



Montana Legislative Services Division

Legal Services Office

TO: Environmental Quality Council
FROM: Helen Thigpen, Staff Attorney
DATE: March 2012
RE: Administrative Rule Review Report for MAR Notice No. 12-374

Pursuant to 75-1-324 and 5-5-215, MCA, the Environmental Quality Council is responsible for reviewing administrative rules within its jurisdiction. Staff for the Environmental Quality Council has prepared this report for informational purposes only. This report does not represent any action or opinion of the Environmental Quality Council and does not preclude additional action that may be taken by the Environmental Quality Council pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

MAR NOTICE NUMBER: 12-374

AGENCY/BOARD: Department of Fish, Wildlife, and Parks

RULE CLASSIFICATION: Substantive

SUBJECT: No wake zones surrounding commercial marinas

NOTICE DESCRIPTION: Notice of proposed adoption, amendment, and repeal (no public hearing contemplated).

SUMMARY OF RULE(S): The Department is proposing to adopt "one statewide rule regarding establishing no wake zones surrounding commercial marinas." Proposed New Rule 1 would provided that vessels are limited to a controlled no wake speed as defined by ARM 12.11.101(1) surrounding commercial marinas as buoyed and that a commercial marina must receive prior approval from the Department before establishing a no wake zone beyond 300 feet of the marina docks.

NOTES/HEARINGS: Comments are due to the Department by March 9, 2012. The Department is currently not planning to hold a public hearing on the proposed amendments and is proposing to adopt the amendments on April 26, 2012.