



Montana Legislative Services Division

Legal Services Office

TO: Environmental Quality Council
FROM: Helen Thigpen, Staff Attorney
DATE: April 2012
RE: Administrative Rule Review Report for MAR Notice No. 12-376

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: 12-376

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

RULE CLASSIFICATION: Substantive

SUBJECT: Bodies of water identified as contaminated with Eurasian watermilfoil

NOTICE DESCRIPTION: Notice of Public Hearings on Proposed Adoption

SUMMARY OF RULE(S): The Department is proposing to adopt three (3) new rules regarding water bodies contaminated with Eurasian watermilfoil: (1) "New Rule I Identified Contaminated Bodies of Water"; (2) "New Rule II Bait Restrictions Within Identified Contaminated Bodies of Water"; and (3) "New Rule III Bodies of Water Not Identified As Contaminated Within An Eurasian Watermilfoil Management Area". The Department states that the rules are being proposed "in order to allow bait within the Department of Agriculture's invasive species management areas and still minimize the future spread of Eurasian watermilfoil". No additional information on the necessity of each rule is provided.

NOTES/HEARINGS: Comments are due to the Department by June 1, 2012. The Department is planning to hold several meetings throughout the State in May at its regional offices to consider the adoption of the proposed rules. Please see the proposal notice for additional information on public hearings.