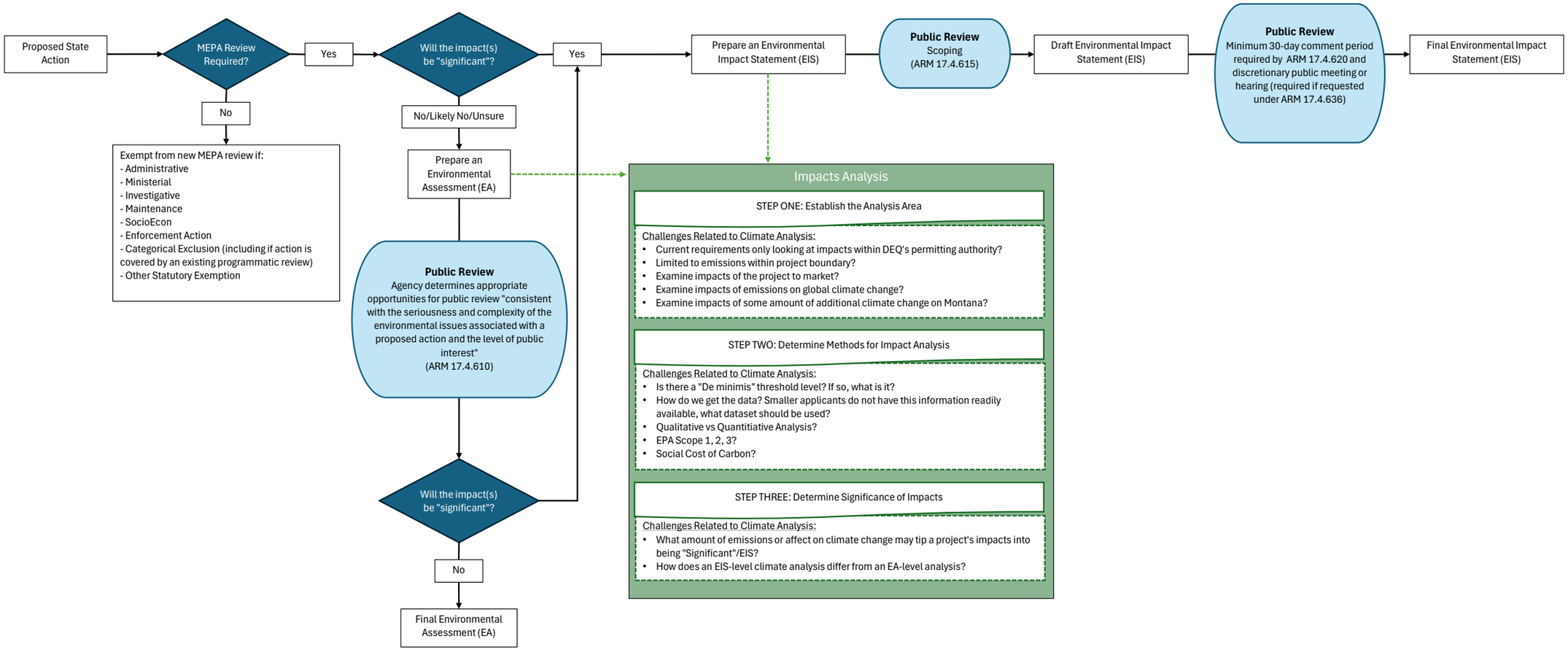
Proposed State Action
MEPA Review Required?
Yes
No
Exempt from new MEPA review if:
- Administrative
- Ministerial
- Investigative
- Maintenance
- SocioEcon
- Enforcement Action
- Categorical Exclusion (including if action is covered by an existing programmatic review)
- Other Statutory Exemption
Will the impact(s) be "significant"?
Yes
No/Likely No/Unsure
Prepare an Environmental Assessment (EA)
Public Review
Agency determines appropriate opportunities for public review "consistent with the seriousness and complexity of the environmental issues associated with a proposed action and the level of public interest"
(ARM 17.4.610)
Will the impact(s) be "significant"?
No
Final Environmental Assessment (EA)
Prepare an Environmental Impact Statement (EIS)
Public Review
Scoping
(ARM 17.4.615)
Draft Environmental Impact Statement (EIS)
Public Review
Minimum 30-day comment period required by ARM 17.4.620 and discretionary public meeting or hearing (required if requested under ARM 17.4.636)
Final Environmental Impact Statement (EIS)
Impacts Analysis
STEP ONE: Establish the Analysis Area
Challenges Related to Climate Analysis:
• Current requirements only looking at impacts within DEQ's permitting authority?
• Limited to emissions within project boundary?
• Examine impacts of the project to market?
• Examine impacts of emissions on global climate change?
• Examine impacts of some amount of additional climate change on Montana?
STEP TWO: Determine Methods for Impact Analysis
Challenges Related to Climate Analysis:
• Is there a "De minimis" threshold level? If so, what is it?
• How do we get the data? Smaller applicants do not have this information readily available, what dataset should be used?
• Qualitative vs Quantitiative Analysis?
• EPA Scope 1, 2, 3?
• Social Cost of Carbon?
STEP THREE: Determine Significance of Impacts
Challenges Related to Climate Analysis:
• What amount of emissions or affect on climate change may tip a project's impacts into being "Significant"/EIS?
• How does an EIS-level climate analysis differ from an EA-level analysis?