

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

CD/Agency Use Only

Application Number: _____ Date Received: _____
 Stream or Waterbody: _____
 Date Accepted: _____ Initials: _____ Date Forwarded to FWP: _____

This section 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, #C5 of this application does not apply.

Applicant Use

This is a standardized application to apply for one or all local, state, or federal permits listed below. Check the box(s) for each permit being applied for.

- Refer to the instructions to determine which permits apply to your project and submit an application to each applicable agency.
- Incomplete applications will result in a delay of application processing.
- The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.
- Other laws may apply.

	Permit	Agency	Required Application Sections:	Fee
<input checked="" type="checkbox"/>	NSLPA 310 Permit	Local Conservation District	A-E and G	No fee
<input type="checkbox"/>	SPA 124 Permit	Department of Fish, Wildlife & Parks (FWP)	A-E and G	No fee
<input type="checkbox"/>	318 Authorization 401 Certification	Department of Environmental Quality (DEQ)	A-E and G	\$250 (318); \$400-\$20,000 (401)
<input type="checkbox"/>	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation (DNRC), Trust Lands Management Division	A-E and G	\$50, plus additional fee
<input type="checkbox"/>	Section 404 Permit, Section 10 Permit	U.S. Army Corps of Engineers (USACE)	A-G and F1-10	Varied (\$0-\$100)
<input type="checkbox"/>	Floodplain Permit	Local Floodplain Administrator	A-G	Varied (\$25-\$500+)

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

A. APPLICANT INFORMATION

APPLICANT (party responsible for project) Nathan Cernick
Has the landowner consented to the project? ☒ Yes ☐ No
Mailing Address: 1463 Swede Mtn Rd City, State: Libby, MT Zip: 59923
Physical Address: " City, State: " Zip: "
Daytime Phone: 406-291-9475 Email: Cernate82@gmail.com
LANDOWNER NAME (if different from applicant) Brad Snyder
Mailing Address: 1751 E. Kachina Trail City, State: Sierra Vista, AZ Zip: 85650
Physical Address: " City, State: " Zip: "
Daytime Phone: 520-210-2010 Email: LSnyder6@cox.net
CONTRACTOR/COMPANY NAME (if applicable) _____
Mailing Address: _____ City, State: _____ Zip: _____
Physical Address: _____ City, State: _____ Zip: _____
Daytime Phone: _____ Email: _____

B. PROJECT SITE INFORMATION

Refer to section B1 of the instructions

1. NAME OF STREAM OR WATERBODY at project location: Libby Creek
Project Address/Location: Snyder Property Nearest Town: Libby
County: Lincoln Geocode: 56-4175-25-2-14-07-0000
Township: 30N Range: 31W Section: 25 ¼ Section: NW ¼ Section: NE
Latitude: _____ Longitude: _____

Driving directions or other instructions needed for finding the site: Follow Swede Mountain Rd approx 1.5 mi to BH corner/green gate. Throughgate, 1/2 mi down hill to site.

Refer to section B2 of 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 B3 of the instructions

3. Is this a **STATE NAVIGABLE WATERWAY**? The state owns the beds of certain navigable waterways.
☐ Yes ☒ No If yes, send a copy of this application to the appropriate DNRC land office.

Refer to section B4 of the instructions

4. **WHAT IS THE CURRENT CONDITION** of the proposed project site? What vegetation is present? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands.

Recent flooding caused Libby Creek to completely erode ~90 yds (length) of the Champion Haul Road grade. See pictures.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

C. PROJECT ACTIVITY INFORMATION

Refer to section C1 of the instructions

1. TYPE OF PROJECT (check all that apply)

- ☐ **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.
- ☒ **Crossing/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 activities including, Placer Mining, Aggregate Mining, etc.
- ☐ **Recreation Related Projects:** Boat Ramps, Docks, Marinas, etc.
- ☐ **Other Projects:** Cisterns, Debris Removal, Excavation/Pit/Pond, Placement of Fill, Drilling or Directional Boring, Utilities, Wetland Alteration. Any other project type not listed here.

