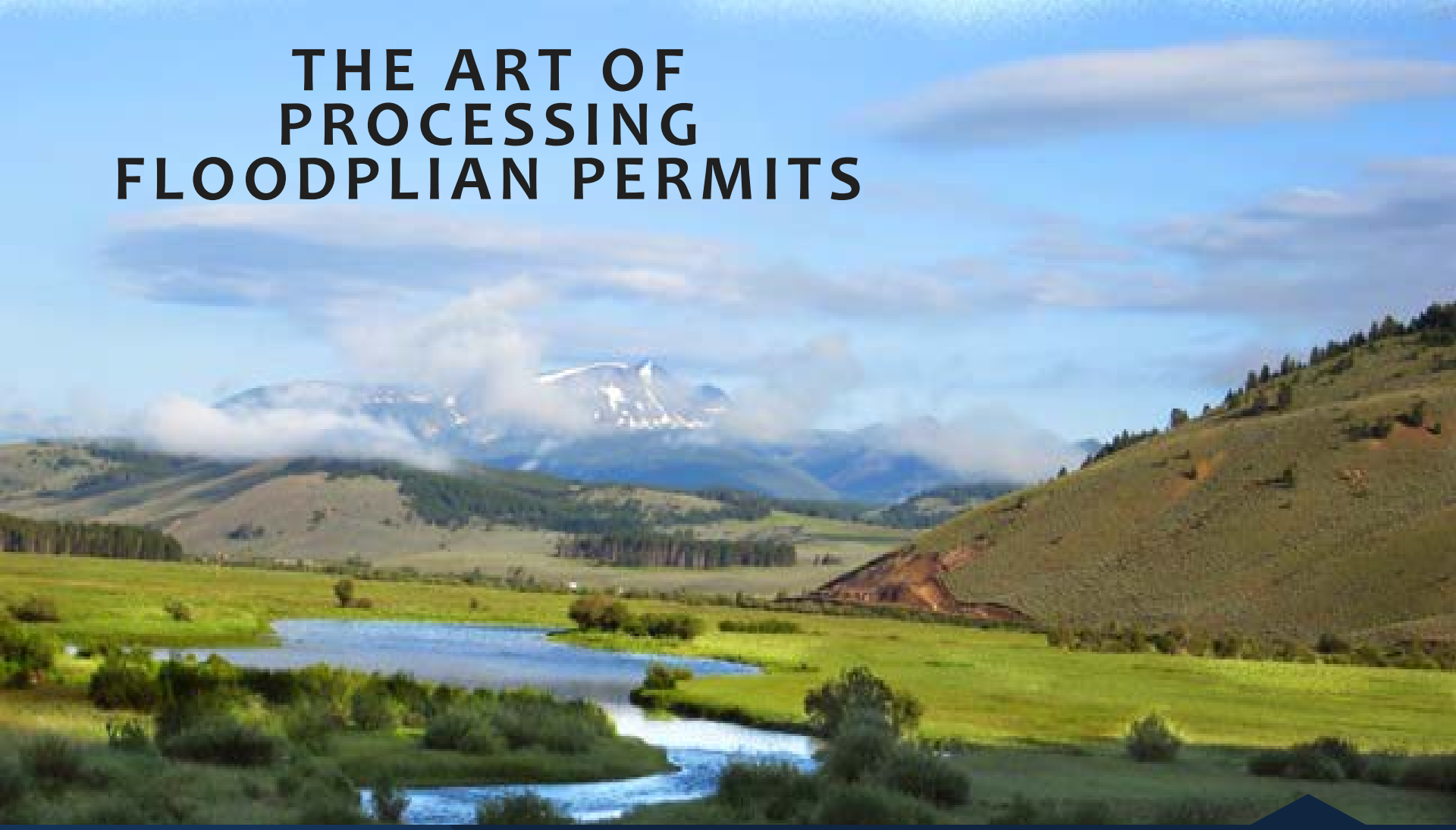
THE ART OF PROCESSING FLOODPLIAN PERMITS



2017
AMFM
CONFERENCE

STATE OF MONTANA
Floodplain Program

MONTANA DNRC

THE ART OF PROCESSING PERMITS

COORDINATE EARLY AND OFTEN

ASK QUESTIONS

ADEQUATE TIME

RESOURCES AVAILABLE

RISK REDUCTION

MINIMIZE IMPACTS

SESSION OVERVIEW

BACKGROUND

FLOODPLAIN APPLICATION INFORMATION

APPLICATION PROCESS

STATE ASSISTANCE

PUBLIC PROCESS AND ADDITIONAL PERMIT REVIEW

APPROVE, APPROVE WITH CONDITIONS, OR DENY PERMITS

PERMIT FOLLOW-UP

BACKGROUND

NATIONAL FLOOD INSURANCE PROGRAM

Background

Permitting can be complicated

Applications are time sensitive

Legal issues for floodplain projects and permits

Federal grants/loan reimbursement concerns

Insurance issues

Technical assistance to local governments

FLOODPLAIN APPLICATION INFORMATION

JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS, AND OTHER WATER BODIES

Use this form to apply for one or all local, state, or federal permits listed below. The applicant is the responsible party for the project and the point of contact unless otherwise designated. **"Information for Applicant"** includes agency contacts and instructions for completing this application. To **avoid delays**, submit all required information, including **a project site map and drawings.** Incomplete applications will result in the delay of the application process. **Other laws may apply**.

The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.

✔	PERMIT	AGENCY	FEE
	310 Permit	Local Conservation District	No fee
	SPA 124 Permit	Department of Fish, Wildlife and Parks	No fee
	Floodplain Permit	Local Floodplain Administrator	Varies by city/county ($25 - $500+)
	Section 404 Permit, Section 10 Permit	U. S. Army Corps of Engineers	Varies ($0 - $100)
	318 Authorization 401 Certification	Department of Environmental Quality	$250 (318); $400 - $20,000 (401)
	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation, Trust Lands Management Division	$50, plus additional fee

A. APPLICANT INFORMATION

NAME OF **APPLICANT** (person responsible for project):_____

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

Mailing Address: _____

Physical Address: _____

Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF **LANDOWNER** (if different from applicant):_____

Mailing Address: _____

Physical Address: _____

Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF **CONTRACTOR/AGENT** (if one is used):_____

Mailing Address: _____

Physical Address: _____

Day Phone: Evening Phone: E-Mail:

SUBMITTAL REQUIREMENTS FOR FLOODPLAIN PERMIT APPLICATION

To initiate the permit process, you will need to submit a copy of the following information to this office. These instructions apply to all construction/projects within any designated 100-year floodplain as delineated on the FHMB, FIRM, SCS/NRCS floodplain maps, COE floodplain maps, etc. You will need to submit a number of items listed below at a minimum.

