Flathead County

Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901

Telephone 406.751.8200 Fax 406.751.8210

FLOODPLAIN DEVELOPMENT PERMIT

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

APPLICATION CONTENTS:

1. Completed application.
2. Application fee (see current fee schedule http://flathead.mt.gov/planning_zoning/permits.php).
3. An 'Adjoining Property Owners List' request form must be submitted with the application, with a separate fee *(see form below)*. The list will be sent directly to the Planning & Zoning office and is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning and Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.

_____ _____

Applicant Signature Date

_____ _____

Owner(s) Signature (*all owners must sign*) Date

SUBMITTAL REQUIREMENTS
FOR FLOODPLAIN PERMIT APPLICATION

To initiate the permit process, you will need to submit a copy of the following information to this office. These instructions apply to all construction/projects within any designated 100-year floodplain as delineated on the FHMB, FIRM, SCS/NRCS floodplain maps, COE floodplain maps, etc. You will need to submit a number of items listed below at a minimum.

1. **An 'Adjoining Property Owners List' <u>request form</u> must be submitted with the application, with a separate fee *(see form below)*.** The list will be sent directly to the Planning & Zoning office and is valid for a period of 6 months from the date generated. *(You may also get a certified adjoining landowners list from a title company if you choose).*

2. **A letter from each property owner where the project will be completed authorizing the proposed work.**

3. **A detailed site plan, drawn to scale, showing the following:**
   - Property boundary lines of the subject property and those in the immediate vicinity of the project.
   - Approximate location of all floodplain boundaries in the vicinity of the project as depicted on the floodplain maps.
   - Location of existing improvements in the vicinity of the project, including driveways, roads, culverts, bridges, buildings, wells, septic systems, and other improvements
   - Location of all existing physical features in the vicinity of the project, including ponds, swales, streams, and irrigation ditches.
   - Location and dimensions of all proposed improvements, including driveways, roads, culverts, bridges, ponds, buildings, wells, and other structures
   - Location for all fill that will be brought into the floodplain

4. **A statement specifying the amount of fill that will be placed within the floodplain and supporting calculations.**

5. **For a house submit:**
   - The existing ground elevation at the location of the proposed house and the calculated height of the 100-year floodplain (will need to work with a surveyor to obtain this information)

   - Calculations for the amount of fill (in cubic yards) to be placed in the floodplain: Residential structures shall be constructed on suitable fill with a permanent foundation such that the lowest floor (including basement) level is two or more feet above the base flood elevation. The suitable fill shall be at a level no lower than the base flood elevation extending 15 feet at that elevation beyond the structure in all directions.
   - Specifications for the fill material (type, size, etc.)

6. For any other building submit:

- Drawing of the building
- Statement indicating which of the two development standards will apply:

  (a) If the structure is designed to allow internal flooding of the lowest floor, use of the floor shall be limited to such uses as parking, loading areas, and storage of equipment or materials not appreciably affected by flood water. Further, the floors and walls shall be designed and constructed of materials resistant to flooding up to an elevation of 2 or more feet above the elevation of the base flood. Structures designed to allow internal flooding shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the exit and entry of flood waters.

  (b) Structures whose lowest floors are used for purposes other than parking, loading or storage of materials resistant to flooding shall be flood proofed up to an elevation no lower than 2 feet above the elevation of the base flood. Flood proofing shall include impermeable membranes or materials for floors and walls and watertight enclosures for all windows, doors, and other openings. These structures shall be designed to withstand the hydrostatic pressures and hydrodynamic forces resulting from the base flood.

7. For bank stabilization submit:

- Description of existing conditions
- Historical overview of trends in the river movement; if any
- Description of the problem
- Description of the objectives of the project
- Short description of design alternatives that were considered, if any, but rejected, and an explanation of why each was rejected
- Typical cross-section (based on survey data) of the river from bank to bank, which shows the existing condition and proposed treatment and the height of the 100-year flood event, the base flow elevation, and the bank full elevation
- Longitudinal profile of the river surface and bed in the project area
- Plan view (using an aerial photograph as a base) of the project are which shows the beginning and ending points of the treatment and the various types of treatment
- Specifications for the treatment material (type, size, quantities, etc.)
- Calculations to show the proposed project will not raise the elevation of the 100-year floodplain more than 6 inches about the 100-year floodplain elevation as documented on the floodplain maps
- Description of the project implementation (project phases, sediment control, staging area, cleanup, etc.)

