

310 FORMS & ADOPTED RULES

WHAT ARE ADOPTED RULES?

Per [MCA 75-7-117](#), DNRC has developed a set of [model rules](#) for conservation districts. These rules are the minimum standards and guidelines required to be adopted by CDs. Districts can add to the rules to address local resource concerns or issues in their area. CDs go through a formal process to adopt these minimum standards and guidelines, which is why they're referred to as Adopted Rules.

WHAT DO THE ADOPTED RULES INCLUDE?

- The process for reviewing 310 permit applications
- A description of where the 310 Law applies and what projects require 310 permits
- Definitions for important terms
- Dispute resolution procedures
- Construction standards for common project types

Exercise: Take 10 minutes to review your CD's Adopted Rules. Highlight anything you didn't know previously. As a group, discuss the items that you highlighted and what you learned. Is there anything you need to change about how you process or administer 310 permits with this new information?

WHAT FORMS ARE CDs REQUIRED TO USE?

[ARM 36.2.403](#) requires CDs to use the following forms:

- [Form 270](#) – Notice of Proposed Project is the application form to be submitted by the applicant to the supervisors for project review. The Joint Application for Proposed Work on Streams, Wetlands, Floodplains, and Other Water Bodies is considered Form 270.
- [Form 271](#) – Arbitration Agreement to be used by team members who are requesting to resolve disputes through arbitration. This form is often attached to the Supervisor Decision Form 273 for convenience.
- [Form 272](#) – Team Member Report for team members to submit project recommendations to the supervisors.
- [Form 273](#) – Supervisors' Decision, or permit, to convey district's decision to the applicant and team members.
- [Form 274](#) – Official Complaint Form for a person to notify the district of an activity taking place without written consent of the supervisors.
- [Form 275](#) – Emergency Report for a person to notify the district of projects undertaken during an emergency to safeguard life, property, or growing crops.

WHY IS IT CALLED THE JOINT APPLICATION?

In Montana, the Joint Application (Form 270) is used by agencies state-wide to help streamline and clarify the permitting process. This allows applicants to fill out just one application and submit it to multiple agencies if more than one permit is required for their project. Thankfully, CDs are only responsible for the 310 permitting process and do not need to review any of the information provided for the other permits such as the floodplain or USACE 404 permits.

IS THERE A NEW VERSION OF THE JOINT APPLICATION?

Yes! An updated version was released by the Joint Application committee on March 15, 2024. Much of the content remained the same but the application has been made clearer and simpler, where possible. The biggest change in the new version is the formatting. With the updated formatting, hopefully it will be clearer to applicants what information is required, leading to less confusion for the applicant and more complete and high-quality applications for CDs.

The updated application can be found on the DRNC stream permitting webpage here: <https://dnrc.mt.gov/Licenses-and-Permits/Stream-Permitting/>. Or, you can find a direct link to the pdf here: <https://dnrc.mt.gov/docs/permits-services/Stream-Permitting-Joint-Application.pdf>.

Exercise: Take 10 minutes to look through the revised Joint Application. Make sure you know what sections the CDs is responsible for reviewing. As a group, make sure everyone knows what information can be found on the application, as well as where to find the application online and in your office.

CAN CDs MAKE CHANGES TO THE FORMS?

Form 270 is used by multiple agencies state-wide and should not be changed. Changes to the other forms are not recommended to ensure standardization for all CDs, but non-substantive changes, such as adding contact information to the headed, are ok.

WHERE CAN WE GO FOR MORE 310 RESOURCES?

You can find more trainings and additional resources on the DRNC [Conservation District's Training webpage](#).