1. **A list of adjacent property owners and their mailing addresses** *(You can get this information from the County GIS office or through a title company).*

2. **A letter from each property owner where the project will be completed authorizing the proposed work.**

3. **A detailed site plan, drawn to scale, showing the following:**
   - Property boundary lines of the subject property and those in the immediate vicinity of the project.
   - Approximate location of all floodplain boundaries in the vicinity of the project as depicted on the floodplain maps.
   - Location of existing improvements in the vicinity of the project, including driveways, roads, culverts, bridges, buildings, wells, septic systems, and other improvements
   - Location of all existing physical features in the vicinity of the project, including ponds, swales, streams, and irrigation ditches.
   - Location and dimensions of all proposed improvements, including driveways, roads, culverts, bridges, ponds, buildings, wells, and other structures
   - Location for all fill that will be brought into the floodplain

4. **A statement specifying the amount of fill that will be placed within the floodplain and supporting calculations.**

5. **For a house submit:**
   - The existing ground elevation at the location of the proposed house and the calculated height of the 100-year floodplain (will need to work with a surveyor to obtain this information)

   - Calculations for the amount of fill (in cubic yards) to be placed in the floodplain:
     Residential structures shall be constructed on suitable fill with a permanent foundation such that the lowest floor (including basement) level is two or more feet above the base flood elevation. The suitable fill shall be at a level no lower than the base flood elevation extending 15 feet at that elevation beyond the structure in all directions.

   - Specifications for the fill material (type, size, etc.)

6. **For any other building submit:**
   - Drawing of the building
   - Statement indicating which of the two development standards will apply:

     (a) If the structure is designed to allow internal flooding of the lowest floor, use of the floor shall be limited to such uses as parking, loading areas, and storage of equipment or materials not appreciably affected by flood water. Further, the floors and walls shall be designed and constructed of materials resistant to flooding up to an elevation of 2 or more feet above the elevation of the base flood. Structures designed to allow internal flooding shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the exit and entry of flood waters.

     (b) Structures whose lowest floors are used for purposes other than parking, loading or storage of materials resistant to flooding shall be flood proofed up to an elevation no lower than 2 feet above the elevation of the base flood. Flood proofing shall include impermeable membranes or materials for floors and walls and watertight enclosures for all windows, doors, and other openings. The structures shall be designed to withstand the hydrostatic pressures and hydrodynamic forc resulting from the base flood.

7. **For bank stabilization submit:**
   - Description of existing conditions
   - Historical overview of trends in the river movement; if any
   - Description of the problem
   - Description of the objectives of the project
   - Short description of design alternatives that were considered, if any, but rejected, and an explana why each was rejected
   - Typical cross-section (based on survey data) of the river from bank to bank, which shows the exis condition and proposed treatment and the height of the 100-year flood event, the base flow eleva and the bank full elevation
   - Longitudinal profile of the river surface and bed in the project area
   - Plan view (using an aerial photograph as a base) of the project are which shows the beginning ar ending points of the treatment and the various types of treatment
   - Specifications for the treatment material (type, size, quantities, etc.)
   - Calculations to show the proposed project will not raise the elevation of the 100-year floodplain m than 6 inches about the 100-year floodplain elevation as documented on the floodplain maps
   - Description of the project implementation (project phases, sediment control, staging area, cleanu

8. **For a bridge submit:**
   - Drawings and specifications for the bridge as certified by a professional engineer
   - Calculations for the amount of fill to be placed in the floodplain
   - A cross-section at the location of the bridge which shows the existing condition and the elevation 100-year flood event

9. **For a pond submit:**
   - Description of existing conditions
   - Description of the objectives of the project
   - Calculations for the amount of material to be removed from the pond
   - Description of where the material will be placed outside the floodplain

10. **For road(s) submit:**
    - Description of existing conditions
    - Description of the objectives of the project
    - Calculations to show the culverts will be large enough to handle the expected flows.

Once your final application is received, it will be reviewed to make sure the information is sufficient. If it is sufficient, you will receive a letter that explains the deficiencies. You should also be aware that as part of review process, the adjoining property owners will be notified about the proposed work, and a legal notic placed in the paper containing a brief description of the application.

All floodplain application shall also include the following:

1. A definitive signed statement from a qualified engineer or individual with floodplain experience tha project can withstand a 100-year flood.
2. A definitive signed statement from a qualified engineer or individual with floodplain experience tha project will not adversely effect surrounding land owners upstream, downstream, across stream o adjacent to the proposed project area.
3. A definitive signed statement from a qualified engineer or individual with floodplain experience ab ability of this project to withstand the 100-year flood event and what effect this proposed project w on the 100-year Base Flood Elevations.

FLOODPLAIN APPLICATION & PERMITTING CHECKLIST

Date Received: _____

Permit Number: _____

1. ☐ **Determine if a floodplain application is needed.**
   - a. ☐ If an application is not needed, document decision and no further action is needed.
   - b. ☐ If an application is needed, submit complete Montana Joint Application for Proposed Work in in Montana's Stream, Wetlands, Floodplain and other bodies of water.
2. ☐ **Review the application for the following elements:**
   - a. ☐ The application is properly filled out.
   - b. ☐ The application has an original signature from the property owner or agent.
   - c. ☐ The application contains all other applicable permits or a statement that the applicant is working with agencies for final permits.
   - d. ☐ The project address, location and map are clearly defined.
   - e. ☐ The project description is clearly defined.
   - f. ☐ The project materials are clearly described and include: size, amount, type, volume.
   - g. ☐ If excavating or demolishing: Where are the materials being disposed?
3. ☐ **Is the application correct & complete? (Additional information may be requested during the review process)**
   - a. ☐ No - STOP. Floodplain administrator shall provide written notification to the applicant that additional information is required.
   - b. ☐ **Date written notification was given:** _____

     Yes - Proceed with review process.
4. ☐ **Prepare notice that contains the facts pertinent to the Floodplain permit application and allowing at least 15 days for comment.**
   - a. ☐ Publish notice at least once in a newspaper of general circulation to the area.
   - b. ☐ Serve notice by first-class mail upon adjacent property owner.
   - c. ☐ Send a copy of the notice and application to the DNRC Regional Engineer for review and recommendations.
   - d. ☐ If the proposed project contains any alteration or relocation of the watercourse provide notice to DNRC, FEMA, and adjacent communities.

5. ☐ **Additional permit criteria submitted.**
   - a. ☐ Does the proposed project meet the requirements of the minimum standards and criteria in Sections 9 an 10 and other requirements in regulations?
   - b. ☐ Is a CLOMR needed?
   - c. ☐ Have all other applicable permits been received?
   - d. ☐ Conducted site visit.

