

Revised: 5/12/2021 310 Form 270 and Instructions may be downloaded from: http://dnrc.mt.gov/licenses-and-permits/stre-am-permitting	CD/AGENCY USE ONLY		Application #	Click to enter text.	Date Received	Date
	Date Accepted	Date	Initials	Initials	Date FW: to	Date
<i>This space is for all Department of Transportation and SPA 124 permits (government projects).</i>						
Project Name	Click to enter text.					
Control Number	Click to enter text.		Contract Letting Date	Date		
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>
X	310 Permit	Local Conservation District	A - E and G	Inquire locally
X	SPA 124 Permit	Department of Fish, Wildlife and Parks	A - E and G	No fee
X	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): [Anthony South](#)

Has the landowner consented to this project? Yes No

Mailing Address: [1426 17 Mile Creek Road, Troy, MT 59935](#)

Physical Address: [1426 17 Mile Creek Road, Troy, MT 59935](#)

Cellphone: [406-300-9708](#) Home Phone: [N/A](#) E-Mail: anthony@yaakvalley.org

LANDOWNER NAME (if different from applicant): [Yaak School - SCHOOL DISTRICT 24](#)

Mailing Address: [29893 YAAK RIVER RD TROY, MT 59935](#)

Physical Address: [29893 YAAK RIVER RD TROY, MT 59935](#)

Cellphone: [\(406\) 295-4805](#) Home Phone: [N/A](#) E-Mail: pfuqua@yaakschool.org

CONTRACTOR/COMPANY NAME (if applicable): [N/A](#)

PRIMARY CONTACT NAME: [Click here to enter name](#)

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 Unnamed early-season intermittent stream
Project Address/Location: 29893 YAAK RIVER RD TROY, MT 59935 Nearest Town YAAK, MT
County Lincoln Geocode: 56-4818-35-1-02-01-0000
1/4 of, Section 35, Township 36 N, Range 32 W
Latitude 48.83867 Longitude -115.69595 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
3. Is this a **STATE NAVIGABLE WATERWAY**? The state owns beds of certain navigable waterways.
Yes No
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.

See attached 'Yaak School Project - LCCD Proposal' document for complete project condition and plan.

A small intermittent stream (unnamed) flows behind the Yaak School, across the schoolyard, and through a culvert beneath Road 92. Existing vegetation consists primarily of native grasses with an invasive weed presence, including: knapweed, mullein, and St. John's wort. The United States Forest Service (USFS)/school property line follows the fence behind the school along existing property marker posts. The stream remains on Forest Service-managed land until the stream bend at the far east side of the school property. Below the USFS property line, the channel is stable across the schoolyard and down the cut slope to the culvert.

Below the culvert, no defined stream channel exists, and flow disperses into a well-vegetated swale with no connection to the Yaak River. Historically, the stream was diverted along the back of the schoolyard by trenching and berming. Large concrete debris was also placed near the northeast corner of the property, which the stream has since eroded around. Over time, channel downcutting and downstream aggradation near the northeast corner of the property raised the streambed elevation, causing flow to overtop the berm and spread across the schoolyard in at least two locations before the berm tapers out near the concrete debris.

In recent years, this overflow has caused additional erosion near the culvert inlet, contributing sediment to the slope and 24-inch culvert. During high flows, the stream can access a floodplain and relic channel immediately east of the fence line on USFS-managed land, allowing flow to split between the main channel, the secondary channel, and adjacent flat areas where floodwater can infiltrate. This reduces concentrated flow and is beneficial under existing conditions.

The stream was formally surveyed (longitudinal profile and cross-sections) on October 20, 2025, with additional surveys completed in February and March 2026 to verify and supplement the data.

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.

The project is necessary to improve flow conveyance, reduce ongoing erosion and maintenance issues, protect school infrastructure and access, and stabilize the stream system in a manner compatible with existing site conditions and adjacent United States Forest Service-managed lands. The goal is to address current drainage and erosion problems while preserving the stream’s ability to disperse flood flows and infiltrate water within the adjacent vegetated floodplain areas.

See attached ‘Yaak School Project LCCD Proposal’ document for more project information.

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

General Project Proposal (generally moving from downstream to upstream)

1. Clean out the culvert outflow path between the outlet and the tree line and construct a stable armored bend just below the outlet allowing capacity for future aggradation (ex: existing culvert aggraded material flushing through culvert)
2. Remove the concrete pieces from the channel and armor this location with rock through the bend in the stream entering the schoolyard near the property line
3. Improve the berm in locations where its elevation is too low and extend the berm down around the bend in the stream entering the schoolyard, approximately halfway to the fence line (ensure the stream does not escape the existing stream channel towards the west in the future).
4. Hand place rock to armor the bank at three locations in the vicinity of the old foot bridge (directly behind the school house); leave the collapsed bridge in place, as it is acting as grade control and helping to dissipate flow energy in this area.
 - a. In one armoring location, attempt to direct flow back to center of channel away from the outside of the right-bend (recently eroded in December 2025 flooding) so it can again access a small vegetated floodplain within the main channel
5. Revegetate the site as appropriate and monitor/treat invasive weeds on FS-managed and school-managed lands as appropriate by the FS and school, respectively.
6. Additionally: Fill in and rehabilitate the westernmost existing stream channel (recent erosion) across the schoolyard and at the cut bank just above the culvert inlet, which has been recently eroded by channel overflow.

See attached ‘Yaak School Project LCCD Proposal’ document for complete project plan.

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.

The primary alternative considered was a “no action” alternative. Under this option, the existing drainage and erosion problems would continue, including stream overflow across the schoolyard, erosion of the slope above the culvert, and continued sediment deposition within the culvert and downstream. Over time, these conditions would likely require ongoing maintenance and could further impact school and highway infrastructure and access.

