FLOODPLAIN VARIANCE APPLICATION
CUSTER COUNTY FLOODPLAIN REGULATIONS

A variance is a grant of relief given by the Board of Custer County Commissioners from the terms of the specific standards required in the Custer County Floodplain Regulations. The issuance of the variance is for floodplain management purposes only. Insurance premium rates are determined by the Federal government according to actuarial rise and are not modified by the granting of a variance. ANY VARIANCE GRANTED BY THE BOARD OF COUNTY COMMISSIONERS MUST BE CONSISTENT WITH THE CUSTER COUNTY FLOODPLAIN REGULATIONS.

SECTION 1: Applicant and Property Information

Applicant Name: Friend Property	Email: Nicolefriend10@gmail.com
Applicant Address: 3704 Batchelor St, Miles City MT, 59301	Phone: 406-853-1322
Property Owner Name: Melody Haynes	Email: Melodyhe mail.com
Property Owner Address: 86 Agate Drive, Miles City MT, 59301	Phone: 406-951-4043

Legal Description and Address of Property:

ALTA TRACTS, S27, T08 N, R47 E, BLOCK B, LT 4A OF TR B

SECTION 2: Variance Requested

Cite the Section of the Custer County Floodplain Regulations from which a variance is sought:

Custer County Floodplain Hazard Management Guidelines

Explain why a variance is needed for the proposed development:

We respectfully request that the local floodplain authority grant a variance under FEMA's NFIP criteria due to exceptional hardship. FEMA's guidance (Bulletin P-993) makes clear that the NFIP "does not set forth an absolute criterion for granting variances" – communities have discretion to approve variances on a case-by-case basis. In this case, strict adherence to the local ordinance (requiring the lowest floor be at BFE+2 ft) would require a variance. The proposed project involves the redevelopment of a long-vacant, dilapidated motel into five one-level, two-bedroom rental housing units. This project directly addresses the housing shortage identified in the Custer County Growth Policy and supports the community's goal of expanding safe, accessible housing options. The structure is currently only eight (8) inches below Base Flood Elevation (BFE), and the developer has committed to raising the floor to meet BFE and installing FEMA-compliant crawlspace vents. In addition, the windows already meet egress requirements and are above BFE plus two feet. All new electrical systems will be elevated to BFE plus two feet to further reduce flood risk. These mitigation measures demonstrate that although a variance is requested, the applicant is voluntarily meeting or exceeding most NFIP standards.
The proposed variance is consistent with Custer County's planning objectives and the public interest. In fact, the 2023 Custer County Growth Policy explicitly acknowledges that "As the population continues to increase and Montana generally becomes more populated, Custer County can expect to continue the slow, steady increase in both population and development in the next five years. Many land use constraints are present in Custer County, including complex topography, adverse soil conditions, groundwater presence, and floodplains." Strictly prohibiting all development in flood-prone areas like Miles City would conflict with other community needs – notably, the Growth Policy identifies "an expressed need for additional housing options."

SECTION 3: Application for Variance

Completed the Joint Permit Application and Variance Application Worksheet to address the submittal requirements of the Custer County Floodplain Regulations.

☒ Joint Permit Application	☒ Variance Application
☐	☐
☐	☐

An Applicant receiving a variance to build a structure not meeting the minimum standards of the regulations, especially if the lowest floor is constructed below the base flood level, may result in increased premium rates for flood insurance. Construction below the base flood level increases risk to life and property. (44 CFR 5)

ÅPPLICANT'S SIGNATURE Melody Haynes DATE 6/23/25

Any person or person aggrieved by the decision may appeal such a decision in the courts of competent jurisdiction. MCA 5 76-5-209(1).

Section 4: Affected Landowners

List the names, addresses, and telephone numbers of all property owners adjacent to the parcel(s) referenced in this Application. Attach additional sheets as necessary.

Name & Address:	Telephone No.:
MELODY HAYNES, 86 Agate Drive, Miles City MT, 59301 (Also Property owner of 2500 Valley Dr. E)	
MARVIN STARK, 811 N MERRIAM AVE, MILES CITY, MT 59301-2721	
ROCKIN SR LLC, PO BOX 3486, BOZEMAN, MT 59772-3486	
SMITH FRANCIS G & CATHERINE L, 415 N STACY AVE, MILES CITY, MT 59301-2804	
MELINDA TANGEN, 909 N SEWELL AVE, MILES CITY, MT 59301-2849	
OFFICIAL USE ONLY-RECORD OF VARIANCE ACTION	
Completed Variance Application submitted on:	Fee paid:
	Application No:
Public Notice Given:	Variance Hearing Held on:

The Board of County Commissioners has made a determination that the variance [ ] is or [ ] is not the minimum allowance necessary, considering the flood hazard, to afford relief from these regulations and [ ] meets or [ ] does not meet the criteria in the regulations for approval.

In accordance with the criteria and guidelines of the Custer County Floodplain Regulations, the Board of Custer County Commissioners hereby [ ] approves or [ ] denies the request for variance.

Special Provision of the Variance Approval

CHAIR, BOARD OF CUSTER COUNTY COMMISSIONERS Date

VARIANCE APPLICATION WORKSHEET

PLEASE NOTE: Your statements and supporting data and information, including a completed Montana Joint Application or Floodplain Permit Application, will be used to evaluate your variance request. If these questions are not answered, the variance may be denied due to insufficient information to support it. The following will be used as a guide to evaluate your petition. Additional information may be requested.

1. Will the structure or proposed use reside on a parcel or lot of 0.5 acres or less? If the new construction or substantial improvements on a lot one-half acres or less is contiguous to and surrounded by lots of existing structures constructed below the base flood level, a variance may be approved. However, as lot sizes increase beyond one-half acres, additional technical justification may be required.	☐Yes ☒No It is .759 acres
2. Are the surrounding properties pre-1997 (pre-FIRM)?	☒Yes ☐No
3. Is the lowest floor of pre-1997 (pre-FIRM) structures on the adjoining and contiguous lots below the Base Flood Elevation? Attach documentation which shows the contours and lowest floor elevations of surrounding property,	☒Yes ☐No
4. Is the proposed work on a recognized historic structure?	☐Yes ☒No

If yes, will the improvements maintain the historic integrity of the structure and not preclude the structure's continued designation as a historic structure AND the variance is the minimum necessary to preserve the historic character and design of the structure?