8. For a bridge submit:

- Drawings and specifications for the bridge as certified by a professional engineer
- Calculations for the amount of fill to be placed in the floodplain
- A cross-section at the location of the bridge which shows the existing condition and the elevation of the 100-year flood event

9. For a pond submit:

- Description of existing conditions
- Description of the objectives of the project
- Calculations for the amount of material to be removed from the pond
- Description of where the material will be placed outside the floodplain

10. For road(s) submit:

- Description of existing conditions
- Description of the objectives of the project
- Calculations to show the culverts will be large enough to handle the expected flows.

Once your final application is received, it will be reviewed to make sure the information is sufficient. If it is not sufficient, you will receive a letter that explains the deficiencies. You should also be aware that as part of the review process, the adjoining property owners will be notified about the proposed work, and a legal notice placed in the paper containing a brief description of the application.

All floodplain application shall also include the following:

1. A definitive signed statement from a qualified engineer or individual with floodplain experience that the project can withstand a 100-year flood.
2. A definitive signed statement from a qualified engineer or individual with floodplain experience that the project will not adversely effect surrounding land owners upstream, downstream, across stream or adjacent to the proposed project area.
3. A definitive signed statement from a qualified engineer or individual with floodplain experience about the ability of this project to withstand the 100-year flood event and what effect this proposed project will have on the 100-year Base Flood Elevations.

1035 First Ave West
Kalispell, MT 59901
OFFICE 406.751.8200
EMAIL planningweb@flathead.mt.gov
WEB flathead.mt.gov/planning_zoning

Certified Ownership List Request Form

Must be filled out by the Planning Office, Surveyor, or Engineer

SUBJECT PROPERTY OWNER	
SUBJECT PROPERTY ASSESSOR #	
SUBJECT PROPERTY LEGAL DESCRIPTION	
SEC-TOWNSHIP-RANGE	
BUFFER FOOTAGE	
CONTACT PERSON	
CONTACT PHONE #	
TODAY'S DATE	
PICK UP DATE	
SPECIAL HANDLING INSTRUCTIONS	
PLANNER, SURVEYOR OR ENGINEER SIGNATURE	

Orders can be submitted in the Planning and Zoning Department via mail or email (planning.zoning@flathead.mt.gov).

Certified Ownership List – completed within 1 week from receipt of payment	$75.00
Certified Ownership List Rush – completed within 48 hours from receipt of payment	$150.00

Revised: 6/5/15 (310 form 270). Form may be downloaded from: www.dnrc.mt.gov/licenses-and-permits/stream-permitting	**AGENCY USE ONLY**: Application # _____ Date Received _____ Date Accepted _____ / Initials _____ Date Forwarded to DFWP _____

This space is for all Department of Transportation and SPA 124 permits (government projects).
Project Name _____
Control Number _____ Contract letting date _____
MEPA/NEPA Compliance ☐ Yes ☐ No If yes, #14 of this application does not apply.

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

Use this form to apply for one or all local, state, or federal permits listed below. The applicant is the responsible party for the project and the point of contact unless otherwise designated. **"Information for Applicant"** includes agency contacts and instructions for completing this application. T**o avoid delays**, submit all required information, including **a project site map and drawings.** Incomplete applications will result in the delay of the application process. **Other laws may apply**.

The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.

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

A. APPLICANT INFORMATION

NAME OF **APPLICANT** (person responsible for project): _____
Has the landowner consented to this project? ☐ Yes ☐ No
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF **LANDOWNER** (if different from applicant): _____
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF **CONTRACTOR/AGENT** (if one is used): _____
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

B. PROJECT SITE INFORMATION

NAME OF **STREAM** or **WATER BODY** at project location _____ Nearest Town _____
Address/Location: _____ Geocode (if available): _____
____1/4 ____1/4 ____1/4, Section _____, Township _____, Range _____ County _____
Longitude _____, Latitude _____

The state owns the beds of certain state navigable waterways. Is this a state navigable waterway? Yes or No.
If yes, send copy of this application to appropriate DNRC land office – see Information for Applicant.