   If additional permit criteria is still needed then proceed back to #3.
6. ☐ **Additional permit criteria has been submitted and is correct and complete.**
7. ☐ **Date:** _____
8. ☐ **Approve application.**
   - a. ☐ Complete permit with finding and fact and permit deadline.
   - b. ☐ Send copy of permit to applicant.
   - c. ☐ Send copy of certificate of compliance for the applicant to complete.
   - d. ☐ Send copy of permit to the DNRC.
9. ☐ **Approved application with conditions.**
   - a. ☐ Complete permit with conditions with finding and fact and permit deadline.
   - b. ☐ Send copy of permit to applicant.
   - c. ☐ Send copy of certificate of compliance for applicant to complete.
   - d. ☐ Send copy of permit to the DNRC.
10. ☐ **Deny application.**
    - a. ☐ Send written notification to applicant.
    - b. ☐ Send copy of decision to DNRC.
11. ☐ **Close out file.**
    - a. ☐ Applicant has submitted a certificate of compliance after project was complete.
    - b. ☐ Conduct final inspection on project.
    - c. ☐ If done in compliance, close out floodplain file.
    - d. ☐ All certification, plans, LOMRs, etc... have been filed with the certificate of compliance.
    - e. ☐ Keep records in perpetuity.

NATIONAL FLOOD INSURANCE PROGRAM

Community Ordinance

Is the community ordinance up to date?

- Application/Permit process clearly laid out.
- Review time – 60 or 180 days?

NATIONAL FLOOD INSURANCE PROGRAM
COMMUNITY FLOODPLAIN MANAGEMENT REGULATIONS
REVIEW CHECKLIST

Community Town of Superior **C.I.D.** 300128 **State** Montana

Reviewed by: Traci Sears Date of Review: 11/07/2014

Community Floodplain Management Regulations Reviewed by (circle one): ☐ FEMA x State ☐ Other: (Agency Name) _____

Reviewer's Determination: ☐ The floodplain management regulations are compliant.
☐ The floodplain management regulations are not compliant.

Approved by: _____ (FEMA only) Date of Approval: _____

The "Item Description" is a synopsis of the regulatory requirement and should not be construed as a complete description. State minimum requirements can be found in the Montana State Statute Title 76 Chapter 5 Flood Plain and Floodway Management and ARMs Chapter 15 Floodplain Management Engineering Bureau. Refer to the actual language contained in the National Flood Insurance Program Floodplain Management Regulations at Title 44 Code of Federal Regulations (CFR) Part 59 and 60 for the complete description of the required minimum criteria. Below the "Level of Regulations" column, you can indicate whether the community ordinance meets or exceeds the respective provision in the non-shaded areas.

Item Description *(Section reference to the NFIP Regulations follows)*	Notes	Applicable Ordinance Section/Comments
ORDINANCES MUST CONTAIN THE FOLLOWING GENERAL PROVISIONS:		
1. Effective Date: - Adoption Date:-	-	-
2. Signature of Appropriate Official and Certification Official.	-	-
3. Citation of Statutory Authority & Findings of Fact	-	1.2 & 1.3
4. Purpose section citing health, safety, and welfare reasons for adoption.	-	1.4
5. Methods to Reduce Losses (MCA 76-5-102)	-	1.5
6. Office and or official who is designated with administering the ordinance (44 CFR59.22(a) and (b)(1) and ARM 36.14.204(2)(h))	Responsibility of Mineral County Envir Health and Planning Office	1.7
7. Abrogation and Greater Restriction section. (e.g., This Ordinance shall not in any way impair/remove the necessity of compliance with any other applicable laws, ordinances, regulations, etc. Where this Ordinance imposes a greater restriction, the provisions of this Ordinance shall control.) (44 CFR 60.1)	-	1.9
*Compliance – Section of Model Ordinance		1.8
8. Regulation Interpretation (44 CFR 60.1)	-	1.10

2/24/2016

1 of 9

APPLICATION PROCESS

Local Role

As the regulating authority, it is the local Floodplain Administrators responsibility to insure that the applicant fully understands the Floodplain Permit process. Not only will this help the applicant, it will also help insure that a better application is received and the process goes smoother.

FLOODPLAIN PERMITS

Floodplain Administrator Role

1. Determine if a floodplain application is needed
2. Review the floodplain application
3. Submit completed application to Regional Engineer for Technical Review (if necessary—2 week turn around)
4. Conduct 1st site visit
5. Ensure that other applicable permits have been received
6. Prepare public notice to adjacent property owners, local newspaper, and DNRC (allow 15 days for comment)
7. Approve, approve with conditions, or deny permit application
8. Conduct additional site visit(s)
9. Conduct final site visit after project is completed/Cert. of Compliance

Permit Application

Hopefully this is not the first time you have heard about the proposed project.

Where is the project located?

Is the application correctly filled out?

Are all the elements/information submitted for review?

Permits are time sensitive.

