

Revised: 5/12/2021 310 Form 270 and Instructions may be downloaded from: http://dnrc.mt.gov/licenses-and-permits/stream-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	
MEPA/NEPA Compliance	☐ Yes	☐ 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 - G	Varies by city/county (\$25 - \$500+)

A. APPLICANT INFORMATION

APPLICANT NAME (person responsible for project): Rich Shine/Darryl Thompson

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

Mailing Address: P.O. Box 1037, Columbus, MT 59019/3153 Summer View LN, Bozeman, MT 59715

Physical Address: 57 Dolan LN, Columbus, MT 59019/7 Riverside Dr, Columbus, MT 59019

Cellphone: 775-397-7600/406-404-0428 Home Phone: N/A E-Mail: Richard.shine20@yahoo.com/thompsondarryl822@gmail.com

LANDOWNER NAME (if different from applicant): Ted Morrow, Jerry Nelson, Stan Brown

Mailing Address: P.O. Box 20699, Sedona, AZ 86341/P.O. Box 785, Columbus, MT 59019/593 Kaimalino ST, Kailua, HI 96734.

Physical Address: 35 Dolan LN/ 92 Dolan LN/67 Dolan LN, Columbus, MT 59019

Cellphone: 406-780-1363/406-672-1313/808-282-0831 Home Phone: N/A E-Mail: N/A.

CONTRACTOR/COMPANY NAME (if applicable): N/A

PRIMARY CONTACT NAME: N/A

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 Stillwater River.
Project Address/Location: ~106 Dolan Lane to ~7 Riverside Dr., Columbus, MT 59019. Nearest Town Columbus, MT.
County C Geocode: ~32-10716-06-1-01-05-0000 to ~32-0814-31-4-06-0000.
1/4 of the, Section 06 Township 03S, Range 20E to S31 T02S R20E
Latitude Enter Latitude. Longitude Enter Longitude. 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.
Original Flood Channel of the Stillwater River that has been silted in with grass and bottom growth plants obstructing flow. Two culverts under road crossings are within the Project area.

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.
Request 10 yr maintenance permit. Initial scope is clean-out of historical Stillwater River flood channel to re-establish historical flood channel banks per attached project plan. This will return historical annual water flow as limited by inlet culvert dimension allowing flow from main Stillwater River channel. The purpose is to return historical annual water flow for agricultural water rights users. Maintenance as needed up to annual frequency to maintain historical annual flow rates for agricultural water rights users during duration of maintenance permit.
3. **WHY IS THIS PROJECT NECESSARY? STATE THE PURPOSE OR GOAL** of the proposed project. Refer to section C3 in the instructions.
Currently historical Stillwater River flood channel has silted in with vegetation growth and gravel washed off road two road crossings during 2022 flood. The current condition completely stops water flow depending on the year from about July 1st though fall which prevents land owners with water rights from using their allocation of water for agricultural purposes.
4. **PROVIDE A BRIEF DESCRIPTION** of the proposed project plan and how it will be accomplished. Refer to section C4 in the instructions.
A mini excavator will be use to remove silt, vegetation and road gravel/mix washed into the historical channel to return channel depth to historical level and restore historical flood channel banks . Spoils will be be placed along banks and smoothed out to minimize visual impact an allow native grass to grow returning creek bank appearance.

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.

Only viable solution is presented. Alternatives include multiple water rights users to install wells (different water rights required for wells than current Stillwater River surface water rights that have been allocated) or multiple (each water rights user) installs large water collection systems designed allow adequate ground water flow as required for pump suction capacity deep into the ground next to the historical flood channel.

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 turbidity during clean-out. Returns water historical water flow rates eliminating pooled standing water that results in algae growth. Effort to minimize turbidity will be made by doing work at low or no flow conditions to localize short term impact

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

Historically this channel had a healthy fish population at historical flow rates. As channel water flow was reduced over time and eventually ceased during significant period of the year, the temperature increased and water disappeared eliminating fish population, Project will return historical flow and hopefully allow healthy fish population to return.

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

Smoothing out removed spoils. To return steam bank appearance.

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

Culvert from main channel to historical flood channel limits flooding potential during normal spring high water flow rate conditions. During significant flood events water bypasses culvert moving through other upstream and downstream properties causing flooding downstream of the culvert. Minimal impact from this project.

- 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?

Returns historical water flow.

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

Spoils will be smoothed allowing native vegetation to return to stream banks.

D. CONSTRUCTION DETAILS

1. **PROPOSED CONSTRUCTION DATES.** Include a project timeline. Start date early July 2026 as impacted by water flow conditions
Finish date one to two day duration. How long will it take to complete the project? One to two days. Is any portion of the work already completed? ☒ Yes ☐ No (If yes, describe previously completed work.)
Refer to section D1 in the instructions.
See attached project plan for partially completed work description and photos.

2. **PROJECT DIMENSIONS.** Describe length and width of the project. Refer to section D2 in the instructions.
See attached Project plan. 750-800 linear ft @ approximately 3FT wide

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.

Mini excavator will be rented from local Columbus Area Rental Company

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

No new materials will be used

750-800 linear ft total will be removed @ approximately 3FT²/linear ft - 2250-2400 FT³(250- 267cubic yds) and redistributed along the bank.

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

See attached

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

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

Attached for initial clean-out project. Location, linear ft and frequency over requested 10 yr maintenance period dependent on annual flood conditions and return of deposited silt.

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.

USAC, FWP and Floodplain permits as required.

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.

No new fill will be used. Project moves existing fill from historical channel to historical channel stream bank.

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.

Project will be completed at low or no flow conditions..

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.

[Click here to enter text.](#)

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.

[Click here to enter text.](#)

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.

[Click here to enter text.](#)

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:** **Heidi Claunch 117 Wagon Trail RD, Columbus, MT59101**

NAME OF **Adjacent Landowner:** **Steve and Carol Blank, 2213 S 45th ST W, Billings, MT 59106**

NAME OF **Adjacent Landowner:** **Michael and Wendy Samsom, 3104 Audubon Way, Billings, MT 59106**

NAME OF **Adjacent Landowner:** **David Turnbull, 930 Travelers CT, Nashville, TN 37220**

11. **Floodplain Map Number** [Click here to enter map number or N/A.](#) 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: Richard Shine/ Darryl Thompson.

LANDOWNER:

Print Name: [Click here to enter name.](#)

Richard Shine

Signature of Applicant _____ Date 05/23/26 _____

Darryl Thompson

Signature of Applicant _____ Date 05/23/26 _____

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.