ATTACH A PROJECT SITE MAP OR A SKETCH that includes: 1) the water body where the project will take place, roads, tributaries, landmarks; 2) a circled "X" representing the exact project location. IF NOT CLEARLY STATED ON THE MAP OR SKETCH, **PROVIDE WRITTEN DIRECTIONS TO THE SITE.**

C. PROJECT INFORMATION

1. **TYPE OF PROJECT** (check all that apply)

☐ Bridge/Culvert/Ford Construction
☐ Bridge/Culvert/Ford Removal
☐ Road Construction/Maintenance
☐ Bank Stabilization/Alteration
☐ Flood Protection
☐ Channel Alteration
☐ Irrigation Structure
☐ Water Well/Cistern
☐ Excavation/Pit
☐ Fish Habitat
☐ Recreation (docks, marinas, etc.)
☐ New Residential Structure
☐ Manufactured Home
☐ Improvement to Existing Structure
☐ Commercial Structure
☐ Wetland Alteration
☐ Temporary Construction Access
☐ Other _____
☐ Mining
☐ Dredging
☐ Core Drill
☐ Placement of Fill
☐ Diversion Dam
☐ Utilities
☐ Pond
☐ Debris Removal

2. **PLAN OR DRAWING** of the proposed project **MUST** be attached. **This plan or drawing must include**:

- a plan view (looking at the project from above)
- dimensions of the project (height, width, depth in feet)
- location of storage or stockpile materials
- drainage facilities
- an arrow indicating north
- a cross section or profile view
- an elevation view
- dimensions and location of fill or excavation sites
- location of existing or proposed structures, such as buildings, utilities, roads, or bridges

3. **IS THIS APPLICATION FOR** an annual maintenance permit? ☐ Yes ☐ No
(If yes, an annual plan of operation must be attached to this application – see "Information for Applicant")

4. **PROPOSED CONSTRUCTION DATE**. Include a project timeline. Start date _____/_____/_____
Finish date_____/_____/_____ Is any portion of the work already completed? ☐ Yes ☐ No
(If yes, describe the completed work.)_____

_____

5. **WHAT IS THE PURPOSE** of the proposed project?_____

_____

6. **PROVIDE A BRIEF DESCRIPTION** of the proposed project._____

_____

7. **WHAT IS THE CURRENT CONDITION** of the proposed project site? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands._____

_____

8. **PROJECT DIMENSIONS**. How many linear feet of bank will be impacted? How far will the proposed project encroach into and extend away from the water body? _____

_____

_____

9. **VEGETATION.** Describe the vegetation present on site. How much vegetation will be disturbed or covered with fill material during project installation? (Agencies require that only vegetation necessary to do the work be removed.) Describe the revegetation plan for all disturbed areas of the project site in detail. _____

_____

10. **MATERIALS**. Describe the materials proposed to be used. Note: This may be modified during the permitting process. It is recommended you do not purchase material until all permits are issued.

Cubic yards/Linear feet_____ Size and Type_____Source_____

_____

11. **EQUIPMENT**. List all equipment that will be used for construction of the project. How will the equipment be used on the bank and/or in the water? Note: Make sure equipment is clean and free of weeds, weed seeds, and excess grease before using it in the water waterway. To prevent the spread of aquatic invasive species, to the extent practical, remove mud and aquatic plants from heavy machinery and other equipment before moving between waters and work sites, especially in waters known to be infested with aquatic invasive species. Drain water from machinery and let dry before moving to another location.

_____

12. **DESCRIBE PLANNED EFFORTS TO MINIMIZE PROJECT IMPACTS**. Consider the impacts of the proposed project, even if temporary. What efforts will be taken to:

- Minimize erosion, sedimentation, or turbidity?_____

  _____

- Minimize stream channel alterations?_____

  _____

- Minimize effects to stream flow or water quality caused by materials used or removal of ground cover?

  _____

- Minimize effects on fish and aquatic habitat?_____

  _____

- Minimize risks of flooding or erosion problems upstream and downstream?_____

  _____

- Minimize vegetation disturbance, protect existing vegetation, and control weeds?_____

  _____

13. **WHAT ARE THE NATURAL RESOURCE BENEFITS** of the proposed project?_____

_____

14. **LIST ALTERNATIVES** to the proposed project. Why was the proposed alternative selected?_____

_____

D. ADDITIONAL INFORMATION FOR SECTION 404, SECTION 10, AND FLOODPLAIN PERMITS ONLY.
If applying for a Section 404 or Section 10 permit, fill out questions 1-3. If applying for a floodplain permit, fill out questions 3-6. (Additional information is required for floodplain permits – See "Information for Applicant.")

