



ADMINISTRATIVE RULES OF MONTANA

36.2.529 PREPARATION AND CONTENTS OF DRAFT ENVIRONMENTAL IMPACT STATEMENTS

If required by these rules, the agency shall prepare a draft environmental impact statement using an interdisciplinary approach and containing the following:

- (1) a description of the proposed action, including its purpose and benefits;
- (2) a listing of any state, local, or federal agencies that have overlapping or additional jurisdiction and a description of their responsibility for the proposed action;
- (3) a description of the current environmental conditions in the area affected by the proposed action or alternatives, including maps and charts, whenever appropriate. The description must be no longer than is necessary to understand the effects of the action and alternatives. Data analysis must be commensurate with the importance of the impact with less important material summarized, consolidated, or simply referenced;
- (4) a description of the impacts on the quality of the human environment of the proposed action including:
 - (a) the factors listed in (3) (d) and (e) of ARM 36.2.525, whenever appropriate;
 - (b) primary, secondary, and cumulative impacts;
 - (c) potential growth-inducing or growth-inhibiting impacts;
 - (d) irreversible and irretrievable commitments of environmental resources, including land, air, water and energy;
 - (e) economic and environmental benefits and costs of the proposed action; and
 - (f) the relationship between local short-term uses of man's environment and the effect on maintenance and enhancement of the long-term productivity of the environment. Where a cost-benefit analysis is prepared by the agency prior to the preparation of the draft EIS, it shall be incorporated by reference in or appended to the EIS;
- (5) an analysis of reasonable alternatives to the proposed action, including the alternative of no action and other reasonable alternatives that may or may not be within the jurisdiction of the agency to implement, if any;
- (6) a discussion of mitigation, stipulations, or other controls committed to and enforceable by the agency or other government agency;
- (7) a discussion of any compensation related to impacts stemming from the proposed action;

- (8) an explanation of the tradeoffs among the reasonable alternatives;
- (9) the agency's preferred alternative, if any, and its reasons for the preference;
- (10) a section on consultation and preparation of the draft EIS that includes the following:
 - (a) the names of those individuals or groups responsible for preparing the EIS;
 - (b) a listing of other agencies, groups, or individuals who were contacted or contributed information; and
 - (c) a summary list of source materials used in the preparation of the draft EIS;
- (11) a summary of the draft EIS as required in ARM 36.2.528; and
- (12) other sections that may be required by other statutes in a comprehensive evaluation of the proposed action, or by the National Environmental Policy Act or other federal statutes governing a cooperating federal agency.

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.