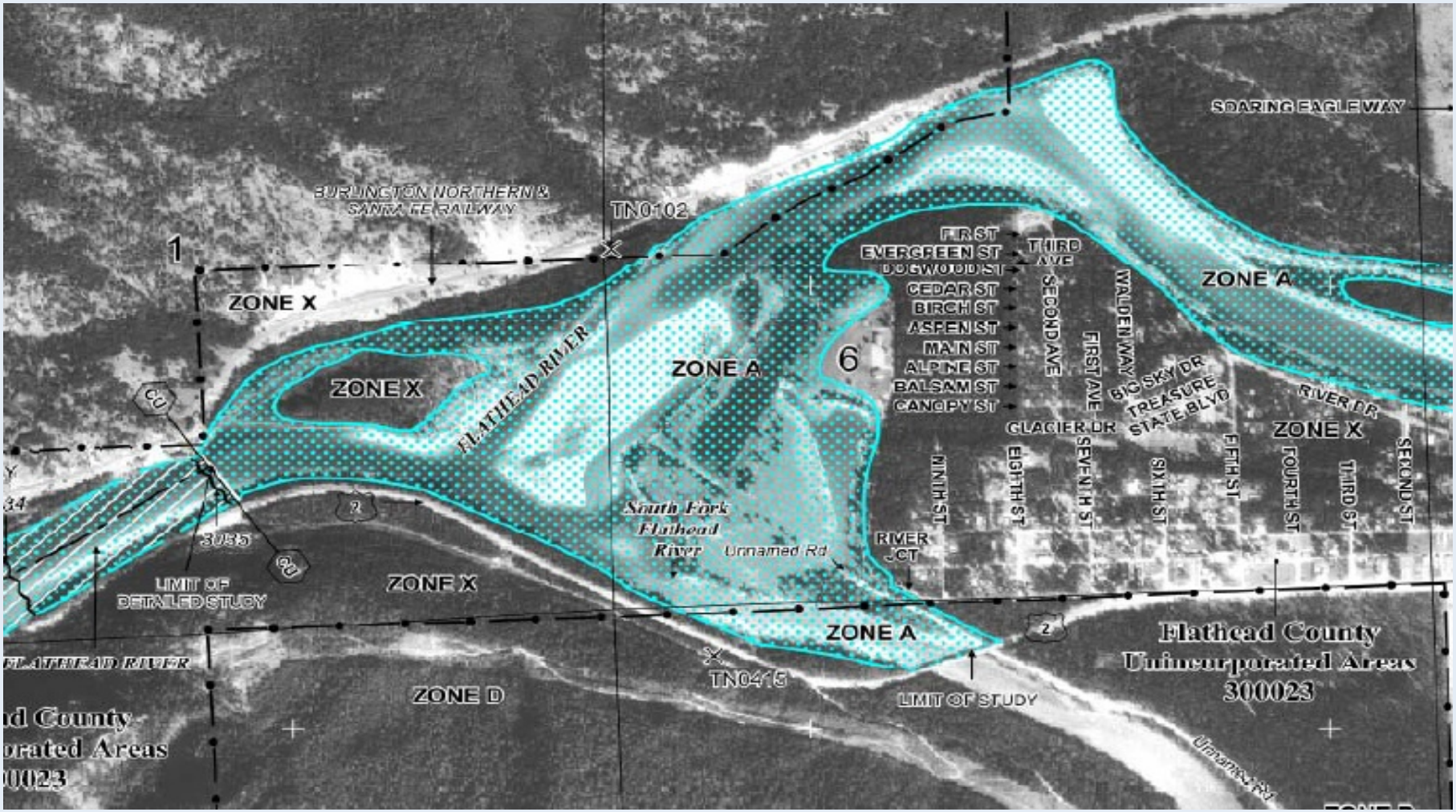
TYPES OF FLOOD MAPS

APPROXIMATE STUDY (ZONE A): The SFHA is defined, but no base flood elevations or flood profiles.

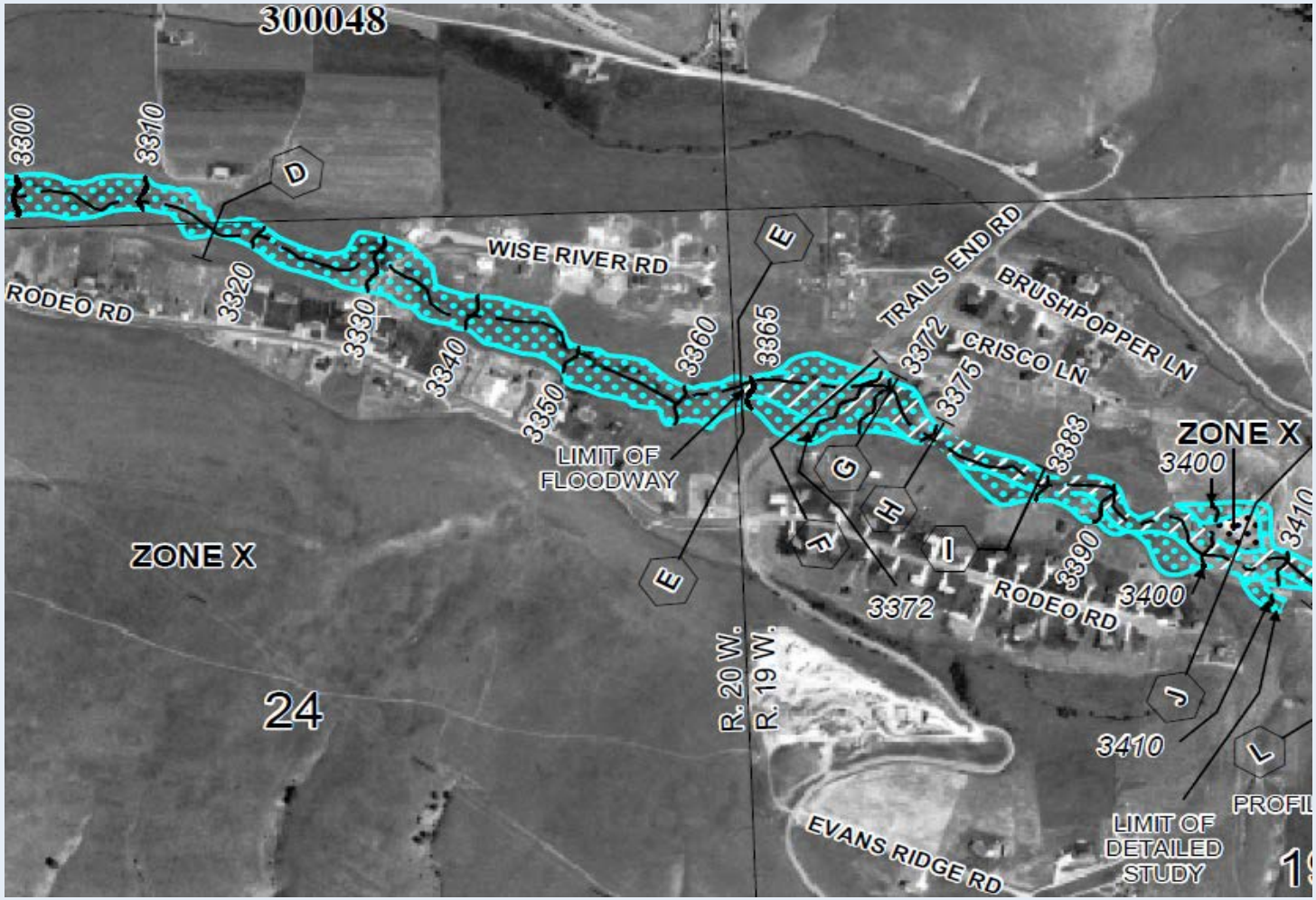
LIMITED DETAILED STUDY (AE): The SFHA is defined and may include base flood elevations. Profiles and BFEs published in FIS.

DETAILED STUDY (AE): The SFHA & 500-yr floodplains are defined, and base flood elevations are published in FIS. Floodway analysis typically performed.