1. Will the project involve placement of dredged (excavated) and/or fill material below the ordinary high water mark, in a wetland, or other waters of the US? If yes, what is the surface area to be filled? How many cubic yards of fill material will be used? Note: Wetland delineations are required if wetlands are affected.

2. Description of avoidance, mitigation, and compensation (see Information for Applicant). Attach additional sheets if necessary.

3. List the names and address 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).

   _____

   _____

   _____

4. 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._____

   _____

5. Floodplain Map Number _____

6. Does this project comply with local planning or zoning regulations? ☐ Yes ☐ No

E. SIGNATURES/AUTHORIZATIONS -- Each agency must have original signatures signed in blue ink.

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.

APPLICANT (Person responsible for project):
Print Name: _____

_____
Signature of Applicant Date

LANDOWNER:
Print Name: _____

_____
Signature of Landowner Date

*CONTRACTOR/AGENT:
Print Name: _____

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

Revised 6/5/15

JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS, AND OTHER WATER BODIES
INFORMATION FOR APPLICANT
Please read carefully.

BEFORE YOU BEGIN

1. Review "*A Guide to Stream Permitting in Montana*" to determine which permits are applicable to your project. This guide is available from all participating agencies and on line at www.dnrc.mt.gov/licenses-and-permits/stream-permitting. Please note: permits may be required from other agencies than those listed on this form. You must apply to those agencies on separate forms if the law applies.
2. Attach a plan or drawing to the application. Some agencies require that this be provided by a professional engineer or other expert.
3. Keep in mind that you will be required to design your project in a manner that minimizes impacts, including sedimentation and erosion during and after project construction. Your project must be designed to preserve and protect the river or stream keeping it in as natural condition as possible. Contact agencies to find out if specific criteria apply to your project.
4. It is recommended that you do not purchase materials for project construction until all permits are issued. The size and type of materials may be modified during the permitting process.
5. You will need a project site legal description and a site map. You may obtain land descriptions by contacting the county assessor or clerk and recorder office. Aerial photographs sometimes may be obtained by contacting your local conservation district, or if you have the internet, you may obtain photos of the project site through the state's natural resource inventory system (www.nris.mt.gov), or through a mapping website such as map quest or google earth.
6. Know that vegetation is important to the stability and health of the stream. Vegetation removal must be kept to a minimum and bare ground must be replanted. Weeds must be controlled in the area until vegetation is established.
7. To prevent the spread of aquatic invasive species, use clean equipment. Make sure your equipment is free of weeds, weed seeds, and excess grease before using it in a waterway. Clean mud and aquatic plants from heavy machinery or other equipment before moving between waters and work sites. Drain water from machinery let dry before moving to another location. The following website shows waterbodies that are known to be infested with invasive species: www.fwp.mt.gov/fishAndWildlife/species/ais/.
8. For a reference guide, most participating agencies have copies of a notebook entitled "*Montana Stream Permitting: A Guide for Conservation District Supervisors and Others,*" that contains information about stream dynamics and describes various options for projects. The book is also available on DNRC's website: at www.dnrc.mt.gov/licenses-and-permits/stream-permitting.

HOW TO APPLY:

The joint application form can be used to obtain permits from the local, state, and federal agencies listed in the box below. The box below describes the joint application participants and the permits covered; contact information; application procedures; time frames; and fees.

After completing this form, send the required number of copies, with original signatures, to each applicable agency. Each agency issues separate permits. You must obtain individual authorizations or permits from each agency to which you apply before conducting your work.

Fees listed are for information only. Contact the responsible agency for information about fees.

