



ADMINISTRATIVE RULES OF MONTANA



12.6.1524 LICENSE MODIFICATIONS

- (1) A licensee may not expand the area enclosed by exterior fence, exceed the peak number of animals, add a new species, or implement a minor modification pursuant to (3) without having requested and received the department's approval for a license modification. Applications for modifications must be made on forms prescribed by the department and must include the required fee.
- (2) The department will review an application for modification of a license and determine whether it is complete within 30 days of its receipt. Within 45 days of accepting an application as complete, the department will determine whether a prior environmental review sufficiently addressed the impacts of the proposed changes. If the department determines not to perform a supplemental environmental review, the department will issue a decision to approve, deny or approve the application with stipulations within the 45 day period. If the department determines to perform a supplemental environmental review, the department will complete the review and issue a proposed decision within 120 days from the date of the acceptance of the application as complete. The department's decision will be issued in accordance with the procedures in 87-4-426 , MCA.
- (3) Minor modifications of game farm facilities include but are not limited to the reconstruction of fences, installation and relocation of exterior gates, and the relocation of exterior fences within the previously approved perimeter. The reconstruction of fences, installation and relocation of exterior gates, and the relocation of exterior fences within the previously approved perimeter shall be categorically excluded from the requirement for the preparation of an environmental assessment or an environmental impact statement, unless a modification may involve one or more of the following extraordinary circumstances:
 - (a) significant impacts on wildlife resources or water quality; or
 - (b) any other kind of significant environmental impact, including cumulative or secondary impacts.
- (4) A licensee may not change the location of a quarantine facility without complying with Department of Livestock regulation ARM 32.4.803. The department will not approve the license modification until the Department of Livestock has approved the new construction of catch pens and quarantine facilities under the process provided for in ARM 32.4.803. The department will not review such modifications under the process provided for in this rule.

Authorizing statute(s): 87-4-422, 87-4-426, MCA

Implementing statute(s): 87-4-426, MCA



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History: NEW, 1999 MAR p. 79, Eff. 1/15/99.