

To: EQC Members  
From: Joe Carroll, Staff Attorney  
Re: Administrative Rule Review  
Date: January 5, 2026

**Introduction:**

This is the Environmental Quality Council's (EQC's) rule review memo for its January 2026 meeting. EQC reviews non-water proposals by the Department of Environmental Quality (DEQ), the Department of Natural Resources and Conservation (DNRC), the Department of Fish, Wildlife, and Parks (FWP), the entities attached to these departments, and the Montana Sage Grouse Oversight Team. There are currently two proposals for EQC to review. No further action is required by EQC, but members are encouraged to review the proposals and submit questions to EQC staff. EQC staff can answer procedural questions and direct substantive questions to the appropriate agency and provide follow-up for timely answers.

**FWP:**

There are two new proposals from FWP for EQC's review.

FWP 2025-283.1 concerns chronic wasting disease (CWD). The proposal amends one existing rule and will have Montana use the United States Geological Survey's list of states and Canadian provinces where CWD has been detected. The hearing date and comment due date have passed. The rule is adoptable at this time.

FWP 2025-274.1 makes substantial changes to an existing rule set to implement House Bill 932 (2025). There is a hearing scheduled for January 20. The comment due date is January 21. Below please find FWP's statement of necessity:

The 2025 Montana Legislature enacted Rep. Walsh's HB 932, which revised allocations from the marijuana state special revenue account and revised the Kelly Flynn Wildlife Habitat Improvement Program and Legacy Act (WHIP). The changes in HB 932 revise WHIP from a solely noxious weed management-focused program to one that also includes FWP grants to partners for proposed projects that improve, conserve, and maintain terrestrial and aquatic habitat, resulting in conservation gains for Montana's wildlife. HB 932 also revised the membership of the advisory council and preferences for grants, with final approval by the department for the proposed projects. The changes in the statute necessitate revising the current administrative rules before the next application cycle in 2026.

**DEQ, DNRC, Sage Grouse Oversight Team:**

No rules at this time.