5. Explain how the proposed work is the minimum necessary, considering the flood hazard, to afford relief?

The proposed work- elevating the lowest floor to Base Flood Elevation (BFE), elevating all utilities 2 feet above BFE, and installing FEMA-compliant crawlspace vents, represents the minimum required to comply with NFIP standards and ensure life safety. The requested variance concerns only the local requirement of the lowest floor at BFE+2, which in this instance is prohibitive. The work will restore a structure that could otherwise be lost. FEMA's glossary confirms that freeboard (additional height above BFE) is not required by NFIP standards - communities may adopt it as a safety factor, but Custer County regulations are above the minimum. Thus, our request is the least possible deviation from local ordinance needed to make the project viable.

6. Does the project show good and sufficient cause for the variance? Financial hardship is not a good and sufficient cause. Describe the exceptional hardship.

Miles City's leaders are actively working to reduce flood risk across the city; the Growth Policy's goals include "reduce the size of the mapped floodplain that affects Miles City" (Goal L-5) and pursuing levee improvements and certification with federal agencies.
The County participates in efforts to certify Miles City's levees to FEMA standards, which aims to reduce the Special Flood Hazard Area (SFHA) affecting our community.
Allowing this project to proceed with appropriate mitigation aligns with those efforts - it enables reasonable use of the property now, while long-term flood protection solutions (such as certifying the levee) are underway.
The exceptional hardship is caused by the location of the structure behind a levee that provides actual protection but is not FEMA-certified. As a result, the property is mapped into the floodplain, and substantial improvements are subject to BFE +2 ft elevation. Meeting this more stringent requirement makes the rehabilitation project economically infeasible. Without variance, a viable structure in a high-need housing community would most likely be lost, or left to deteriorate, only exacerbating community hardship. The Custer County Growth Policy (2023) explicitly directs the county to Work with the Corps of Engineers (COE) and FEMA to obtain certification for the flood levee, underscoring the known regulatory burden the uncertified levee places on development. **Exceptional hardship** would result if this variance were denied. Nearly the entire City of Miles City lies within FEMA's designated 100-year floodplain. This means the applicant cannot readily relocate the project to a "safer" location on another lot; viable buildable land outside the flood zone is extremely scarce. This study goes on to say that Custer County has the highest population in flood-prone areas in eastern Montana, so the applicant's predicament is not simply inconvenience but a common plight in the community. Unlike properties in other towns that might avoid flood hazards by shifting construction, here virtually any development site carries the same risk. Denying the owner the use of this property has broader implications. It would perpetuate the lack of housing and devalue a lot that absent flood concerns, is suitable for development. The *hardship is not self inflicted*; it arises from the regulatory floodplain mapping and natural conditions. The applicant did not cause the rivers to flood or the levee to remain uncertified. Granting relief in this case is the only way to allow reasonable use of the property, as intended by variance provisions, and it will still require the project to mitigate flood risk to acceptable levels.

7. Is the basement and/or the lowest floor elevation of the residential structure below the Base Flood Elevation? If yes, please describe.

☒Yes
☐No

The lowest floor elevation is 8 inches below BFE, however if the variance is granted the floor will be elevated to BFE.

8. If the crawl space(s) or enclosures are proposed, they must meet the requirement of Section 10.2 of the Custer County Floodplain Regulations. Explain why the minimum building standard cannot be met.

The crawl spaces would have the appropriate crawl space vents as outlined in FEMA Technical Bulletin 1-93, Meeting those standards to alleviate hydrostatic pressure concerns.

9. Describe your analysis or supporting information that supports that a granting of this variance will not result in:

(1) increased flood heights to the existing buildings;

(2) additional threats to public safety;

(3) extraordinary public expense;

(4) create nuisances;

(5) cause fraud on or victimization of the public; or

(6) conflict with other existing local laws and/or ordinances.

1. This project will not increase flood heights to any existing buildings because it will utilize an already existing building without changing the footprint.
2. This project will not increase threats to public safety, it will actually improve public safety by revitalizing a dilapidated building into housing which will follow all commercial building codes; In addition, all placement of mechanical and electrical systems will be elevated to BFE + 2 feet.
3. This project will not create extraordinary public expense, as flooding is unlikely and floodproofing measures will be taken.
4. This project will not create nuisances, the property is already situated in an area of high traffic.
5. To the best of our knowledge this project will be in the interest of the community by supporting the Custer County Growth Policy. It will not cause fraud or victimization of the public.
6. To the best of our knowledge this project will not conflict with other existing laws and/or ordinances.

10. Describe how the structure is adequately flood proofed.

The structure is not currently adequately flood proofed. The proposed redevelopment at 2500 Valley Drive East incorporates FEMA-compliant floodproofing measures to reduce risk, including elevating the lowest floor to Base Flood Elevation (BFE) and raising all utilities to BFE +2 feet. Crawl space vents will be installed to relieve hydrostatic pressure in accordance with FEMA (Technical Bulletin 1-93). Together, these steps create a safer, more resilient structure.

11. Describe why reasonable alternative locations outside the floodplain are not available or possible.

According to the Custer County Growth Policy (2023), "approximately 80% of residences and businesses in Miles City are located within the natural floodplain or floodway," leaving very little developable land outside of FEMA's Special Flood Hazard Area (SFHA).