Refer to section C2 of the instructions

2. Is this application for an **ANNUAL MAINTENANCE PERMIT**? ☐ Yes ☒ No

If yes, attach an annual plan of operations to this application

Refer to section C3 of the instructions

3. Why is this project necessary? State the **PURPOSE OR GOAL** of the proposed project.

The Champion Haul Rd is the only legal access to our home/property, as such, the goal is to rebuild the washed-out road. We currently have only limited access via a jeep trail (un-improved) through the forest to a logging road. It is not permanent access and will likely be impassable in the spring.

Refer to section C4 of the Instructions

4. Provide a brief description of the **PROPOSED PROJECT PLAN** and how it will be accomplished.

The damaged section of road will be filled with clean, road base material built back up to its former dimensions. Water flowing outside the main stream channel (through road grade) will be diverted. The stream side of the road grade will be reinforced with rip-rap of a sufficient size and quantity, keyed in place, to prevent future erosion/washouts.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

Refer to section C5 of the instructions

5. What **OTHER ALTERNATIVES** were considered to accomplish the stated purpose of the objective? Why was the proposed alternative selected?

A road built around the washout was proposed. Ruled out as:
a) it traverses private property, b) crosses wetland areas, c) would cut across a steep hillside (claybank) which would be unstable and cause erosion. Fixing the haul road is our best option.

Refer to section C6 of the instructions

6. What are the **NATURAL RESOURCE BENEFITS** or **POTENTIAL IMPACTS**? Please complete the information requested below to the best of your ability:

6a. Explain any temporary or permanent changes in erosion, sedimentation, turbidity, or increases of potential contaminants. What will be done to minimize impacts?

Minimal changes. The creek will remain in its previous (historic) channel. All moving water will be diverted to the main course of the stream with minimal disturbance of sediment.

6b. Will the project cause temporary or permanent impacts to fish and/or aquatic habitat? What will be done to protect the fisheries and habitat?

Minimal impacts. Sediment disturbance and habitat destruction will be low as the majority of the stream is already in its former channel. Moving water will be directed away from the work area. Creek will be returned to its previous state, before flooding/work.

6c. What will be done to minimize temporary or permanent impacts to the floodplain, wetlands, or riparian habitat?

Work will be performed when stream flow is low (preferably in winter). Road and creek will be the same as before the flooding and work with minimal impacts.

6d. What efforts will be made to decrease flooding potential upstream and downstream of the project?

Pip rap will be placed (keyed-in) to prevent future wash-outs and erosion. Log jams and other debris can be cleared from the channel to prevent course changes.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

6e. Explain any 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?

No changes to the water flow. Stream will be unrestricted and in its former channel.

6f. How will existing vegetation be protected and its removal minimized? Explain how the site will be revegetated, including weed control plans.

Most vegetation was washed away in the flooding event. Very little remains, as such, it will not be affected. Work area will re-vegetate naturally along with the rest of Libby Creek. Road side to be seeded with native grasses. Weeds to be controlled as needed with best management practices.

D. CONSTRUCTION DETAILS

Refer to section D1 of the instructions

1. Proposed **CONSTRUCTION DATES**:

Start: 2/15/26

End: 3/15/26

Is any portion of the work already completed? ☒ Yes ☐ No If yes, please describe previously completed work.

Emergency action was taken to clear stream channel of debris and guide it into its former channel to prevent further road/property damage. Most of the stream is flowing in its proper channel (not through the road).

Refer to section D2 of the instructions

2. **PROJECT DIMENSIONS**. Describe the length and width of the project.

The washed out road section measures approximately 275' in length, 36' in width and 7' in depth.

Refer to section D3 of the instructions

3. **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 that you do not purchase materials until all permits are issued. List soil/fill type, cubic yards and source, culvert size, rip-rap size, and any other materials to be used or removed on the project.

Cubic yards/ Linear Feet

Size and Type

Source

1800 cu yds

500 cu yds

120 cu yds

Clean 6" minus fill

Clean 18" plus riprap

Clean crushed gravel

Closest local pit or possibly former (unused) haul road sections.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

Refer to section D4 of the Instructions

4. **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 **CLEANED, DRAINED, AND DRY.**

Cat 225 Excavator - Modify stream bed/bank, place/compact material, place rip-rap.
John Deere 450 Dozer - Smooth, spread, compact fill.
Chevy 5 yd dump truck - Haul material