√	PERMIT/ WHO MUST APPLY	AGENCY	AGENCY CONTACTS / ADDRESSES AND ADDITIONAL INFORMATION	APPROX. REVIEW TIME	FEES –
	310 Permit Private citizens and companies working in or near perennial streams.	Local Conservation District	Submit three copies of application, maps, and plans to conservation district. To locate local office, call MT Assoc. of Conservation Districts (406) 443-5711 or Conservation Districts Bureau, DNRC (406) 444-6667; or visit http://dnrc.mt.gov/divisions/cardd/conservation-districts	30 – 60 days	No fee
	SPA 124 Permit Governmental entities working in any stream.	Montana Department of Fish, Wildlife & Parks	Submit a set of preliminary plans or sketches with application. To locate appropriate office, call DFWP in Helena (406) 444-2449. For projects sponsored by DOT, send two sets of plans to Helena DFWP, Box	30 days	No fee

		(DFWP)	200701, Helena, MT 59620-2701.		
	Floodplain Permit Applicants proposing new construction within designated floodplains.	City or County Floodplain Administrator	All required local, state, and federal permits must be issued before a floodplain permit can be issued. An applicant may be required to hire a professional engineer. Prior to submitting this application form, contact the local floodplain administrator at the city or county office. To locate the appropriate office, contact DNRC Water Resources Division (406) 444-0860 or visit: http://dnrc.mt.gov/divisions/water/operations/floodplain-management	60 days	Varies city or county. Inquire locally. ($25 - $500+)
	Section 404 Permit Applicants working in any stream and in wetlands. **Section 10 Permit** Applicants working on Yellowstone, Missouri, or Kootenai Rivers or their reservoirs.	U.S. Army Corps of Engineers (COE)	Submit one copy of application plus a set of construction plans or sketches of the proposed project, if available. See special signature requirements following "Information for Applicant". US Army Corps of Engineers, 10 West 15th Street Suite 2200, Helena MT 59626; (406) 441-1375.	30 - 120 days	Varies ($0 - $100) You will be contacted if fee applies.
	318 Authorization Activities that cause temporary turbidity in any state water. Applies only for work carried out in water.	Montana Department of Environmental Quality (DEQ)	**Do not send this form directly to DEQ if applying for a 310 or 124 permit**. You will be notified if you must apply directly to DEQ during the 310 or 124 permit review. If you are not applying for a 310 or 124 permit, apply directly to DEQ with $250 fee enclosed. Dept. of Environmental Quality, Permitting and Compliance Division, Water Protection Bureau, Box 200901, Helena MT 59620-0901; (406) 444-3080.	30 days after application and fee are received.	$250 (318)
	401 Certification Activities that may adversely affect state water quality standards.	Montana Department of Environmental Quality (DEQ)	Depending on the type of 404 permit you may have obtained from the U.S. Army Corps of Engineers, a 401 Water Quality Certification of that 404 permit by DEQ might be necessary. To determine if a 401 Certification is necessary, contact the U.S. Army Corps of Engineers (406) 441-1375 or DEQ (406) 444-3080.		$400 - $20,000 (401)
	Navigable Rivers Land Use License/Lease/ Easement -- Projects in, on, under, or over navigable waters.	Montana Department of Natural Resources and Conservation (DNRC)	Additional fees, a land survey, and other information will be required. Contact the local DNRC land office for information about whether a waterway is navigable. To locate appropriate Land Office, call (406) 444-2074.	License – up to 60 days. Lease or Easements – up to 90 days.	$50, plus additional fee

INSTRUCTIONS FOR FILLING OUT THE JOINT APPLICATION:

The sections indicated below correspond with sections on the application form. Sections A, B, and C must be completed for all applications. Section D is to be completed only if you are applying for a Floodplain Permit, Section 404 Permit, or Section 10 permit.

A. APPLICANT INFORMATION. The applicant must possess the authority to undertake the work described in the application or to act as the duly authorized agent of the landowner. The applicant is the responsible party for the project and the main point of contact for permitting questions, scheduling inspections, and other project details. The landowner's name and address is required if different from the applicant. If a contractor will be used to do the work, provide the contractor's name and contact information. Be aware that the issuance of any permit does not give permission to carry out a project on land that is not owned by the applicant. The applicant has the duty to secure necessary landowner authorization.

B. PROJECT SITE INFORMATION. This information is required to locate the site and the water body where the work will be completed. If it is not clear how to get to the site, be sure to include written directions. Attach an additional sheet or site map that clearly shows the project location and any identifying landmarks. Geocodes help locate the property where the project will be constructed and are available online at: **http://geoinfo.msl.mt.gov/.** Leave the Geocode line blank if you don't have access to the internet.

Contact DNRC at 406-444-2074 to determine if your project will be conducted on a state navigable waterway. If so, a copy of this application must be mailed to DNRC's Trust Land Management office along with the non-refundable $50 application fee. You can call any local Land Office or the number listed above.