The overwhelming extent of the SFHA is caused primarily by the presence of the Yellowstone and Tongue Rivers and the uncertified levee-means that nearly all feasible construction in the city occurs within flood-mapped areas.
The Growth Policy identifies levee certification as a priority to "reduce the size of the mapped floodplain that affects Miles City" (L-5), rehabilitating this site supports that vision.
The applicant's proposed rehabilitation of 2500 Valley Drive East uses an existing structure, making it significantly more practical and sustainable to redevelop in place rather than attempt to acquire scarce land elsewhere.
Due to both regulatory constraints and practical limitations, there are no reasonable alternative locations for this development that would avoid the floodplain. The proposed variance is the only viable path forward to restore this particular structure to a livable, much-needed housing unit in Miles City.

12. Describe the data or information showing that there is no danger to life and property by erosion damage or water that may be backed up or diverted by the obstruction or use.

This project proposes the use of an existing structure without changing the footprint therefore not creating any new obstruction or use.

13. Describe your supporting information that demonstrates there will not be a danger of materials being swept on to other lands to the injury of others.

The applicants design allows for water passage by installing crawl space vents according to FEMA regulations. No hazardous materials—such as fuels, pesticides, or industrial chemicals—will be stored on-site. In accordance with FEMA Technical Bulletin 2 (Flood Damage-Resistant Materials Requirements), the design ensures that any materials located below BFE will be flood-resistant and not subject to deterioration or dispersal during flooding events.

14. Describe how the construction or alteration of the obstruction or use is designed in such a manner to lessen danger.

The proposed redevelopment will lessen flood-related danger by incorporating multiple FEMA-recommended mitigation measures. The building's finished floor will be elevated to Base Flood Elevation (BFE), and all electrical and mechanical components will be raised to BFE +2 feet, ensuring critical systems remain protected during flood events. Additionally, FEMA-compliant crawl space vents will be installed to equalize hydrostatic pressure and prevent structural damage. The property lies on Valley Drive East, a primary corridor, enhancing its accessibility. Rehabilitation of this property and removal of excess foliage and debris, as well as developing proper ingress and egress to the property will enhance safety in the event of the need for EMS in any situation. The applicant is aware of the need for emergency access to this type of property for public safety.

15. Describe the permanence of the obstruction or use.

The proposed use is permanent: the redevelopment of an existing, structurally sound, former motel into five long-term residential rental units. These units are intended to provide stable, year-round housing for local residents, including families, individuals with accessibility needs, and workforce tenants. The project will not involve temporary or mobile structures; it is a fixed, anchored building on a permanent foundation. The permanence of this use is supported by the property's commercial zoning, its long-standing presence in the community, and the design upgrades that will make it suitable for residential occupancy. This project

represents a long-term investment in the community. This project is not experimental or short-term; it is designed to serve the community's housing needs for decades.

16. Describe the impacts of the obstruction or use as they affect the anticipated development of the surrounding area in the foreseeable future. Existing structure?

The project involves the redevelopment of an existing structure. It will not obstruct or limit future development in the surrounding area and will have no adverse impact on nearby properties. The reuse of this vacant, blighted structure improves property values and will hopefully encourage reinvestment in nearby properties. This redevelopment not only addresses a pressing housing shortage but also contributes to the vibrancy and sustainability of the area. The project complements the long-term development goals of Miles City and Custer County, with no anticipated adverse impacts on the surrounding neighborhood.

17. Describe how the failure to comply with the floodplain regulations results in an exceptional hardship to the Applicant.

Denial of this variance would impose an unfair and unnecessary burden that goes against the purpose of the variance process: to allow reasonable relief from regulations in cases that can prove exceptional hardship. Strict compliance with the local floodplain regulation—specifically the requirement to elevate the structure to Base Flood Elevation (BFE) plus two feet (which is not federally mandated) is not feasible for this property and imposes exceptional hardship to the applicant. Making it overburdensome to rehabilitate the existing structure. This would force the applicant to abandon the project, resulting in the permanent loss of five potential long-term housing units in a city that is already experiencing a well-documented housing shortage. Denial will also hinder the infill and revitalization of a project that will only benefit Custer County and is in line with Custer county's growth goals.

18. Describe how granting the variance would not adversely affect existing properties or structures.

Granting the requested variance to allow development at Base Flood Elevation (BFE) rather than BFE +2 feet will not adversely affect existing properties or structures in the vicinity. This project includes no large-scale fill and will incorporate flood mitigation as described already. These design choices prevent the structure from becoming a source of debris or a threat to neighboring properties during a flood event. This project meets best practices in floodplain construction without altering flood dynamics or the footprint of the existing structure.

19. Describe the impacts to the Base Flood Elevation of the Floodway and/or Floodplain. Provide supporting data and analysis that the variance will not increase the Base Flood Elevation of the Floodway by more than 0.00 and/or increase the Floodplain 0.5 feet or less.

The proposed variance will not result in any increase to the Base Flood Elevation (BFE) in the Floodplain. No fill will be added that would raise elevation. Instead, the redevelopment will implement FEMA-compliant crawl space flood vents, allowing floodwaters to flow freely beneath the structure.

20. Describe the estimated cost and damage of the proposed facility and its contents to flood damage and the effect of such damage on the owner.

The estimated redevelopment cost for the proposed project at 2500 Valley Drive East is approximately $350,000, including mitigation measures such as elevating the finished floor to BFE, raising utilities to BFE +2 feet, and installing flood vents. To estimate potential flood damage, we referenced the Benefit-Cost Analysis Methodology Report for the City of Fayetteville, NC, which publicly reproduces FEMA's standard Depth-Damage Functions (DDFs) used in the FEMA BCA Toolkit. This source was selected because FEMA's toolkit does not publish the DDF table in a standalone document. Based on that data, a structure exposed to 1 foot of flooding without mitigation could experience 23% building damage totaling $80,500, however, our design reduces that risk by elevating to BFE and incorporating FEMA-recommended techniques, with further protection provided through NFIP insurance coverage. These measures should substantially decrease that number.

