

310 Law Mini Trainings: Complaints

The 310 law is just one of several laws in Montana that regulate projects which affect streams, wetlands, and other waterbodies. In many instances, these laws have overlapping jurisdiction. Depending on the location of a project and the type of activity taking place, a project may require multiple permits.

Applicants are responsible for ensuring they get all the necessary permits for their project. It is not the conservation district's role to make sure an applicant is getting all the required permits; however, staff and supervisors can, as a courtesy, point applicants in the right direction and share information about the other permits and how to contact those agencies.

Potential resources for CD supervisors, staff, and applicants include the [DNRC Stream Permitting webpage](#), the Guide to Stream Permitting in Montana flipbook, and [the Guide to Stream Permitting for Conservation District Supervisors and Others](#) book.

Frequently Asked Questions:

Q: What happens if a project is modified by one agency?

A: The applicant must fulfill the requirements of each permit. If one permitting agency requires a change to the project, that change must be approved in each application.

Q: If someone is following the Streamside Management Zone rules, do they still need a permit?

A: If the project is being conducted by a private entity on a perennially flowing

stream, then yes. There is overlapping jurisdiction between a 310 permit and the SMZ law.

Q: Who is responsible for making sure the applicant gets all the correct permits?

A: The applicant is responsible for making sure they get all necessary permits. As a courtesy, you can point them in the right direction, but it is not your job to make sure they submit their application to the other agencies.