measures are taken.

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

Any debris removed as a result of the June 2022 flood event from stream banks or within the waterway could result in temporary increased turbidity and/or sedimentation. BMP's/protective measures will be utilized to minimize these temporary impacts. Only debris that poses a risk to health and safety, or pose a risk to downstream infrastructure during future flood events will be removed, as we will leave debris in place that is beneficial to the waterway and/or stabilizes the banks without risk. Removal of debris in areas that pose risk will restore conveyance capacity within these waterways.

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

A H&H analysis will be completed for each waterway section where debris removal will take place. The H&H analysis will show that there will be no adverse impact as a result of the debris removal efforts. Additionally, removal of debris that was deposited as a result of the June 2022 flood where there is a health/safety risk, or where the debris piles pose a risk to downstream infrastructure during future events will restore conveyance capacity in the channel. Any debris deposited debris that does not pose a risk and is beneficial to the waterway, wetlands, riparian habitat, and bank stabilization will remain in place.

- 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?

A H&H analysis will be completed for each waterway section where debris removal will take place. The H&H analysis will show that there will be no adverse impact as a result of the debris removal efforts. Additionally, removal of debris that was deposited as a result of the June 2022 flood where there is a health/safety risk, or where the debris piles pose a risk to downstream infrastructure during future events will restore conveyance capacity in the channel. Some of the debris piles that pose a risk have changed water flow and has directed it towards banks putting infrastructure at risk. Removal of these piles restores the water flow within the channel to a more natural path limiting risk to infrastructure. Any debris deposited debris that does not pose a risk and is beneficial to the waterway, wetlands, riparian habitat, and bank stabilization will remain in place.

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

Any debris removed as a result of the June 2022 flood event from stream banks or within the waterway is debris that washed down stream and deposited within or along the waterway and now poses a health and/or safety risk, or poses a risk to downstream infrastructure during future flood events. Any deposited debris that is beneficial to the waterway, wetlands, riparian habitat, bank stabilization, etc. and poses no risk will be left in place. Any areas of disturbance along the waterway due to removal work, equipment staging, or mobilization will be re-vegetated with native grass/species.

D. CONSTRUCTION DETAILS

- 1. PROPOSED CONSTRUCTION DATES.** Include a project timeline. Start date TBD
Finish date TBD How long will it take to complete the project? TBD Is any portion of the work already completed? Yes
 No (If yes, describe previously completed work.)

Refer to section D1 in the instructions.

[Click here to enter text.](#)

- 2. PROJECT DIMENSIONS.** Describe length and width of the project. Refer to section D2 in the instructions.
Will be determined by hired debris removal contractor.

- 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.

Will be determined by hired debris removal contractor.

Will equipment from out of state be used? YES NO UNKNOWN

Will the equipment cross west over the continental divide to the project site? YES NO UNKNOWN

Will equipment enter the Flathead Basin? YES NO UNKNOWN

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

Cubic yards/Linear feet

Size and Type

Source

[Click here to enter text.](#)

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 406-441-1375 OR BY E-MAIL MONTANA.REG@USACE.ARMY.MIL.

1. Identify the specific **Nationwide Permit(s)** that you want to use to authorize the proposed activity. Refer to section F1 in the instructions.

[Click here to enter text.](#)

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.

[Click here to enter text.](#)

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.

[Click here to enter text.](#)

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.

[Click here to enter text.](#)

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

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

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.

[Click here 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.

[Click here to enter text.](#)

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.

[Click here 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 OF **Adjacent Landowner**: [Click here to enter name](#) [Click here to enter Address](#)

NAME OF **Adjacent Landowner**: [Click here to enter name](#) [Click here to enter Address](#)

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NAME OF **Adjacent Landowner**: [Click here to enter name](#) [Click here to enter Address](#)

11. **Floodplain Map Number** [Click here to enter map number or N/A.](#) 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):

Print Name: [Click here to enter name.](#)

LANDOWNER:

Print Name: [Click here to enter name.](#)

Signature of Applicant

Date

Signature of Landowner

Date

*CONTRACTOR'S PRIMARY CONTACT (if applicable):

Print Name: [Click here to enter name.](#)

Signature of Contractor/Agent

Date

*Contact agency to determine if contractor signature is required.