

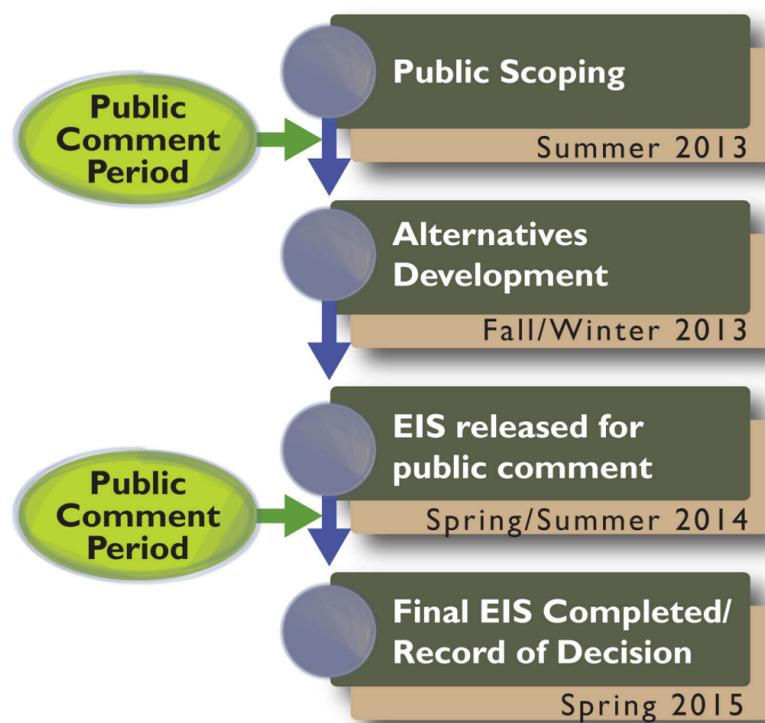
National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA)

NEPA requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

MEPA is similar to NEPA but its requirements provide *procedures* for adequate review of *State* actions in considering their environmental impacts on the environment within the State.

Why are NEPA and MEPA required for this project?

Western Energy Company (WECO) proposes to add a new mining area, Area F, to the existing Rosebud Mine. In accordance with the Montana Strip and Underground Mine Reclamation Act, WECO submitted a permit application (C2011003F) to the Montana Department of Environmental Quality (DEQ) in October 2011 for Area F. DEQ determined that WECO's revised application was administratively complete on August 1, 2012, and began its review for technical adequacy, which is currently ongoing. Because a decision to approve the permit would be a major state action, MEPA analysis is required. This permit application involves Federal lands. Pursuant to 30 CFR 746, no mining shall be conducted on Federal lands until the Secretary of the U.S. Department of Interior (DOI) has approved the mining plan. The decision to approve, disapprove, or conditionally approve a mining plan to mine Federal coal under the proposed mining area, Area F, is a Federal action requiring NEPA analysis.



EIS Process

A single environmental impact statement (EIS) that meets the requirements of both NEPA and MEPA and evaluates all components of the proposed project is being prepared by the Office of Surface Mining Reclamation and Enforcement (OSM) and DEQ.

- ◆ An EIS is not a decision document. It is a tool used for decision making by describing the positive and negative environmental effects of an action.
- ◆ NEPA (federal) and MEPA (state) and associated regulations describe the process by which an EIS is prepared, released, and reviewed by the public.
- ◆ An EIS includes and discusses:

Purpose and need	Proposed action	Alternatives descriptions and alternatives considered but dismissed from detailed analysis	Reasonably foreseeable actions	Affected environment	Environmental consequences, including cumulative impacts
------------------	-----------------	--	--------------------------------	----------------------	--

- ◆ Public participation is encouraged throughout the EIS process:
 - Scoping: identify issues and concerns regarding the proposed action
 - Draft EIS: identify issues and concerns regarding the proposed action and agency alternatives
 - The public is also informed whenever permit applications have been received and are available for public review and comment