21. Describe the importance of the services to be provided by the facility to the community.

The proposed facility will deliver five one-level, two-bedroom long-term rental units in Miles City, directly addressing the community's critical housing shortage. The Custer County Growth Policy (2023, p 19) highlights an "expressed need for additional housing options." By replacing a deteriorated structure with resilient, affordable housing, the development also enhances neighborhood aesthetics, increases local tax revenue. We believe in doing so, it supports the County's broader goals of inclusive, sustainable growth, demonstrating that well-designed projects can responsibly occur in flood-affected areas when proper safeguards are in place.

22. Describe the public services, including fire and rescue, that may or may not be provided during various flood events.

Emergency planning and coordination are managed by the Custer County Disaster & Emergency Services Department.

23. If this facility is located on the waterfront, describe the necessity for that location.

N/A

24. Describe the safety and access of emergency vehicles to the property during times of various flood events.

As described in the answer to question 14 "The property lies on Valley Drive East, a primary corridor, enhancing its accessibility. Rehabilitation of this property and removal of excess foliage and debris, as well as developing a proper ingress and egress to the property will enhance safety in the event of the need for EMS in any situation. The applicant is aware of the need for emergency access to this type of property for public safety."

Nicole Friend — 6/23/25

SIGNATURE OF APPLICANT — **DATE**

Melody Haynes PR — 6/23/25

SIGNATURE(S) OF OWNER

SIGNATURE(S) OF OWNER

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1660-0008
Expiration Date: 06/30/2026

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

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

Policy Number:

Company NAIC Number:

A1. Building Owner's Name: Meade Construction

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2500 Valley Drive East

City: Miles City State: MT ZIP Code: 59301

A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: Lots 4, 5, 6, of Tract B, Alta Tracts, Envelope 377A Geocode: 14-1740-27-4-31-26-0000

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

A5. Latitude/Longitude: Lat. 46.41709 Long. -105.82901 Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983 ☐ WGS 84

A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).

A7. Building Diagram Number: 9

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

a) Square footage of crawlspace or enclosure(s): 3,000.00 sq. ft.

b) Is there at least one permanent flood opening on two different sides of each enclosed area? ☐ Yes ☒ No ☐ N/A

c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade:
Non-engineered flood openings: 0 Engineered flood openings:

d) Total net open area of non-engineered flood openings in A8.c: sq. in.

e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): sq. ft.

f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): 0.00 sq. ft.

A9. For a building with an attached garage:

a) Square footage of attached garage: 0.00 sq. ft.

b) Is there at least one permanent flood opening on two different sides of the attached garage? ☐ Yes ☐ No ☒ N/A

c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade:
Non-engineered flood openings: 0 Engineered flood openings: 0

d) Total net open area of non-engineered flood openings in A9.c: 0.00 sq. in.

e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): 0.00 sq. ft.

f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): 0.00 sq. ft.

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1.a. NFIP Community Name: Custer County B1.b. NFIP Community Identification Number: 300147

B2. County Name: Custer County B3. State: MT B4. Map/Panel No.: 30017C0663 B5. Suffix: D

B6. FIRM Index Date: 07/22/2010 B7. FIRM Panel Effective/Revised Date: 07/22/2010

B8. Flood Zone(s): AE B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): 2355.3'

B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9:
☒ FIS ☐ FIRM ☐ Community Determined ☐ Other:

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source:

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date: ☐ CBRS ☐ OPA

B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? ☐ Yes ☒ No

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2500 Valley Drive East

City: Miles City State: MT ZIP Code: 59301

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.
Benchmark Utilized: E557 Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.
☐ NGVD 1929 ☒ NAVD 1988 ☐ Other:

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? ☐ Yes ☒ No
If Yes, describe the source of the conversion factor in the Section D Comments area.

		Check the measurement used:
a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	2,349.60	☒ feet ☐ meters
b) Top of the next higher floor (see Instructions):	2,354.60	☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (see Instructions):		☐ feet ☐ meters
d) Attached garage (top of slab):		☐ feet ☐ meters
e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):	2,354.60	☒ feet ☐ meters
f) Lowest Adjacent Grade (LAG) next to building: ☐ Natural ☒ Finished	2,353.40	☒ feet ☐ meters
g) Highest Adjacent Grade (HAG) next to building: ☐ Natural ☒ Finished	2,353.60	☒ feet ☐ meters
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:		☐ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. *I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

☒ Check here if attachments and describe in the Comments area.

Certifier's Name: Cory Wilhelm License Number: 60940 LS

Title: Professional Land Surveyor

Company Name: Wilhelm Land Surveying

Address: 713 Pleasant Street, PO Box 1518

City: Miles City State: MT ZIP Code: 59301

Signature: Cory Wilhelm Date: 06/18/2025

Telephone: (406) 234-3924 Ext.: Email: wilhelmlandsurveying@outlook.com

Place Seal Here

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

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):
Crawlspace has different elevations throughout the building. We documented elevation based on the lowest part of the crawlspace.

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2500 Valley Drive East

City: Miles City State: MT ZIP Code: 59301

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1–E5. For Items E1–E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (C2.b in applicable Building Diagram) of the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E3. Attached garage (top of slab) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

☐ Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: Melody Haynes

Address: 86 Agate Drive,

City: Miles City State: MT ZIP Code: 59301

Signature: Melody Haynes PR Date: 6-24-25

Telephone: 406-951-4643 Ext.: 0 Email: melodyhemail.com

Comments:

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2500 Valley Drive East

City: Miles City State: MT ZIP Code: 59301

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)

G2.a. ☐ A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.

G2.b. ☐ A local official completed Section H for insurance purposes.

G3. ☐ In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.

G4. ☐ The following information (Items G5–G11) is provided for community floodplain management purposes.

