Applicant Name

Applicant Address

Date:

Application or Complaint #:

RE: 310 Law Violation

Dear [Applicant Name],

This letter is to inform you that the Boad of Supervisors for the [CD Name] has determined that the [list violation activities such as dredging, excavation, placing of materials, etc.] activities on [Stream Name] are in violation of the Montana Natural Streambed and Land Preservation Act, known as the 310 Law, in accordance with §75-7-123, MCA, and the Adopted Rules of the [CD Name].

A letter notifying you of the potential violation [and/or complaint] was sent to you on [date] and an onsite inspection was conducted on [date]. During the [date] public meeting, the Board of Supervisors affirmed that the actions taken are in violation of the 310 law.

In accordance with §75-7-1, MCA, and the Adopted Rules of the [CD Name], you are being assessed a civil penalty of $500 per day that the violation persists, commencing on [date of meeting], up to $15,000 [if remediation is required also include: “,not including the costs of the required remediation”].

In addition, you are required to submit a completed 310 permit application on Form 270 (attached) [attach a copy to this letter] by [include reasonable deadline]. The application must describe the full extent of the work that has already been completed [if remediation is required include: “and details of how the site will be remediated to pre-construction conditions.”]. Please note, if corrective action as described above is taken within the required time frame, the district may waive the order for civil penalty.

If a completed application and the civil penalty fine are not received by [date of deadline] the [CD Name] will turn the matter over to legal counsel for immediate judicial enforcement.

Additional questions may be directed to [name and phone or email] and the completed application may be submitted to [address].

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature, Title Date

­­­­­­­­­­­­

ATTACHMENT: Joint Application Form 270

CC: [include anyone you also send the letter to such as DNRC, Caitlin Overland, the County DA, other permitting agencies, etc.]