The proposed alternative was selected because it addresses the existing drainage and erosion issues while maintaining the stream’s current ability to disperse and infiltrate flood flows in adjacent vegetated areas. The proposed work is intended to provide a more stable and manageable drainage system that better protects the school property, culvert/road, and surrounding landscape.

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?

Temporary impacts may include minor increases in sedimentation during construction activities associated with excavation, grading, and stream stabilization work; though with little to no surface water currently flowing through the site, this would be immeasurable.

Long-term project effects are expected to reduce erosion, improve drainage stability, decrease sediment delivery to the culvert and downstream, and reduce the likelihood of uncontrolled overflow across the schoolyard areas. Existing vegetation is primarily native grasses and all disturbed areas will be reseeded or revegetated with native species to promote long-term site stability.

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

No temporary or permanent impacts to fish or aquatic habitat are anticipated as a result of the project. The intermittent drainage does not provide fish habitat or a direct connection to the Yaak River. Standard measures will be implemented during construction to protect downstream water quality and minimize disturbance within the area.

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

No long-term adverse impacts to floodplain, wetland, or riparian functions are anticipated. Instead, the project is expected to enhance existing conditions by reducing uncontrolled erosion, limiting sediment movement, and improving overall site stability.

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

This project is specifically designed to reduce existing flooding and overflow issues both upstream and downstream of the culvert crossing. The proposed work will improve drainage function and stabilize the stream system to reduce berm overtopping, uncontrolled flow across the schoolyard, and erosion near the culvert inlet. The design also maintains the stream's existing ability to spread and infiltrate high flows within adjacent vegetated floodplain areas, which helps reduce concentrated runoff and downstream flooding potential.

- **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?**

To minimize temporary impacts, disturbance will be limited to the minimum area necessary, and sediment control measures will be implemented. Disturbed areas will be stabilized and revegetated as soon as practical following completion of the work.

The project is intended to create long-term improvements by stabilizing the drainage, reducing erosion, improving flow direction through the site, and reducing uncontrolled overflow across the schoolyard and slope areas. The work is designed to maintain the stream's existing ability to disperse and infiltrate high flows within adjacent vegetated areas rather than creating a more confined or concentrated flow condition.

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

Existing vegetation will be protected to the greatest extent practical by limiting ground disturbance to only the areas necessary for construction. Slash will be used as a protective mat or buffer to reduce soil compaction and minimize impacts from machinery travel. Equipment access and staging will be controlled to avoid unnecessary disturbance of surrounding native vegetation.

Revegetation will occur following construction and will focus on re-establishing native plant communities. This will include seeding with a native grass mix and planting native shrubs and trees appropriate to the site conditions. Disturbed areas will be stabilized promptly to reduce erosion and support rapid plant establishment.

Weed control will be incorporated to prevent the spread of invasive species such as knapweed, mullein, and St. John's wort. This will include using weed-free seed and materials, monitoring disturbed areas after construction, and

implementing spot treatment or removal of invasive plants as needed to promote successful establishment of native vegetation.

D. CONSTRUCTION DETAILS

1. **PROPOSED CONSTRUCTION DATES.** Include a project timeline. Start date 08JUNE2026
Finish date [Click here to enter a date.](#) How long will it take to complete the project? 29JUNE2026.
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.

[See attached 'Yaak School Project _ LCCD Proposal' document for complete project dimensions.](#)

Stream channel length is 218.5' long and +/-4' wide. Culvert length is 47'.

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.

The equipment to be used will likely include any of the following:

Backhoe, excavator, skid-steer, tractor, pickup truck, and hand tools (shovel, wheelbarrow, etc.).
The primary equipment for most if not all the work would be an excavator and hand tools

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.

Materials used to repair/improve the berm and fill in the newly eroded area of the schoolyard would come from the following sources:

1. Existing material pile on site (approximately 10 cubic yards).
2. Material excavated from below the culvert outlet, including the sod

Erosion control materials would include (as needed) invasive weed-free straw, biodegradable straw wattles, and woody debris (primarily logs, if needed).

Grade control rock would come from an offsite, non-Government source, unless otherwise agreed.
Materials would be visually verified to be invasive weed free.

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).

See attached ‘Yaak School Project_LCCD Proposal’ and ‘20260414 Yaak School stream PHOTOS.pdf’ documents for complete project condition, plan, and reference maps/images

3. **ATTACH ANNUAL PLAN OF OPERATION** if requesting a **Maintenance 310 Permit**.

N/A

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.

13. NWP- 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities / Bank Stabilization

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.

Materials used to repair/improve the berm and fill in the newly eroded area of the schoolyard would come from the following sources:

3. Existing material pile on site (approximately 10 cubic yards).
4. Material excavated from below the culvert outlet, including the sod

Erosion control materials would include (as needed) invasive weed-free straw, biodegradable straw wattles, and woody debris (primarily logs, if needed).

Grade control rock would come from an offsite, non-Government source, unless otherwise agreed. Materials would be visually verified to be invasive weed free.

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.

No long-term adverse impacts to floodplain, wetland, or riparian functions are anticipated. Instead, the project is expected to enhance existing conditions by reducing uncontrolled erosion, limiting sediment movement, and improving overall site stability.

See attached 'Yaak School Project_LCCD Proposal' document for complete project dimensions.

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.

No

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.

No

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.

No

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**: USA - 1101 US HIGHWAY 2 W, LIBBY, MT 59923

NAME OF **Adjacent Landowner**: MARK & DEBORAH HARDING - 492 HARDING RANCH RD
TROY, MT 59935

11. **Floodplain Map Number** 3001570200B 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: Anthony South



24APR2026

Signature of Applicant

Date

LANDOWNER:

Print Name: Pamela Fuqua



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.