G5. Permit Number: _____ G6. Date Permit Issued: _____

G7. Date Certificate of Compliance/Occupancy Issued: _____

G8. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters Datum: _____

G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____

G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ ☐ feet ☐ meters Datum: _____

G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____

G11. Variance issued? ☐ Yes ☐ No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2500 Valley Drive East	**FOR INSURANCE COMPANY USE**
City: Miles City State: MT ZIP Code: 59301	Policy Number: _____
	Company NAIC Number: _____

SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). ***Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.***

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) **For Building Diagrams 1A, 1B, 3, and 5–9.** Top of bottom floor (include above-grade floors only for buildings with subgrade crawlspaces or enclosure floors) is: _____ ☐ feet ☐ meters ☐ above the LAG

b) **For Building Diagrams 2A, 2B, 4, and 6–9.** Top of next higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is: _____ ☐ feet ☐ meters ☐ above the LAG

H2. Is **all** Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

☐ Yes ☐ No

SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* **Note:** If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

☐ Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Telephone: _____ Ext.: _____ Email: _____

Comments:

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 2500 Valley Drive East

City: Miles City State: MT ZIP Code: 59301

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo One

Photo One Caption: Front Yard View

Clear Photo One

Photo Two

Photo Two Caption: Rear Yard View

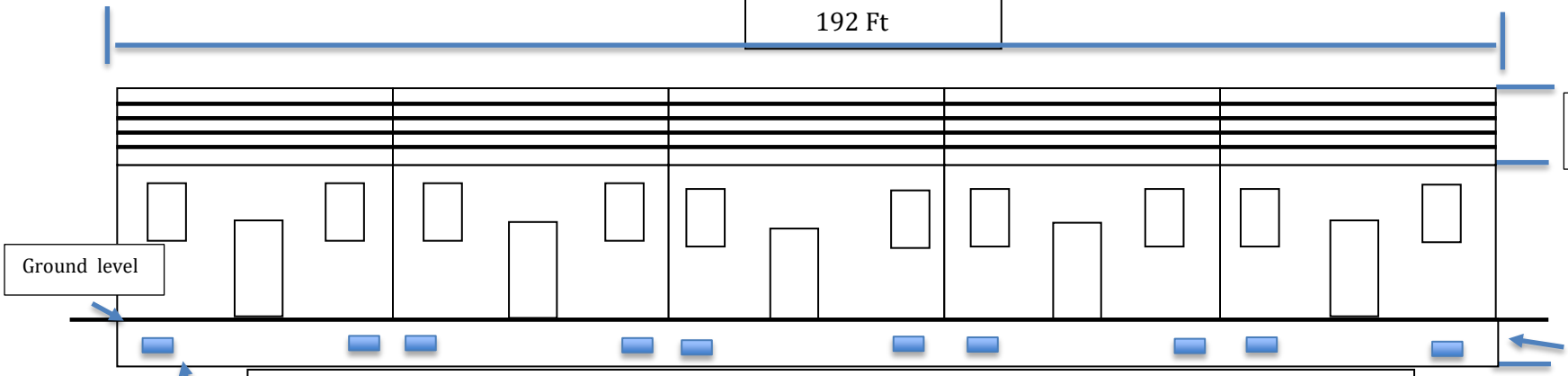
Clear Photo Two

2500 Valley Drive East/ Site sketch

Building is anchored to perimeter concrete wall/footing as well as mid span footing running the entire length of building.

FRONT VIEW

192 Ft

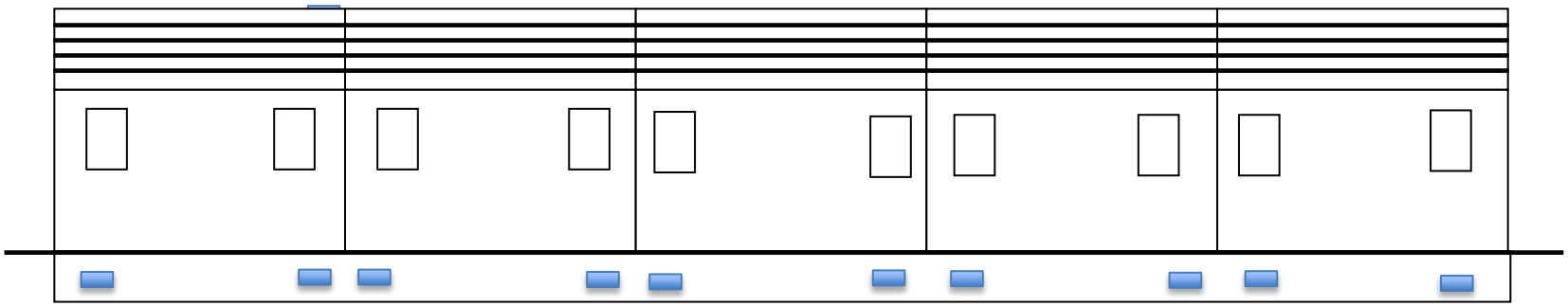


CRAWL SPACE: The front half of the building is less than 2' from floor to ceiling. The back half of building has a deeper crawl space. After replacement of sewer lines, final height would be less than 4' from floor to ceiling and less than 2' from lowest exterior.

Utilize 4 per unit ICC-ES certified, engineered flood vents that meet FEMA, NFIP, and building code requirements and provide a minimum 200 sq ft protection per vent. 2 in front and 2 in back-per unit.

BACK VIEW

192 Ft



2500 Valley Drive East, Miles City MT,

Motel Dimensions, 16 ft wide, 192 ft long and 13 ft tall

N

Item	Quantity	Unit Price	Total Cost
2x4 lumber (8ft)	713	$4.50	$3,206.25
2x6 lumber (8ft)	238	$6.00	$1,425.00
Pressure-treated sill plates	95	$8.00	$760.00
Joist hangers, brackets, fasteners	5	$100.00	$475.00
R-13 batt insulation (walls)	48	$60.00	$2,850.00
R-30 insulation (ceiling)	38	$80.00	$3,040.00
Vapor barrier (roll)	10	$25.00	$250.00
Mini-split system (2 zones)	5	$3,500.00	$17,500.00
Ductwork kit (if forced air)	5	$1,200.00	$6,000.00
12/2 Romex (250 ft roll)	19	$90.00	$1,710.00
Electrical boxes	190	$2.00	$380.00
Recessed lights	57	$25.00	$1,425.00
Switches and outlets	190	$3.50	$665.00
Breaker panel and breakers	5	$300.00	$1,500.00
Smoke/CO detectors	19	$40.00	$760.00
PEX piping (300 ft)	5	$250.00	$1,250.00
Drain pipe and fittings	5	$300.00	$1,500.00
Water heater	5	$1,000.00	$5,000.00
Toilet (ADA)	5	$250.00	$1,250.00
Shower unit (ADA roll-in)	5	$1,500.00	$7,500.00
Bathroom sink + faucet	5	$300.00	$1,500.00
Kitchen sink + faucet	5	$400.00	$2,000.00

