



ADMINISTRATIVE RULES OF MONTANA



8.2.305 DETERMINING THE SIGNIFICANCE OF IMPACTS

- (1) In order to implement 75-1-201, MCA, the agency shall determine the significance of impacts associated with a proposed action. This determination is the basis of the agency's decision concerning the need to prepare an EIS and also refers to the agency's evaluation of individual and cumulative impacts in either EAs or EISs. The agency shall consider the following criteria in determining the significance of each impact on the quality of the human environment:
 - (a) the severity, duration, geographic extent, and frequency of occurrence of the impact;
 - (b) the probability that the impact will occur if the proposed action occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur;
 - (c) growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts;
 - (d) the quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources or values;
 - (e) the importance to the state and to society of each environmental resource or value that would be affected;
 - (f) any precedent that would be set as a result of an impact of the proposed action that would commit the department to future actions with significant impacts or a decision in principle about such future actions; and
 - (g) potential conflict with local, state, or federal laws, requirements, or formal plans.
- (2) An impact may be adverse, beneficial, or both. If none of the adverse effects of the impact are significant, an EIS is not required. AN EIS is required if an impact has a significant adverse effect, even if the agency believes that the effect on balance will be beneficial.

Authorizing statute(s): Sec. 2-3-103, 2-4-201, MCA

Implementing statute(s): Sec. 2-3-104, 75-1-201, MCA

History: NEW, 1988 MAR p. 2692, Eff. 12/23/88.