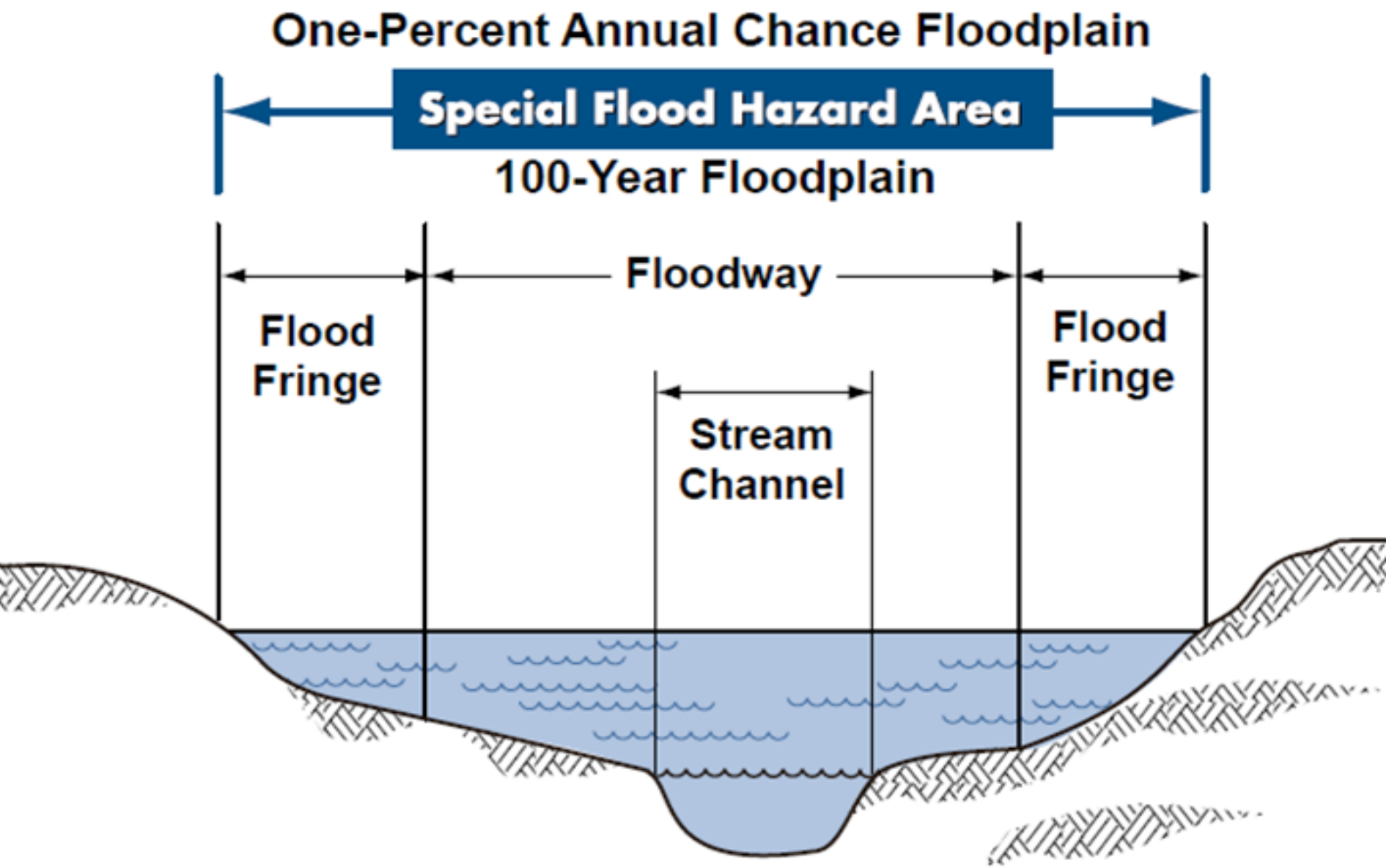
APPROXIMATE STUDY



LIMITED DETAIL STUDY



DETAILED STUDY


One-Percent Annual Chance Floodplain
Special Flood Hazard Area
100-Year Floodplain
Floodway
Flood Fringe
Flood Fringe
Stream Channel

NATIONAL FLOOD INSURANCE PROGRAM

Application

Is the application filled out correctly?

- FIRM Panel #
- Application is signed.
- Location adequately identified.

JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS, AND OTHER WATER BODIES

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The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.

✓	PERMIT	AGENCY	FEE
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	SPA 124 Permit	Department of Fish, Wildlife and Parks	No fee
	Floodplain Permit	Local Floodplain Administrator	Varies by city/county ($25 - $500+)
	Section 404 Permit, Section 10 Permit	U. S. Army Corps of Engineers	Varies ($0 - $100)
	318 Authorization 401 Certification	Department of Environmental Quality	$250 (318); $400 - $20,000 (401)
	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation, Trust Lands Management Division	$50, plus additional fee

A. APPLICANT INFORMATION

NAME OF **APPLICANT** (person responsible for project):_____
Has the landowner consented to this project? ☐ Yes ☐ No
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF **LANDOWNER** (if different from applicant):_____
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF **CONTRACTOR/AGENT** (if one is used):_____
Mailing Address: _____
Physical Address: _____
Day Phone: Evening Phone: E-Mail:

NATIONAL FLOOD INSURANCE PROGRAM

Application Elements

Review of application elements?

- Is this for a structure?
- Bank Stabilization
- Roads/Bridges
- Fill

SUBMITTAL REQUIREMENTS
FOR FLOODPLAIN PERMIT APPLICATION

To initiate the permit process, you will need to submit a copy of the following information to this office. These instructions apply to all construction/projects within any designated 100-year floodplain as delineated on the FHMB, FIRM, SCS/NRCS floodplain maps, COE floodplain maps, etc. You will need to submit a number of items listed below at a minimum.

1. **A list of adjacent property owners and their mailing addresses** *(You can get this information from the County GIS office or through a title company).*

2. **A letter from each property owner where the project will be completed authorizing the proposed work.**

3. **A detailed site plan, drawn to scale, showing the following:**
   - Property boundary lines of the subject property and those in the immediate vicinity of the project.
   - Approximate location of all floodplain boundaries in the vicinity of the project as depicted on the floodplain maps.
   - Location of existing improvements in the vicinity of the project, including driveways, roads, culverts, bridges, buildings, wells, septic systems, and other improvements
   - Location of all existing physical features in the vicinity of the project, including ponds, swales, streams, and irrigation ditches.
   - Location and dimensions of all proposed improvements, including driveways, roads, culverts, bridges, ponds, buildings, wells, and other structures
   - Location for all fill that will be brought into the floodplain

4. **A statement specifying the amount of fill that will be placed within the floodplain and supporting calculations.**

5. **For a house submit:**
   - The existing ground elevation at the location of the proposed house and the calculated height of the 100-year floodplain (will need to work with a surveyor to obtain this information)
   - Calculations for the amount of fill (in cubic yards) to be placed in the floodplain:
     Residential structures shall be constructed on suitable fill with a permanent foundation such that the lowest floor (including basement) level is two or more feet above the base flood elevation. The suitable fill shall be at a level no lower than the base flood elevation extending 15 feet at that elevation beyond the structure in all directions.
   - Specifications for the fill material (type, size, etc.)