Item	Quantity	Unit Price	Total Cost
Drywall sheets (1/2", 4x8)	285	$15.00	$4,275.00
Joint compound (5-gal)	15	$25.00	$375.00
Drywall tape & corners	5	$50.00	$250.00
36" interior doors	28	$150.00	$4,200.00
Exterior door (ADA)	5	$500.00	$2,500.00
Windows (egress)	28	$250.00	$7,000.00
Baseboards (16ft pieces)	95	$12.00	$1,140.00
Door/window trim sets	38	$25.00	$950.00
Kitchen cabinets (ADA layout)	5	$2,500.00	$12,500.00
Bathroom vanity (ADA)	5	$500.00	$2,500.00
Range	5	$700.00	$3,500.00
Refrigerator (ADA)	5	$1,200.00	$6,000.00
Dishwasher (ADA)	5	$800.00	$4,000.00
Grab bars	15	$40.00	$600.00
Mirror (ADA height)	5	$80.00	$400.00
Vinyl plank flooring (1000 sq ft ea.)	5	$2,500.00	$12,500.00
Underlayment	5	$300.00	$1,500.00
Primer (5 gal)	10	$80.00	$800.00
Paint (5 gal)	15	$100.00	$1,500.00
Caulk (tubes)	57	$5.00	$285.00
Washer	5	$700.00	$3,500.00
Dryer	5	$700.00	$3,500.00

Item	Quantity	Unit Price	Total Cost
Washer/dryer hookups + vent kit	5	$250.00	$1,250.00

From: Nicole Friend
To: Courtney Long
Subject: Fwd: Old flying A motel
Date: Tuesday, June 24, 2025 3:02:38 PM

External sender <nicolefriend10@gmail.com>
Make sure you trust this sender before taking any actions.

Nicole Friend

---------- Forwarded message ---------
From: **Brush, Zachary** <Zachary.Brush@mt.gov>
Date: Tue, Jun 24, 2025 at 2:59 PM
Subject: Old flying A motel
To: nicolefriend10@gmail.com <nicolefriend10@gmail.com>

Per request I did stop by. During my walk through I noticed that the frame and foundation were in good shape and discussed what would n end to be done to bring building up to code.
The prospect owners agree that they can and will do what's needed to open business again.

Zachary Brush State of Montana Combo Inspector

National Flood Hazard Layer FIRMette

FEMA

105°49'57"W 46°25'19"N

105°49'20"W 46°24'54"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/17/2025 at 10:22 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

CD/Agency Use Only

Application Number: Date Received:

Stream or Waterbody:

Date Accepted: Initials: Date Forwarded to FWP:

This section is for all Department of Transportation and SPA 124 Permits (government projects)

Project Name:

Control Number: Contract Letting Date:

MEPA/NEPA Compliance: ☐Yes ☐No If yes, #C5 of this application does not apply.

Applicant Use

This is a standardized application to apply for one or all local, state, or federal permits listed below. Check the box(s) for each permit being applied for.

- Refer to the instructions to determine which permits apply to your project and submit an application to each applicable agency.
- Incomplete applications will result in a delay of application processing.
- The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.
- Other laws may apply.

	Permit	Agency	Required Application Sections:	Fee
☐	NSLPA 310 Permit	Local Conservation District	A-E and G	No fee
☐	SPA 124 Permit	Department of Fish, Wildlife & Parks (FWP)	A-E and G	No fee
☐	318 Authorization 401 Certification	Department of Environmental Quality (DEQ)	A-E and G	$250 (318); $400-$20,000 (401)
☐	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation (DNRC), Trust Lands Management Division	A-E and G	$50, plus additional fee
☐	Section 404 Permit, Section 10 Permit	U.S. Army Corps of Engineers (USACE)	A-G and F1-10	Varied ($0-$100)
☒	Floodplain Permit	Local Floodplain Administrator	A-G	Varied ($25-$500+)

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

A. APPLICANT INFORMATION

APPLICANT (*party responsible for project)* Friend Property LLC

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

Mailing Address: 3704 Batchelor St City, State: Miles City, MT Zip: 59301

Physical Address: 3704 Batchelor St City, State: Miles City, MT Zip: 59301

Daytime Phone: 406-853-1322 Email: nicolefriend10@gmail.com

LANDOWNER NAME (*if different from applicant)* Melody Haynes

Mailing Address: 86 Agate Drive City, State: Miles City, MT Zip: 59301

Physical Address: 86 Agate Drive City, State: Miles City, MT Zip: 59301

Daytime Phone: 406-951-4043 Email: melodyh@mail.com

CONTRACTOR/COMPANY NAME (*if applicable)* Dan Friend

Mailing Address: 3704 Batchelor St City, State: Miles City, MT Zip: 59301

Physical Address: 3704 Batchelor St City, State: Miles City, MT Zip: 5

Daytime Phone: 406-853-1323 Email: dannypat@live.com

B. PROJECT SITE INFORMATION

Refer to section B1 of the instructions

1. NAME OF STREAM OR WATERBODY at project location: N/A

Project Address/Location: 2500 Valley Drive East Nearest Town: Miles City, MT

County: CusterGeocode: 14-1740-27-4-31-26-0000

Township: T08 N Range: R47 E Section: 27 ¼ Section: ¼ Section:

Latitude: 46°24'30" N, (46.41717) Longitude: 105°50'26" W (-105.82843)

Driving directions or other instructions needed for finding the site: Located at 2500 Valley Drive East, Miles City MT, 59301. ALTA TRACTS, S27, T08 N, R47 E, BLOCK B, LT 4A OF TR B

Refer to section B2 of the instructions

2. Is the proposed activity within **SAGE GROUSE** areas designated as general, connected, or core habitat?

☐ Yes ☒ No Attach consultation letter if required.

