



ADMINISTRATIVE RULES OF MONTANA



10.121.906 EVALUATION OF HERITAGE PROPERTIES AND PALEONTOLOGICAL REMAINS

- (1) In consultation with the SHPO, and appropriate tribes or interested parties, the agency shall assure that any historic, prehistoric or architectural property identified in an area of effect has been evaluated to determine whether it is a heritage property and whether it is eligible for the register or if it contains paleontological remains. That evaluation shall include the following:
 - (a) The agency shall seek a written evaluation by the SHPO of whether or not any location qualifies as a heritage property or paleontological remains and, if so:
 - (i) whether any fossilized remains in question are rare and critical to scientific research;
or
 - (ii) whether any property is eligible for the register.
 - (b) The SHPO shall provide the agency with a written evaluation of any site as a heritage property, register site or paleontological remains within 15 days of receipt of a request for the evaluation. The time for evaluation may be extended an additional 15 days to a maximum total of 30 days upon request by SHPO and concurrence by the agency.

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.