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

E. REQUIRED ATTACHMENTS

1. Plans and/or drawings of the proposed project should include:
 - a. Plan/Aerial View
 - b. An elevation or cross-section view
 - c. Dimensions of the project (height, width, depth in linear feet)
 - d. Location of storage stockpile materials and location of fill or excavation sites
 - e. Drainage facilities
 - f. Location of existing/proposed structures, such as buildings, utilities, roads or, bridges
 - g. An arrow indicating north
 - h. Site photos
2. Attach a vicinity map or a sketch, which includes: The water body where the project is located, roads, tributaries, and other landmarks. Plan an "X" on the project location. Provide written directions to the site. This is a plan view (looking at the project from above).
3. If requesting a Maintenance 310 Permit, attach an Annual Plan of Operation.
4. Attach an Aquatic Resource Map, which documents the location and boundary of all waters of the U.S. in the project vicinity and includes 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. Include the ordinary high-water mark delineation on plans or drawings and/or a separate wetland delineation.

F. ADDITIONAL INFORMATION FOR US ARMY CORPS OF ENGINEERS (USACE) SECTION 404, SECTION 10, AND FLOODPLAIN PERMITS

Refer to section F of the instructions

Section F should only be filled out by those needing Section 404, Section 10, and/or Floodplain permits.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

Applicants applying for Section 404 and/or Section 10 permits must complete questions F1-10. For questions on Section 404 and/or Section 10 permits, contact the USACE by telephone at 406-441-1375 or by email at montana.reg@usace.army.mil.

Applicants applying for Floodplain permits must complete all of Section F.

Refer to section F1 of the instructions

1. Does the proposed activity and/or property have permitting history with USACE? If yes, and available, provide the USACE project number(s) associated with the previous permits, including no permit required letters and approved jurisdictional determinations.



Refer to section F2 of the instructions

2. Identify the specific **Nationwide Permit(s)** that you want to use to authorize the proposed activity.



Refer to section F3 of the instructions

3. Provide the footprint of impacts and the quantity of materials proposed to be placed in wetlands and/or below the ordinary high-water mark in waters of the United States. Delineations are required of wetland and other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

3a. What is the length and width (or square footage/acreage) for each impact occurring within the waters of the United States, including wetlands?



3b. 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?



Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

Refer to section F4 of the instructions

4. How will the proposed project avoid or minimize **impacts to waters of the United States**? Attach additional sheets if necessary.

Refer to section F5 of the instructions

5. Will the project impact(s) be equal to or greater than 0.10 acre of wetland and/or 0.03 acre 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 F6 of the instructions

6. Is the proposed activity within any component of the **National Wild and Scenic Rivers System**, or a river that has been officially designated by Congress as a "**study river**?" ☐ Yes ☐ No

Refer to section F7 of the instructions

7. 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). ☐ Yes ☐ No

Refer to section F8 of the instructions

8. List the **ENDANGERED AND THREATENED SPECIES** and **CRITICAL HABITAT(S)** that might be present in the project location.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

Refer to section F9 of the instructions

9. 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 F10 of the instructions

10. 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, or proof of waiver must be issued prior to the issuance of a floodplain permit.

Refer to section F10 of the instructions

11. List the **NAMES AND ADDRESS OF LANDOWNERS** adjacent to the project site. This includes properties to and across from the project site. Note: Some floodplain communities require certified adjoining landowner lists.

NAME/ADDRESS OF **Adjacent Landowner**:

NAME/ADDRESS OF **Adjacent Landowner**:

NAME/ADDRESS OF **Adjacent Landowner**:

NAME/ADDRESS OF **Adjacent Landowner**:

Refer to section F11 of the instructions

12. Floodplain Map Number:

Refer to section F11 of the instructions

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

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

G. SIGNATURE REQUIREMENTS

Refer to section G of the instructions

Some agencies require original signatures for an application to be considered complete. After completing the application form, make the required number of copies and 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 possesses 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.

