

310 Law Mini Trainings: Forms and Adopted Rules

Per [MCA 75-7-117](#), DNRC has developed a set of [model rules](#) for conservation districts. These rules are to be adopted by CDs at a minimum. Districts can add to the rules to address local resource concerns or issues in their area. The adopted rules for every district describe the forms to be used during the 310 permitting process, including the Joint Application (Form 270).

Permitting is a crucial part of designing or planning a project, but it can be a confusing and overwhelming process for applicants. In Montana, the Joint Application (Form 270) is used by agencies state-wide to help streamline and clarify the permitting process. Conservation Districts should work with applicants to make sure the Form 270 is complete and provides all the necessary details for decision making before accepting the application.

The Team Member Report (Form 272) is used by the onsite inspection team to provide their recommendation to the supervisors to approve, modify, or deny an application. This form captures the main justification for their recommendations in reviewing the seven factors for assessing a proposed project as described in [MCA 75-7-112\(8\)](#). Team members should fill this form out completely and provide sufficient detail for the supervisors to make a decision.

The full list of form used by CDs, as described in the adopted rules, includes:

- [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.
- [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.

Frequently Asked Questions:

Q: Can a CD make changes to the forms?

A: 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 are ok.

Q: What is the process for changing Adopted Rules?

A: The CD would need to have a public hearing and approve a resolution to adopt the changes. Then, the approved rules would be filed with DNRC.

Q: Is it the CD's responsibility to ensure the applicant applies for all their permits?

A: No. CDs are only responsible for 310 permits. It is the applicant's responsibility to apply for any other permits they may need.