



ENVIRONMENTAL QUALITY COUNCIL

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September 13, 2013

Director John Tubbs
Department of Natural Resources and Conservation
1625 Eleventh Avenue
Helena, MT 59601

Dear Director Tubbs:

Pursuant to 75-1-324(10), MCA, the Environmental Quality Council (EQC) reviewed MAR Notice No. 36-22-175 to amend the Department's current definition of "combined appropriation" as set forth in ARM 36.12.101(13). After careful consideration, a majority of the members of the EQC notified the EQC's presiding officer on September 12, 2013, that they objected to the notice of proposed rulemaking in order to address the proposed rule at the EQC's next committee meeting. This letter constitutes notice to the Department that the EQC objected to MAR Notice No. 36-22-175 pursuant to 2-4-305(9), MCA, of the Montana Administrative Procedure Act. A copy of this notification is included in the EQC's records.

The effect of the EQC's objection is that following the receipt of this notice by the Department, the proposed rule may not be adopted until publication of the last issue of the register that is published before expiration of the 6-month period during which the adoption notice must be published unless, prior to that time, the EQC meets and does not make the same objection.

Please do not hesitate to contact me for additional information regarding this matter.

Sincerely,

Helen C. Thigpen
Staff Attorney
Environmental Quality Council

c Joe Kolman, Legislative Environmental Policy Analyst