



ADMINISTRATIVE RULES OF MONTANA



10.121.902 DEFINITIONS

Terms defined in 22-3-421, MCA, have the same meaning in this subchapter and for the further purposes of this subchapter:

- (1) "Action" means any undertaking, including a project or action considered under the Montana Environmental - Policy Act, which has the potential to alter or affect the heritage values of heritage property or paleontological remains.
- (2) "Adverse effect" means any change caused by an action which impacts heritage property or paleontological remains visually, audibly, physically or atmospherically to the extent that its heritage values are substantially diminished including a transfer of rights or title which results in the neglect of heritage property.
- (3) "Anticipatory demolition" means the willful destruction of a heritage property prior to an action.
- (4) "Area of effect" means the land area in which an action takes place and which may be changed by the action.
- (5) "Heritage values" means the economic, educational, scientific, social, recreational, cultural or historic qualities possessed by buildings, districts, sites, structures or objects possessing sufficient significance to warrant consideration under these rules as heritage property or paleontological remains.
- (6) "Interested parties" include applicants, tribes or groups directly involved in the action or landowners, tribes, groups, agencies, or institutions with a clear and reasonable interest in the consideration of heritage properties associated with an action.
- (7) "Restore" means to conduct major repairs, reconstruction, structural or other improvements on a building, district, object, site, structure or feature possessing heritage values with the intention of preserving or reconstructing physical features representing those values.
- (8) "SHPO" means the state historic preservation office of the Montana historical society as created by 2-15-1512, MCA.

Authorizing statute(s): Sec. 22-3-423(9) MCA

Implementing statute(s): Sec. 22-3-421, 22-3-424 MCA

History: NEW, 1998 MAR p. 2022, Eff. 7/31/98.