

The background is a solid light blue color with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance. The text is centered on the page.

310 MINI TRAININGS

FORMS & ADOPTED RULES



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WHAT
WE'LL
COVER...

Adopted Rules

Online Resources

BMP for Forms

Frequently Asked Questions

MCA

75-5-117

- (1) The department of natural resources and conservation, after consultation with the association of conservation districts, shall adopt and may revise rules setting minimum standards and guidelines for the purposes of this part.
- (2) The supervisors of each district shall adopt and may revise by resolution after a public hearing rules setting standards and guidelines for projects and exclusions within their districts that meet, exceed, or are not covered by the minimum standards set by the department under subsection (1).

ADOPTED RULES

RULE 7. FORMS: The district and the applicant shall use the following forms.

(a) 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.

(b) Form 271 – Arbitration Agreement to be used by team members who are requesting to resolve disputes through arbitration.

(c) Form 272 – Team Member Report for team members to submit project recommendations to the supervisors.

(d) Form 273 – Supervisors' Decision, or permit, to convey district's decision to the applicant and team members.

(e) Form 274 – Official Complaint Form for a person to notify the district of an activity taking place without written consent of the supervisors.

(f) Form 275 – Emergency Report for a person to notify the district of projects undertaken during an emergency to safeguard life, property, or growing crops.

WHERE TO FIND FORMS

- Form 270 – Joint Application:

<https://dnrc.mt.gov/Licenses-and-Permits/Stream-Permitting/>

- Other forms:

<https://dnrc.mt.gov/Conservation/Conservation-Programs/Conservation-Districts/cd-resource-documents>

JOINT APPLICATION

- Make sure it's complete and provides the detail needed to make a decision.
- If it's not complete or lacks detail, do not accept it.

TEAM MEMBER REPORT

- Each member of the team (except applicant) is required to submit a recommendation in writing within 30 days of onsite inspection
 - This is done on the TMR, Form 272
- Review the 7 factors for determining a project.
- Document, document, document!

FAQ 1:

Q: Can we make changes to the forms?

A: Form 270 is a state-wide form used by multiple agencies. Do not alter that form. You can add to the others, but you must use the standard form as a minimum. However, substantive changes are not recommended so that permitting is standardized across the state.

FAQ 2:

Q: What is the process for changing our adopted rules?

A: The CD needs to have a public hearing and approve a resolution to amend the rules. Then the approved rules must be filed with DNRC.

FAQ 3:

Q: Who's responsibility is it to make sure the applicant is applying for all the correct permits?

A: It is the applicants responsibility. As a curtesy, you might remind them that they need to check with other agencies, but it is not the CDs responsibility to make sure they have all their other permits. This is also not grounds for denying a 310 permit.

SUMMARY

- When in doubt, look to your adopted rules!
- All forms should be filled in completely.