

Revised: 5/12/2021 310 Form 270 and Instructions may be downloaded from: <a href="http://dnrc.mt.gov/licenses-and-permits/stream-permitting">http://dnrc.mt.gov/licenses-and-permits/stream-permitting</a>	<b>CD/AGENCY</b>		Application # <u>Click to enter text.</u>		Date Received <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u>
	<b>USE ONLY</b>		Date Accepted <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u>	Initials <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u>	Date FW: to <u>          </u> <u>          </u> <u>          </u> <u>          </u> <u>          </u> <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> <u>          </u> <u>          </u> <u>          </u> <u>          </u> <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 - F	Varies by city/county (\$25 - \$500+)

### A. APPLICANT INFORMATION

**APPLICANT NAME** (person responsible for project): Kimberli & Christopher Wheeler

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

Mailing Address: 789 River Dr. Eureka, MT 59917

Physical Address: 789 River Dr. Eureka, MT 59917

Cellphone: 909-815-8644 Home Phone: N/A E-Mail: kw@ignitedsgn.com

**LANDOWNER NAME** (if different from applicant): Brian Charles Minor Trust

Mailing Address: Click here to enter mailing address or N/A.

Physical Address: Click here to enter physical address or N/A.

Cellphone: Click here to enter or N/A. Home Phone: Click here to enter or N/A. E-Mail: Click here to enter or N/A.

**CONTRACTOR/COMPANY NAME** (if applicable): Kurt West

**PRIMARY CONTACT NAME:** Click here to enter name

Mailing Address: 4000 Meadow Creek Rd, Fortine, MT 59918

Physical Address: Click here to enter name or N/A.

Cellphone: 406-261-3220 Home Phone: Click here to enter or N/A. E-Mail: tenlakessr@yahoo.com

## B. PROJECT SITE INFORMATION

1. NAME OF **STREAM** or **WATER BODY** at project location Tobacco River  
Project Address/Location: 789 River Dr Nearest Town Eureka  
County Lincoln Geocode: 4823-09-3-01-05-000  
Choose 1/4 of the Choose 1/4 of, Section Enter Township Enter, Range Enter  
Latitude Enter Longitude Enter Refer to section B1 in the instructions.
2. Is the proposed activity within **SAGE GROUSE** areas designated as general, connected, or core habitat?  
Yes ☐ No ☒ Attach consultation letter if required. Refer to section B2 in the instructions.
3. Is this a **STATE NAVIGABLE WATERWAY**? The state owns beds of certain navigable waterways.  
Yes ☐ No ☒ If yes, send a copy of this application to the appropriate DNRC land office. Refer to section B3 in the instructions.
4. **WHAT IS THE CURRENT CONDITION** of the proposed project site? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands. What vegetation is present? Refer to section B4 in the instructions.  
**Current river bank has eroded away significantly and in encroaching on existing pond and property.**

## 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.  
**Current river bank has eroded away significantly and in encroaching on existing pond and property.**
4. **PROVIDE A BRIEF DESCRIPTION** of the proposed project plan and how it will be accomplished. Refer to section C4 in the instructions.

Propose to move material from property to reinforce the riverbank on our property. Actual river and riverbank will not be disturbed. Armor with substantial sized 12-36" stone/riprap, reenforce with Geotech 8M felt/fabric and reestablish with top soil for bank stabilization, and replant with recommended Narrowleaf Willows and Kootenai blend grass seed.



**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.

Riverbank stabilization on the river bank itself. This is more disruptive to the river and was considered a less favorable solution.

**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?

None. No impact to river or riverbank

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

None

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

N/A - No impact to river or riverbank

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

N/A - No impact to river or riverbank

- 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?

N/A - No impact to river or riverbank

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

N/A - No impact to river or riverbank

## D. CONSTRUCTION DETAILS

**1. PROPOSED CONSTRUCTION DATES.** Include a project timeline. Start date 4/1/2022  
Finish date 07/30/222 How long will it take to complete the project? 4 Months 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.  
54' x 25' – noted in gray on aerial image. No encroachment on the river. All work to be done on property side.

**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.

No equipment will be on the bank or in the water. All work will be conducted from property side of the river.

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
12-36" stone/riprap		
Geotech 8M felt/fabric		

## 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.

## 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.

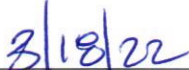
The statements contained in this application are true and correct. The applicant possess' the authority to undertake the work described herein or is acting as the duly authorized agent of the landowner. The applicant understands that the granting of a permit does not include landowner permission to access 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: Kimberli Wheeler



Signature of Applicant



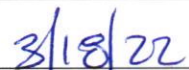
Date

LANDOWNER:

Print Name: Brian Charles Minor Trust - Kimberli Wheeler - Trustee



Signature of Landowner



Date

\*CONTRACTOR'S PRIMARY CONTACT (if applicable):

Print Name: Kurt West



Signature of Contractor/Agent

Date

\*Contact agency to determine if contractor signature is required.