C. PROJECT INFORMATION. This section provides space for you to describe your project and the steps you will take to minimize impacts. Projects must be constructed in a way that minimizes impacts to the water body and that keeps rivers and streams in as natural state as possible. Some agencies and conservation districts may require you to follow specific standards for project design, materials used, or re-vegetation.

1. Type of Project. Check all boxes that apply to the proposed work. If your project type is not listed, check "Other" and describe what type of project you are proposing.

2. Be sure to attach a plan or drawing that includes the information requested. Your application will be rejected if project plan or drawing is not provided.

3. Annual Maintenance. Conservation districts may authorize minor maintenance activities for up to ten years. If the proposed work will be conducted each year, check this box and attach an annual plan of operation. An annual plan of operation must include the nature and extent of work to be conducted each year. It should also include, at minimum, a detailed description of the work to be done, the timing of the work proposed, and the amount of streambed materials to be removed or disturbed, as well as other information required by the district. If the conservation district authorizes an annual maintenance permit, you still may be required to seek approval from other agencies each year prior to doing work.

4. Proposed Construction Date. The timing of construction is an important factor in determining impacts to water quality, fish, and aquatic life. Authorizations/permits may contain timing restrictions on construction activities. Note when you plan to start work and how long it will take to complete. Keep in mind it can take 30-120 days or more after an application is complete to receive permits needed to begin your project. Plan ahead.

5. Purpose. Describe the need and purpose of the proposed work. What will it be used for and why?

6. Brief Description. Describe briefly what you propose to do and how you plan to construct it. Other places in the application will allow for more detailed information.

7. Current Condition. Describe the current condition of the site. Include the bank condition, slope, and height of bank. Note structures such as riprap, dikes, bridges, irrigation facilities, road crossings, or homes that are near the site. Also include a description of any nearby wetlands that may be disturbed as a result of the proposed project. You may provide photos in addition to the description.

8. Project Dimensions. Generally describe the impact area of your project and provide dimensions of your project, including linear feet, distance the work will encroach into the water body, as well as extend away from the water body. Use the high water mark as a point of measure. If you are unsure of the high water mark or it isn't applicable to the project, specify another point of measure.

9. Vegetation. Vegetation is important for bank stability and maintaining water quality. Agencies require that only the vegetation necessary to conduct the work be removed. Describe the vegetation at the site (woody trees and shrubs, grasses, weeds, etc.) and how much will be disturbed or covered with fill material during project installation. Reseeding and replanting all disturbed areas of the project site is usually required. Describe, in detail, your plan to re-vegetate the area.

10. Materials. What materials are going to be used for your project? Where were they obtained? How much are you planning to use? All materials used must be of adequate size and dimension for the project and be free of pollutants. If streambed or other materials are removed from the bed of a stream, they must be removed from the area so they don't reenter the stream. When possible, choose materials that are natural to the area to construct your project. It is recommended that you do not purchase materials until all permits are issued because the size and type may be modified during the permitting process.

11. Equipment. List all equipment that will be used for construction of the project. How will the equipment be used on the bank and/or in the water body? Make sure your equipment is clean and free of weeds, weed seeds, and excess grease before using it in the waterway. To prevent the spread of aquatic invasive species, to the extent practical, remove mud and aquatic plants from heavy machinery and other equipment before moving between waters and work sites, especially in waters known to be infested with aquatic invasive species. Drain water from machinery and let machinery dry before moving to another location.

12. Describe planned efforts to minimize project impacts. Consider the impacts of the proposed project, even if they are temporary. All projects create impacts. Projects must be designed and constructed in a manner that minimizes impacts and keeps natural rivers and streams in as natural a state as possible. Use the space provided to describe what you plan to do to minimize the impact of the proposed project during and after construction. Examples would include using sediment fences along the bank or below the proposed work, installing coffer dams to direct flow away from the project area, constructing fish friendly diversions or stream crossings, protecting existing vegetation or re-vegetating disturbed areas, timing of the project, designing projects that fit into the natural area, minimizing disturbance to the area, or selecting carefully the sites and methods used to construct the project, including practices that avoid spreading of aquatic invasive species.

13. Project Benefits. Describe anticipated natural resource benefits that will occur as a result of your project, such as improved water quality, improved riparian vegetation, improved fish habitat, etc.