Refer to section B3 of the instructions

3. Is this a **STATE NAVIGABLE WATERWAY**? The state owns the beds of certain navigable waterways.

☐ Yes ☒ No If yes, send a copy of this application to the appropriate DNRC land office.

Refer to section B4 of the instructions

4. **WHAT IS THE CURRENT CONDITION** of the proposed project site? What vegetation is present? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

The site consists of trees, grass and a few weeds. There is no noticeable slope. The elevation is 2355.3'. The building height is 13'. Near by structures include commercial shops, and mobile homes.

C. PROJECT ACTIVITY INFORMATION

Refer to section C1 of the instructions

1. **TYPE OF PROJECT** (check all that apply)

☐ **Agricultural and Irrigation Projects:** Diversions, Headgates, Flumes, Riparian Fencing, Ditches, etc.

☒ **Buildings/Structures:** Accessory Structures, Manufactured Homes, Residential or Commercial Buildings, etc.

☐ **Channel/Bank Projects:** Stabilization, Restoration, Alteration, Dredging, Fish Habitat, Vegetation or Tree Removal, or any other work that modifies existing channels or banks.

☐ **Crossing/Roads:** Bridge, Culvert, Fords, Road Work, Temporary Access, or any project that crosses over or under a stream or channel.

☐ **Mining Projects:** All mining related activities including, Placer Mining, Aggregate Mining, etc.

☐ **Recreation Related Projects:** Boat Ramps, Docks, Marinas, etc.

☐ **Other Projects:** Cisterns, Debris Removal, Excavation/Pit/Pond, Placement of Fill, Drilling or Directional Boring, Utilities, Wetland Alteration. Any other project type not listed here.

Refer to section C2 of the instructions

2. Is this application for an **ANNUAL MAINTENANCE PERMIT**? ☐ Yes ☒ No

If yes, attach an annual plan of operations to this application

Refer to section C3 of the instructions

3. Why is this project necessary? State the **PURPOSE OR GOAL** of the proposed project.

This project is necessary to convert a vacant, deteriorated motel into five much-needed rental housing units. Its goal is to provide safe, accessible, and resilient housing in response to the local housing shortage.

Refer to section C4 of the Instructions

4. Provide a brief description of the **PROPOSED PROJECT PLAN** and how it will be accomplished.

Construction will include interior renovations, exterior improvements, floodproofing measures, and resilient materials below BFE.

Refer to section C5 of the instructions

5. What **OTHER ALTERNATIVES** were considered to accomplish the stated purpose of the objective? Why was the proposed alternative selected?

No other alternatives were available. This project allows for rehabilitation of an existing structure that helps adress housing needs in our community.

Refer to section C6 of the instructions

6. What are the **NATURAL RESOURCE BENEFITS** or **POTENTIAL IMPACTS**? Please complete the information requested below to the best of your ability:

6a. Explain any temporary or permanent changes in erosion, sedimentation, turbidity, or increases of potential contaminants. What will be done to minimize impacts?

N/A

6b. Will the project cause temporary or permanent impacts to fish and/or aquatic habitat? What will be done to protect the fisheries and habitat?

N/A

6c. What will be done to minimize temporary or permanent impacts to the floodplain, wetlands, or riparian habitat?

N/A

6d. What efforts will be made to decrease flooding potential upstream and downstream of the project?

N/A

6e. Explain any potential temporary or permanent changes to the water flow or to the bed and banks of the waterbody. What will be done to minimize those changes?

N/A

6f. How will existing vegetation be protected and its removal minimized? Explain how the site will be revegetated, including weed control plans.

N/A

D. CONSTRUCTION DETAILS

Refer to section D1 of the instructions

1. Proposed **CONSTRUCTION DATES:** Start: July, 2025 End: July, 2026

Is any portion of the work already completed? ☐ Yes ☒ No If yes, please describe previously completed work:

Refer to section D2 of the instructions

2. **PROJECT DIMENSIONS.** Describe the length and width of the project.

16' X 192

Refer to section D3 of the instructions

3. **MATERIALS.** Provide the total quantity and source of materials proposed to be used or removed. Note: this may be modified during the permitting process, therefore it is recommended that you do not purchase materials until all permits are issued. List soil/fill type, cubic yards and source, culvert size, rip-rap size, and any other materials to be used or removed on the project.

Cubic yards/ Linear Feet	Size and Type	Source
	See attached material list	

Refer to section D4 of the Instructions

4. **EQUIPMENT.** List all equipment that will be used for this project. How will the equipment be used on the bank and/or in the water? Note: all equipment used in the water must be **CLEANED, DRAINED, AND DRY.**

N/A

Will equipment from out of state be used?	☐ Yes	☒ No	☐ Unknown
Will the equipment cross west over the Continental Divide to the project site?	☐ Yes	☒ No	☐ Unknown
Will equipment enter the Flathead Basin?	☐ Yes	☒ No	☐ Unknown

E. REQUIRED ATTACHMENTS

1. Plans and/or drawings of the proposed project should include:
   a. Plan/Aerial View
   b. An elevation or cross-section view
   c. Dimensions of the project (height, width, depth in linear feet)
   d. Location of storage stockpile materials and location of fill or excavation sites
   e. Drainage facilities
   f. Location of existing/proposed structures, such as buildings, utilities, roads or, bridges
   g. An arrow indicating north
   h. Site photos
2. Attach a vicinity map or a sketch, which includes: The water body where the project is located, roads, tributaries, and other landmarks. Plan an "X" on the project location. Provide written directions to the site. This is a plan view (looking at the project from above).
3. If requesting a Maintenance 310 Permit, attach an Annual Plan of Operation.
4. Attach an Aquatic Resource Map, which documents the location and boundary of all waters of the U.S. in the project vicinity and includes wetlands and other special aquatic sites. Show the location of the ordinary high-water mark of streams or waterbodies if requesting a Section 404 or Section 10 Permit. Include the ordinary high-water mark delineation on plans or drawings and/or a separate wetland delineation.