6. **For any other building submit:**
   - Drawing of the building
   - Statement indicating which of the two development standards will apply:

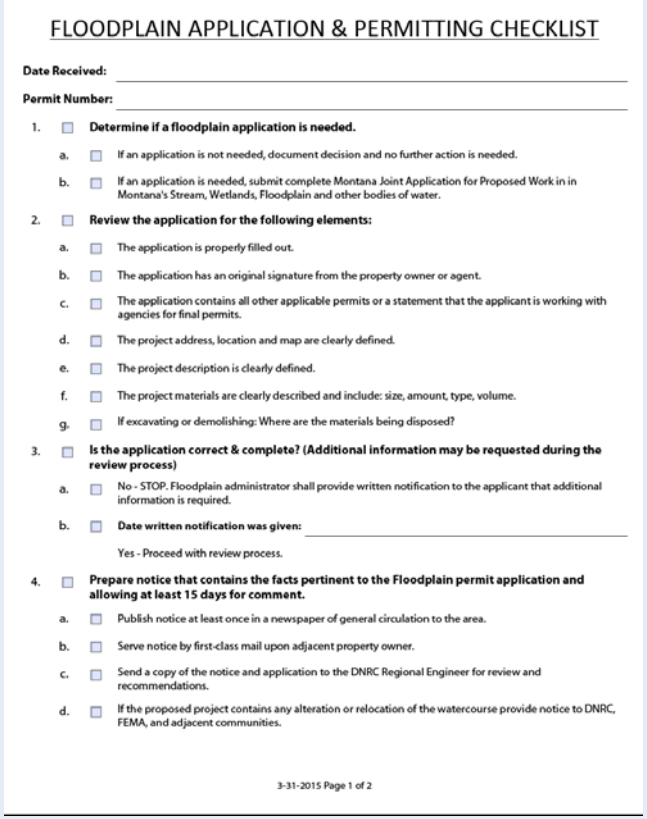
     (a) If the structure is designed to allow internal flooding of the lowest floor, use of the floor shall be limited to such uses as parking, loading areas, and storage of equipment or materials not appreciably affected by flood water. Further, the floors and walls shall be designed and constructed of materials resistant to flooding up to an elevation of 2 or more feet above the elevation of the base flood. Structures designed to allow internal flooding shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the exit and entry of flood waters.

     (b) Structures whose lowest floors are used for purposes other than parking, loading or storage of materials resistant to flooding shall be flood proofed up to an elevation no lower than 2 feet above the elevation of the base flood. Flood proofing shall include impermeable membranes or materials

NATIONAL FLOOD INSURANCE PROGRAM

Application Elements

Once an FPA receives a **complete** application, the FPA will review and evaluate the application and shall approve, approve with conditions, or deny the application **within 60 days of receiving the correct and complete application**. Consider 180 days in your ordinance.



FLOODPLAIN APPLICATION & PERMITTING CHECKLIST

Date Received: _____

Permit Number: _____

1. ☐ **Determine if a floodplain application is needed.**
   - a. ☐ If an application is not needed, document decision and no further action is needed.
   - b. ☐ If an application is needed, submit complete Montana Joint Application for Proposed Work in in Montana's Stream, Wetlands, Floodplain and other bodies of water.
2. ☐ **Review the application for the following elements:**
   - a. ☐ The application is properly filled out.
   - b. ☐ The application has an original signature from the property owner or agent.
   - c. ☐ The application contains all other applicable permits or a statement that the applicant is working with agencies for final permits.
   - d. ☐ The project address, location and map are clearly defined.
   - e. ☐ The project description is clearly defined.
   - f. ☐ The project materials are clearly described and include: size, amount, type, volume.
   - g. ☐ If excavating or demolishing: Where are the materials being disposed?
3. ☐ **Is the application correct & complete? (Additional information may be requested during the review process)**
   - a. ☐ No - STOP. Floodplain administrator shall provide written notification to the applicant that additional information is required.
   - b. ☐ **Date written notification was given:** _____

     Yes - Proceed with review process.
4. ☐ **Prepare notice that contains the facts pertinent to the Floodplain permit application and allowing at least 15 days for comment.**
   - a. ☐ Publish notice at least once in a newspaper of general circulation to the area.
   - b. ☐ Serve notice by first-class mail upon adjacent property owner.
   - c. ☐ Send a copy of the notice and application to the DNRC Regional Engineer for review and recommendations.
   - d. ☐ If the proposed project contains any alteration or relocation of the watercourse provide notice to DNRC, FEMA, and adjacent communities.

3-31-2015 Page 1 of 2

FPA's should communicate application deficiencies and recommendations for application modifications to the applicant and consultant in writing. Stop the permit clock

The Review Process

If the applicant corrects the identified deficiencies and resubmits the application, the FPA shall notify the applicant whether the application contains all required elements.

This process is repeated until the applicant submits an application containing all required components, the application is withdrawn, or the application is denied.

STATE ASSISTANCE

FLOODPLAIN PERMITS

Floodplain Administrator Role

1. Determine if a floodplain application is needed
2. Review the floodplain application
3. **Submit completed application to Regional Engineer for Technical Review (if necessary—2 week turn around)**
4. **Conduct 1st site visit**
5. Ensure that other applicable permits have been received
6. Prepare public notice to adjacent property owners, local newspaper, and DNRC (allow 15 days for comment)
7. Approve, approve with conditions, or deny permit application
8. Conduct additional site visit(s)
9. Conduct final site visit after project is completed/Cert. of Compliance

