



ADMINISTRATIVE RULES OF MONTANA



36.2.410 STANDARDS AND GUIDELINES

- (1) It is the applicant's responsibility to provide sufficient information for the district to make a reasonable determination to approve, modify, or deny a notice of proposed project. Information to be provided by the applicant, may include, but is not limited to, the purpose of the project, a detailed project description of how the project will be accomplished, project plans and drawings, maps of the site, time of construction, length of time to complete the project, and engineering designs if required by the district.
- (2) Projects must be designed and constructed using methods that minimize:
 - (a) adverse impacts to the stream, both upstream and downstream;
 - (b) future disturbance to the stream.
- (3) All disturbed areas must be managed during construction and reclaimed after construction to minimize erosion.
- (4) Temporary structures used during construction must be designed to handle high flows reasonably anticipated during the construction period. Temporary structures must be completely removed from the stream channel at the conclusion of construction and the area must be restored to a natural or stable condition.
- (5) Channel alterations must be designed to retain original stream length or otherwise provide hydrologic stability.
- (6) Streambank vegetation must be protected except where removal of such vegetation is necessary for the completion of the project. When removal of vegetation is necessary, it must be kept to a minimum.
- (7) Riprap, rock, or other material used in a project must be of adequate size, shape, and density and must be properly placed to protect the streambank from erosion.
- (8) The district may:
 - (a) limit the time and duration of construction to minimize impacts to the stream or associated aquatic life;
 - (b) require the applicant to submit engineering designs when in the district's judgment the project's complexity requires a greater assurance of project stability to minimize impacts to the stream;
 - (c) require the applicant to provide project completion documentation, which may include photographs.

- (9) Unless specifically authorized by the district, the following projects are prohibited:
- (a) the placement of road fill material in a stream;
 - (b) the placement of debris or other materials in a stream where it can erode or float into the stream;
 - (c) projects that permanently prevent fish migration;
 - (d) operation of construction equipment in a stream; and
 - (e) excavation of streambed gravels.

Authorizing statute(s): 75-7-117, MCA

Implementing statute(s): 75-7-117, 75-7-112, MCA

History: NEW, 1997 MAR p. 48, Eff. 1/17/97.