14. Alternatives. List other projects you considered before selecting the project for which you are applying. Describe the reason why you chose the project you selected.

For 310 applicants only: The criteria listed below will be used by an inspection team and the conservation district in reviewing your application. In addition to filling out this question, during the review process, you may be requested to provide more specific information about the alternatives you considered. The kind of information that may be requested from you may include, but is not limited to:

a. Other reasonable alternatives that may have been considered prior to selecting the project described in the application.
b. Costs of the alternatives.
c. Impacts of the alternatives, including:
    1. Sedimentation and/or erosion.
    2. Stream channel alterations.
    3. Disturbance to vegetation.
    4. Water quality changes (during and after construction).
    5. Stream flow changes.
    6. Fish and aquatic habitat.
    7. Changes to the natural condition of the area.

D. ADDITIONAL INFORMATION FOR SECTION 404, SECTION 10, AND FLOODPLAIN PERMITS ONLY.
Information in Section D is specific to Section 404, Section 10, and Floodplain permits. Answer Questions 1-3 if you are applying for a Section 404 or Section 10 permit from the US Army Corps of Engineers. Answer Questions 3-6 if you are applying for a Floodplain Permit from the local floodplain administrator. (Question 3 is required for both.)

1. See definitions listed below for aquatic areas, wetlands, fill material, ordinary high water mark, waters of the US, and for information on how to calculate materials and impacted areas.

2. Provide a brief explanation of avoidance, minimization, and compensation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts. See definition of compensatory mitigation below.

3. Attach a list of adjacent property owners and their mailing addresses. This includes properties adjacent to and across from the project site. Be advised that many communities require a certified adjoining property owner list. (You can get this information from the community's planning/zoning/GIS office or through a title company). At its discretion, the permitting agency may contact these landowners.

4. For floodplain permits, all local, state, and federal permits must be in place before a floodplain permit can be issued. Provide copies of each issued, waived, denied, or pending permits.

5. If your project site is in a designated floodplain, the waterway should have a Flood Insurance Study (FIS) and/or floodplain map number (FHBM, FIRM, DFIRM). Contact the local floodplain administrator to obtain this information.

6. Check with the local government to see if special planning or zoning regulations apply.

Definitions:

- **Aquatic areas** include (but are not limited to) rivers, streams, creeks, lakes, reservoirs, wetlands, wet meadows, oxbows, and sloughs. Named and unnamed drainages that flow intermittently, as well as streams with perennial flow, are aquatic areas (waters of the United States).
- **Dredged material** means material that is excavated or dredged from waters of the United States, including material removed or excavated from wetlands, lakes, ponds, streams, and other waters.
- **Fill material** refers to rock, sand, soil, or any material that replaces an aquatic area with dry land, or changes the bottom elevation of a water body. Prohibited fill material includes junk metal, car bodies, construction debris, trash, etc.
- **Mitigation** means avoiding and/or minimizing impacts to aquatic areas, and compensating for unavoidable impacts. **Compensatory mitigation** refers to replacing aquatic resources that have been lost, with similar aquatic resources. Compensatory mitigation may include creating new, restoring degraded, or enhancing existing aquatic areas.
- **Waters of the United States** includes the area below the ordinary high water mark of stream channels and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters. Isolated waters and wetlands, as well as man-made channels, may be waters of the United States in certain circumstances, which must be determined on a case-by-case basis.
- **Wetlands** include areas that are inundated or saturated with water long enough to support vegetation typically adapted for life in saturated conditions. Wetlands are generally determined on a site-by-site basis. If you are not sure whether a wetland will be impacted by your proposed project, contact the Corps of Engineers.
- **To calculate impacted area**, measure the length and width that the fill material will occupy. Length x width = area, usually expressed in square feet, square yards or acres. If your project involves a stream, measure the length of bank that will be affected on both sides of the stream.
- **To calculate the volume of material**, measure the length, width, and depth of the fill material. Length x width x depth = volume, usually stated in cubic feet or cubic yards.

ADDITIONAL INFORMATION REQUIRED FOR FLOODPLAIN PERMIT APPLICATIONS ONLY:

Provide the following on separate sheets and attach to the floodplain permit application copy of the joint application.