**By signing or typing my name on the signature line below, I hereby swear and affirm that I am the applicant for this project and am responsible for all information contained in this application.*

*APPLICANT (party responsible for project)

Nathan J. Cernick

Print Name



Signature of Applicant

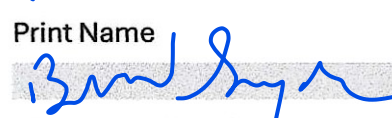
1/7/26

Date

LANDOWNER (If different from applicant)

BRAD SNYDER

Print Name



Signature of Landowner

1/7/26

CONTRACTOR (If applicable. Contact agency to determine if contractor signature is required)

Print Name of Primary Contract

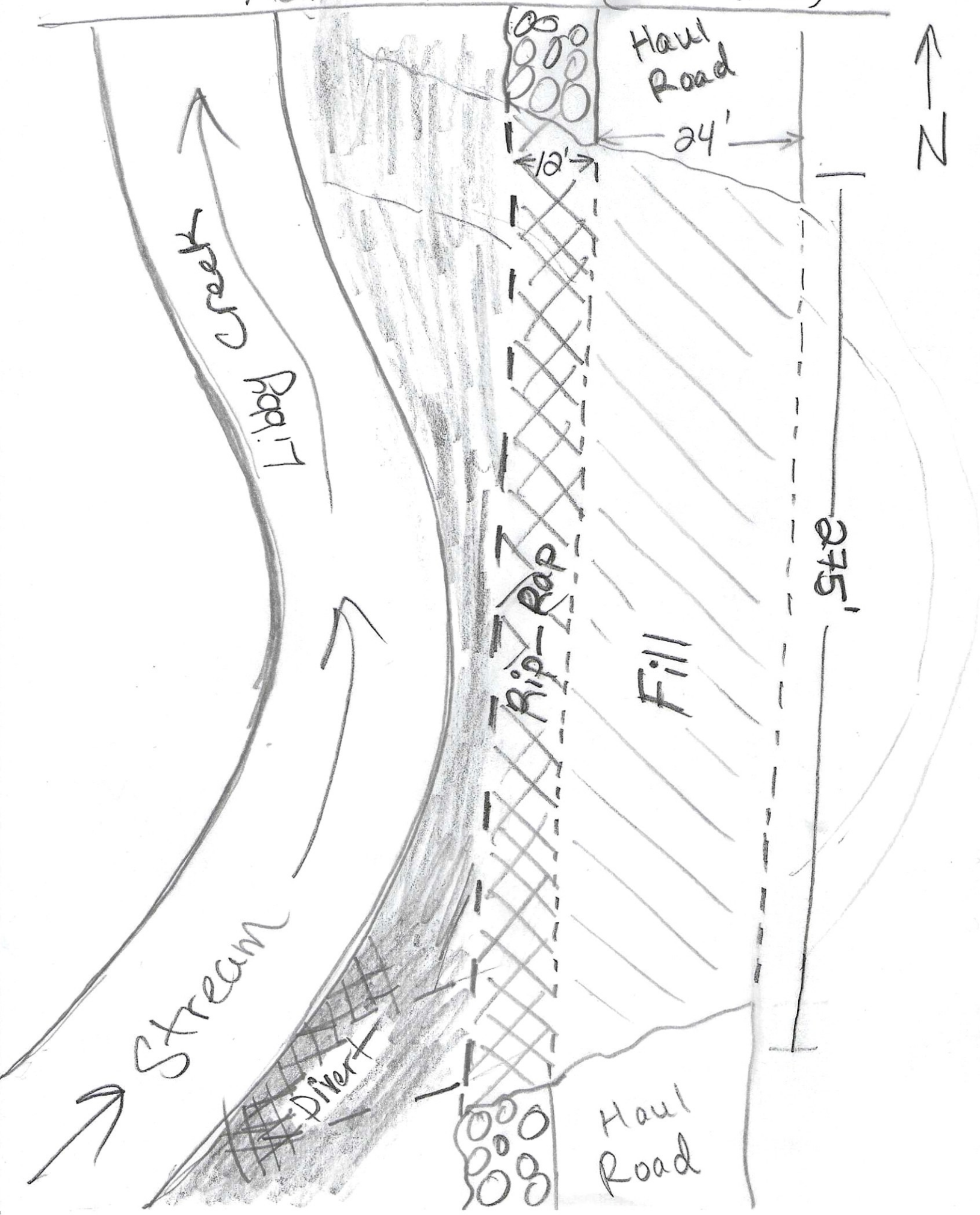
Signature of Contractor

Date

Company/Entity Name (If applicable)

Aerial Sketch

(Not to scale)



Cross-Section Sketches (Not to scale)

