

BEFORE THE DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 36.25.901 and 36.25.903) PROPOSED AMENDMENT
pertaining to state land leasing real)
estate management projects)

TO: All Concerned Persons

1. On November 7, 2024, at 10:00 a.m., the Department of Natural Resources and Conservation (DNRC) will hold a public hearing at the DNRC building in the Montana Conference Room, first floor, located at 1539 Eleventh Avenue, Helena, Montana, and via Zoom, to consider the proposed amendment of the above-stated rules. Interested parties may access the remote conferencing platform in the following ways:

- a. Join Zoom Meeting: <https://mt-gov.zoom.us/j/87923184520?pwd=q8FqslViHK8LjMOj3dNHcyqznSFT8a.1>; Meeting ID: 879 2318 4520; Password: 383919; or
- b. Dial by Telephone: +1 646 558 8656; Meeting ID: 879 2318 4520; Password: 383919; Find your local number: <https://mt-gov.zoom.us/u/kebDVCUMM>

2. The department will provide reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require accommodation, contact the department no later than 5:00 p.m. on October 22, 2024, to advise us of the nature of the accommodation that you need. Please contact Jamie Price, Department of Natural Resources and Conservation, 1539 Eleventh Avenue, P.O. Box 201601, Helena, Montana, 59620-1601; telephone (406) 444-6615; Montana Relay 711; or e-mail DNRCOAH@mt.gov.

3. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

36.25.901 DEFINITIONS As used in this subchapter, the following definitions apply, except where the context clearly indicates otherwise:

(1) through (29) remain the same.

(30) "Residential" means multi-family residential ~~single-family~~ dwellings including, but not limited to, duplexes, condominiums, or townhouses, ~~cabins, associated ancillary uses, or other types of residential uses.~~

(31) through (38) remain the same.

AUTH: 77-1-209, 77-1-301, MCA

IMP: 77-1-605, 77-1-904, MCA

REASON: The proposed amendment is necessary to remove "single family residence" from residential definition to reflect the MCA.

36.25.903 GENERAL APPLICABILITY (1) and (2) remain the same.

~~(3) These rules remain in effect until July 18, 2025, whereupon they shall expire.~~

AUTH: 77-1-209, 77-1-301, 77-1-603, MCA

IMP: 77-1-605, 77-1-903, MCA

REASON: The proposed amendment is necessary to remove the expiration date to allow the rules to remain in effect beyond that date.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Martin Balukas, Department of Natural Resources and Conservation, 1539 Eleventh Avenue, P.O. Box 201601, Helena, Montana, 59620-1601, or e-mail DNRCOAH@mt.gov, and must be received no later than 5:00 p.m. on November 7, 2024.

5. Martin Balukas, Department of Natural Resources and Conservation, has been designated to preside over and conduct this hearing.

6. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be mailed or delivered to the contact person in 2 above or may be made by completing a request form at any rules hearing held by the department.

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <https://rules.mt.gov>.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

9. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

/s/ Luke Casey

Luke Casey
Rule Reviewer

/s/ Amanda Kaster

Amanda Kaster, Director
Natural Resources and Conservation

Certified to the Secretary of State September 24, 2024.