DNRC's Services

Floodplain website, www.floodplain.mt.gov

- Floodplain Administrators Database

General technical assistance

Community Assistance Visits

Ordinance review/assistance

Flood hazard mapping

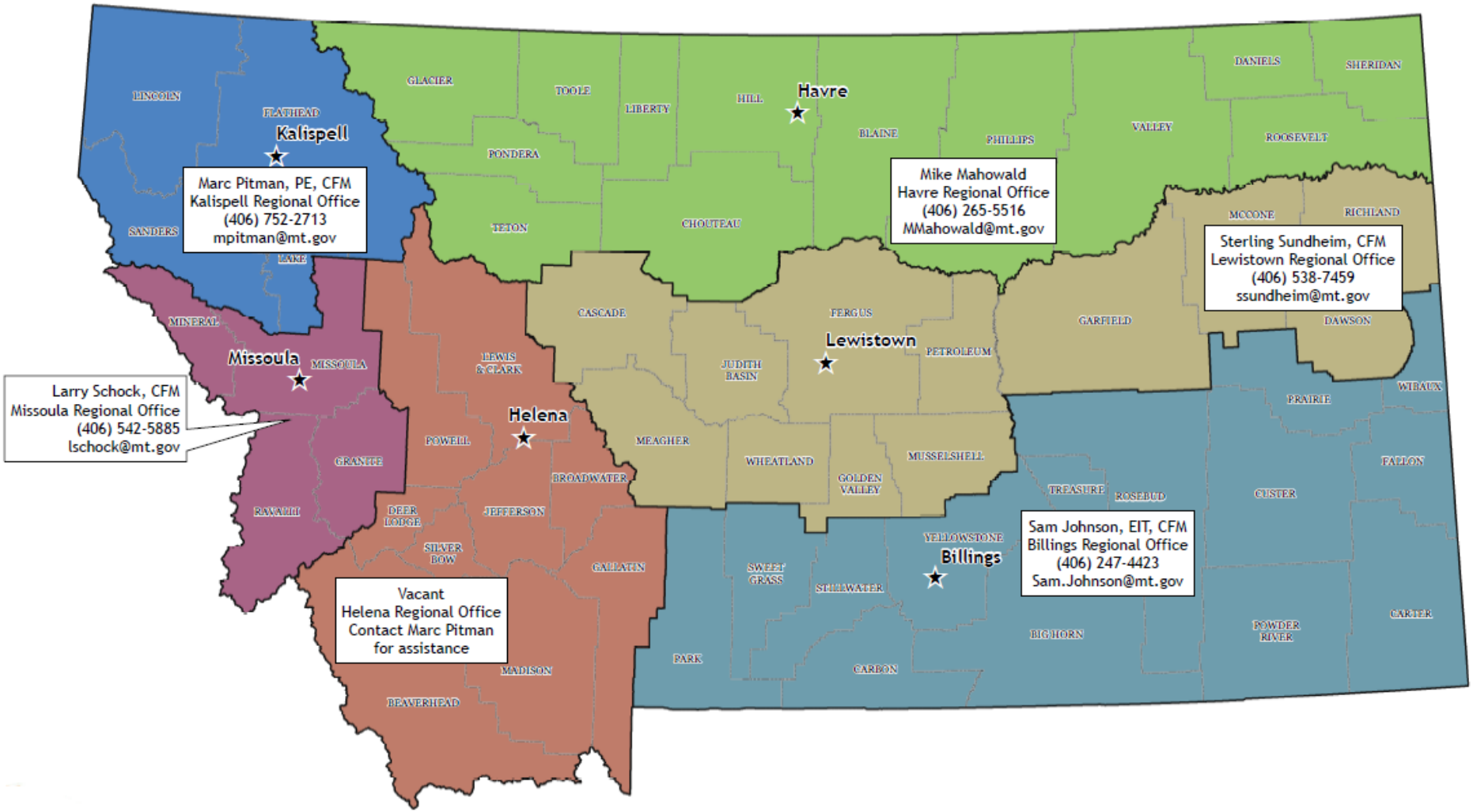
Training and outreach

NATIONAL FLOOD INSURANCE PROGRAM

DNRC Regional Engineers

Provide technical review of

- Floodplain Development Permit applications
- Subdivision Floodplain delineations and Flood Hazard Evaluations
- Letter of Map Changes (CLOMR, LOMR, LOMA, etc.)
- Floodplain studies
- Proposed projects near/within a regulated floodplain
- Variances, general consultation, & site visits


Kalispell
Marc Pitman, PE, CFM
Kalispell Regional Office
(406) 752-2713
mpitman@mt.gov
Havre
Mike Mahowald
Havre Regional Office
(406) 265-5516
MMahowald@mt.gov
Sterling Sundheim, CFM
Lewistown Regional Office
(406) 538-7459
ssundheim@mt.gov
Missoula
Larry Schock, CFM
Missoula Regional Office
(406) 542-5885
lschock@mt.gov
Helena
Vacant
Helena Regional Office
Contact Marc Pitman
for assistance
Lewistown
Billings
Sam Johnson, EIT, CFM
Billings Regional Office
(406) 247-4423
Sam.Johnson@mt.gov
LINCOLN
FLATHEAD
SANDERS
LAKE
MINERAL
MISSOULA
RAVALLI
GRANITE
GLACIER
TOOLE
LIBERTY
HILL
BLAINE
PHILLIPS
VALLEY
DANIELS
SHERIDAN
ROOSEVELT
PONDERA
TETON
CHOUTEAU
MCCONE
RICHLAND
DAWSON
GARFIELD
CASCADE
FERGUS
PETROLEUM
JUDITH BASIN
LEWIS & CLARK
POWELL
BROADWATER
DEER LODGE
JEFFERSON
SILVER BOW
GALLATIN
MADISON
BEAVERHEAD
MEAGHER
WHEATLAND
GOLDEN VALLEY
MUSSELSHELL
TREASURE
ROSEBUD
PRAIRIE
WIBAUX
FALLON
CUSTER
YELLOWSTONE
SWEET GRASS
STILLWATER
BIG HORN
POWDER RIVER
CARTER
PARK
CARBON

DNRC Regional Engineers

The Technical Review Process

1. Community (typically the Floodplain Administrator) submits written technical assistance request directly to DNRC Regional Engineering Specialist
2. DNRC completes the review and returns written comments and recommendations to the community
3. Community makes final determination regarding the sufficiency and adequacy of the technical submittal to satisfy the local permit requirements.

FLOODPLAIN APPLICATION & PERMITTING CHECKLIST

Date Received: _____

Permit Number: _____

1. ☐ **Determine if a floodplain application is needed.**
   - a. ☐ If an application is not needed, document decision and no further action is needed.
   - b. ☐ If an application is needed, submit complete Montana Joint Application for Proposed Work in in Montana's Stream, Wetlands, Floodplain and other bodies of water.
2. ☐ **Review the application for the following elements:**
   - a. ☐ The application is properly filled out.
   - b. ☐ The application has an original signature from the property owner or agent.
   - c. ☐ The application contains all other applicable permits or a statement that the applicant is working with agencies for final permits.
   - d. ☐ The project address, location and map are clearly defined.
   - e. ☐ The project description is clearly defined.
   - f. ☐ The project materials are clearly described and include: size, amount, type, volume.
   - g. ☐ If excavating or demolishing: Where are the materials being disposed?
3. ☐ **Is the application correct & complete? (Additional information may be requested during the review process)**
   - a. ☐ No - STOP. Floodplain administrator shall provide written notification to the applicant that additional information is required.
   - b. ☐ **Date written notification was given:** _____

     Yes - Proceed with review process.