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

F. ADDITIONAL INFORMATION FOR US ARMY CORPS OF ENGINEERS (USACE) SECTION 404, SECTION 10, AND FLOODPLAIN PERMITS

Refer to section F of the instructions

Section F should only be filled out by those needing Section 404, Section 10, and/or Floodplain permits.

Applicants applying for Section 404 and/or Section 10 permits must complete questions F1-10. For questions on Section 404 and/or Section 10 permits, contact the USACE by telephone at 406-441-1375 or by email at montana.reg@usace.army.mil.

Applicants applying for Floodplain permits must complete all of Section F.

Refer to section F1 of the instructions

1. Does the proposed activity and/or property have permitting history with USACE? If yes, and available, provide the USACE project number(s) associated with the previous permits, including no permit required letters and approved jurisdictional determinations.

No

Refer to section F2 of the instructions

2. Identify the specific **Nationwide Permit(s)** that you want to use to authorize the proposed activity.

None

Refer to section F3 of the instructions

3. Provide the footprint of impacts and the quantity of materials proposed to be placed in wetlands and/or below the ordinary high-water mark in waters of the United States. Delineations are required of wetland and other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

3a. What is the length and width (or square footage/acreage) for each impact occurring within the waters of the United States, including wetlands?

N/A

3b. How many cubic yards of fill material will be placed below the ordinary high-water mark, in a wetland, stream, or other waters of the United States?

N/A

Refer to section F4 of the instructions

4. How will the proposed project avoid or minimize **impacts to waters of the United States**? Attach additional sheets if necessary.

N/A

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

Refer to section F5 of the instructions

5. Will the project impact(s) be equal to or greater than 0.10 acre of wetland and/or 0.03 acre of stream or other waters? If yes, describe how the applicant is going to **compensate (mitigation bank, in-lieu fee program, or permittee responsible)** for these unavoidable impacts to waters of the United States.

N/A

Refer to section F6 of the instructions

6. Is the proposed activity within any component of the **National Wild and Scenic Rivers System**, or a river that has been officially designated by Congress as a "**study river**?" ☐ Yes ☒ No

---

Refer to section F7 of the instructions

7. Does this activity require permission from the **USACE because it will alter or temporarily or permanently occupy or use a USACE authorized civil works project**? (Examples include USACE owned levees, Fort Peck Dam, and others). ☐ Yes ☒ No

---

Refer to section F8 of the instructions

8.List the **ENDANGERED AND THREATENED SPECIES** and **CRITICAL HABITAT(S)** that might be present in the project location.

None

Refer to section F9 of the instructions

9. List any **HISTORIC PROPERTY(S)** that are listed, determined to be eligible or are potentially eligible (over 50 years old) for listing on the National Register of Historic Places.

Property was built in 1949, with no expected Historic Value.

Refer to section F10 of the instructions

10. List all **APPLICABLE LOCAL, STATE, AND FEDERAL PERMITS** and indicate whether they were issued, waived, denied, or pending. Note: all required local, state, and federal, or proof of waiver must be issued prior to the issuance of a floodplain permit.

No permits have been applied for, as this project is contingent on obtaining a floodplain permit and variance.

Refer to section F10 of the instructions

11. List the **NAMES AND ADDRESS OF LANDOWNERS** adjacent to the project site. This includes properties to and across from the project site. Note: Some floodplain communities require certified adjoining landowner lists.

NAME/ADDRESS OF **Adjacent Landowner**: MELODY HAYNES, 86 Agate Drive, Miles City MT, 59301 (Also Property owner of 2500 Valley Dr.E)

NAME/ADDRESS OF **Adjacent Landowner**: MARVIN STARK, 811 N MERRIAM AVE, MILES CITY, MT 59301-2721

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

NAME/ADDRESS OF **Adjacent Landowner**: ROCKIN SR LLC, PO BOX 3486, BOZEMAN, MT 59772-3486

NAME/ADDRESS OF **Adjacent Landowner**: SMITH FRANCIS G & CATHERINE L, 415 N STACY AVE, MILES CITY, MT 59301-2804

NAME/ADDRESS OF Adjacent Landowner:MELINDA TANGEN, 909 N SEWELL AVE, MILES CITY, MT 59301-2849

Refer to section F11 of the instructions

12. **Floodplain Map Number**: 30017C0663

Refer to section F11 of the instructions

13. **Does this project comply with local planning or zoning regulations?** ☒ Yes ☐ No

Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains, and Other Waterbodies

G. SIGNATURE REQUIREMENTS

Refer to section G of the instructions

Some agencies require original signatures for an application to be considered complete. After completing the application form, make the required number of copies and sign each copy. Send the copies with original signatures and additional information required directly to each applicable agency.

The statements contained in this application are true and correct. The applicant possesses the authority to undertake the work described herein or is acting as the duly authorized agent of the landowner. The applicant understands that the granting of a permit does not include landowner permission to access land or construct a project. Inspections of the project site after notice by inspection authorities are hereby authorized.

**By signing or typing my name on the signature line below, I hereby swear and affirm that I am the applicant for this project and am responsible for all information contained in this application.*

*APPLICANT (party responsible for project)		LANDOWNER (If different from applicant)	
Dan & Nicole Friend		Melody Haynes	
Print Name		Print Name	
Nicole Friend	6/23/25	Melody Haynes PK	6/23/25
Signature of Applicant	Date	Signature of Landowner	

CONTRACTOR (If applicable. Contact agency to determine if contractor signature is required)

Dan Friend	
Print Name of Primary Contract	Company/Entity Name (If applicable)
	6/23/25
Signature of Contractor	Date