



ADMINISTRATIVE RULES OF MONTANA



10.121.903 INITIATION OF ANTIQUITIES CONSULTATION UNDER 22-3-424 , MCA

- (1) The agency shall initiate reviews and studies required by 22-3-424, MCA, prior to initiating any action which has the potential to adversely affect heritage properties. The agency shall complete its review early enough to be used in formulating agency decisions about the action. Completion of reviews and studies after the agency has irrevocably committed itself to the scope, format or siting of the action will not constitute adherence to these rules.
- (2) At specified stages within the following rules, SHPO response to the agency is required. If the SHPO fails to respond in the times described in this subchapter, the agency shall assume that the SHPO does not object to the agency position and the agency may move forward with the action.

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

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

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