PUBLIC PROCESS – ADDITIONAL PERMIT REVIEW

FLOODPLAIN PERMITS

Floodplain Administrator Role

1. Determine if a floodplain application is needed
2. Review the floodplain application
3. Submit completed application to Regional Engineer for Technical Review (if necessary—2 week turn around)
4. Conduct 1st site visit
5. **Ensure that other applicable permits have been received**
6. **Prepare public notice to adjacent property owners, local newspaper, and DNRC (allow 15 days for comment)**
7. Approve, approve with conditions, or deny permit application
8. Conduct additional site visit(s)
9. Conduct final site visit after project is completed.

What other permits might be needed?

§ Conservation Districts – 310 permits

§ MT Fish, Wildlife, and Parks – SP 124 permits

§ US Army Corps of Engineers – Section 404/Section 10 permits

§ MT Department of Environmental Quality – 318 (turbidity) Authorizations

§ MT Department of Natural Resources & Conservation – navigable river land use licenses and easements

Adjacent Landowner Notification

Local floodplain management ordinances specify notice requirements for floodplain permit applications.

A public notice should be prepared and publish at least once in a local newspaper. The notice should allow for a reasonable comment period (15 days or longer).

A public notice should be sent directly to adjacent property owners notice via first class mail, and also sent to the State NFIP Coordinator.

APPROVE, APPROVE WITH CONDITIONS OR DENY APPLICATIONS

FLOODPLAIN PERMITS

Floodplain Administrator Role

1. Determine if a floodplain application is needed
2. Review the floodplain application
3. Submit completed application to Regional Engineer for Technical Review (if necessary—2 week turn around)
4. Conduct 1st site visit
5. Ensure that other applicable permits have been received
6. Prepare public notice to adjacent property owners, local newspaper, and DNRC (allow 15 days for comment)
7. **Approve, approve with conditions, or deny permit application**
8. Conduct additional site visit(s)
9. Conduct final site visit after project is completed.

NATIONAL FLOOD INSURANCE PROGRAM

Floodplain Permits

Issuing Floodplain Permits with condition?

- Findings and Fact Permit
- Certificate of Compliance
- LOMCs
- Elevation Certificates?

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name	Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.	Company NAIC Number:
City / State / ZIP Code	

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) _____

A5. Latitude/Longitude: Lat. _____ Long. _____ Horizontal Datum: ☐ NAD 1927 ☐ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number _____

A8. For a building with a crawlspace or enclosure(s):

a) Square footage of crawlspace or enclosure(s) _____ sq ft

b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____

c) Total net area of flood openings in A8.b _____ sq in

d) Engineered flood openings? ☐ Yes ☐ No

A9. For a building with an attached garage:

a) Square footage of attached garage _____ sq ft

b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____

c) Total net area of flood openings in A9.b _____ sq in

d) Engineered flood openings? ☐ Yes ☐ No

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number	B2. County Name	B3. State

B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date	B8. Flood Zone(s)	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)

PERMIT FOLLOW-UP

FLOODPLAIN PERMITS

Floodplain Administrator Role

1. Determine if a floodplain application is needed
2. Review the floodplain application
3. Submit completed application to Regional Engineer for Technical Review (if necessary—2 week turn around)
4. Conduct 1st site visit
5. Ensure that other applicable permits have been received
6. Prepare public notice to adjacent property owners, local newspaper, and DNRC (allow 15 days for comment)
7. Approve, approve with conditions, or deny permit application
8. **Conduct additional site visit(s)**
9. **Conduct final site visit after project is completed /Cert. of Compliance**

Floodplain Permits

Additional Site Visits:

- Important for structures
- When the foundation is poured
- Checking on flood openings or flood proof construction.

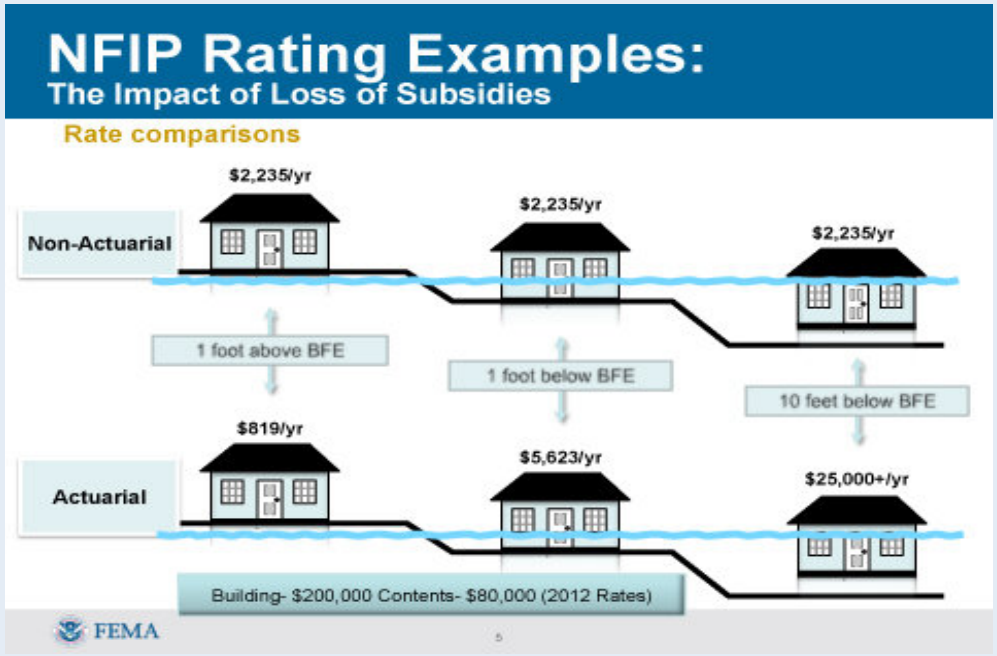
Final Site Visit

Certificate of Compliance Documentation:

- LOMCs
- Elevation Certificates.
- Fill Compaction Certified
- H&H studies required as part of LOMR/LOMCs

Final Thoughts

- Conduct final inspections on projects with openings and interior finishing.
- Document everything.
- Flood insurance costs to structures
- CLOMRs and LOMRs can extend the length of a project review.



THANK YOU!

Michelle Phillips
mphillips2@mt.gov 444-1300

Worby McNamee
worby.mcnamee@mt.gov 444- 1343

Traci Sears
tsears@mt.gov 444-6654

DNRC FLOODPLAIN RESOURCE SEMINAR
July 17-21 • Helena
SAVE
THE
DATE