1. A detailed site plan of the proposed project, drawn to scale, showing the following:
    a. Property boundary lines of the subject property and those in the immediate vicinity of the proposed project;
    b. Approximate location of all floodplain boundaries in the vicinity of the proposed project as depicted on the floodplain maps mentioned above;
    c. Location of the existing improvements in the vicinity of the proposed project, including driveways, roads, culverts, bridges, buildings, wells, septic systems, other improvements;
    d. Location of all existing physical features in the vicinity of the proposed project, including ponds, swales, streams, and irrigation ditches;
    e. Location and dimensions of all proposed improvements, including driveways, roads, culverts, bridges, ponds, buildings, wells, and other structures;
    f. Location for all fill proposed to be placed into the floodplain.
2. A statement specifying the type of material and total amount of the fill proposed to be placed within the floodplain along with supporting calculations.
3. Certain projects may require an licensed Montana engineer to design to the following criteria:
    a. The project can withstand a 100-year flood event;
    b. The project will not adversely affect surrounding landowners upstream, downstream, across stream, or adjacent to the proposed project area;
    c. The effect of the proposed project on the 100-year base flood elevation.

E. SIGNATURE REQUIREMENTS:

***If you are a landowner** submitting this application and proposing to undertake a project on your own behalf on your own property, please sign and date both the "Signature of Applicant" and "Signature of Landowner" lines.

*If you are an applicant, other than the owner of the site, submitting this application and proposing to undertake a project, sign and date the "Signature of Applicant" only.

***If you are a contractor/agent** acting as an agent on behalf of a landowner, or applicant, please sign and date only the line designated "Signature of Agent" and indicate your title. The applicant/landowner must sign and date the

"Signature of Applicant" and "Signature of Landowner" lines to indicate authorization for you to act on his/her behalf.

***If a utility company submits this application**, a representative of the company should sign and date the "Signature of Applicant" line. Landowner signatures are not required.

***It is the applicant's responsibility to obtain landowner permission** to do work on land not owned by the applicant.

DISPUTES:

For 310 permit applicants only: If you disagree with the conservation district's decision to approve, modify, or deny your permit, you may request arbitration to settle the dispute, or you may seek judicial review in district court. The conservation district will provide you with more information with their permit decision.

If you disagree with the conservation district jurisdictional issues, and wish a formal decision from the conservation district, you should petition the conservation district for a declaratory ruling (see 75-7-125, MCA, for more information). If this petition is submitted while you have a pending application before the conservation district, you should ask for an extension of time while the conservation district is processing the declaratory ruling petition.

1035 First Ave West
Kalispell, MT 59901
OFFICE 406.751.8200
FAX 406.751.8210
EMAIL planningweb@flathead.mt.gov
WEB flathead.mt.gov/planning_zoning

CUSTOMER SERVICE SURVEY

Our mission is to provide you with the best possible service. Please help us serve you and others better by taking a few minutes to answer the questions below. Our office genuinely appreciates your time and your feedback.

What was the nature of your contact with us? (Please check all that apply)

General Information
Permitting (Lakeshore, Floodplain, Zoning, Subdivision)
Pre-application Conference
Other_____

Please Check as Appropriate:					
	Strongly Agree	**Agree**	**Disagree**	**Strongly Disagree**	**No Comment**
Staff was courteous and helpful					
Staff provided accurate information to me					
Staff response was considerate of my time					
My overall experience was positive					
Please complete the section below if your contact with us involved permitting:					
The permitting process was understandable					
The regulations were understandable					
Application instructions were understandable					
Terms and conditions of the permit were understandable					

We provide opportunities for staff to be recognized for exemplary customer service. Please indicate the names of any staff person(s) you would like to commend:

_____

_____

If you feel we fell short in meeting your service expectations, please describe the situation including the name of the staff person involved (if applicable) and the date the incident occurred:

_____

_____

_____

_____

As a result of your experience with us, what service-related improvement(s) can you recommend?

_____

_____

_____

_____

Contact Information (Optional)

Your name:_____

Email:_____ Daytime phone:_____

Mailing address:_____

Date submitted:_____

Please hand deliver, email, fax or mail form to:

Flathead County Planning and Zoning
1035 First Avenue West, Ste C200
Kalispell, MT 59901
Email: Planning.Zoning@flathead.mt.gov
Phone: (406) 751-8200
Fax: (406) 751-8210