

## 1 HOUSE JOINT RESOLUTION NO. 27

2 INTRODUCED BY K. BALES, CLANCY, OLSON

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA REQUESTING THAT THE ENVIRONMENTAL QUALITY COUNCIL PROVIDE OVERSIGHT FOR  
6 THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT REGARDING THE PROPOSED  
7 DEVELOPMENT OF COAL-BED NATURAL GAS RESOURCES IN MONTANA AND PROVIDE FINDINGS TO  
8 THE LEGISLATURE.

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10 WHEREAS, the need for an economical supply of clean burning energy is a national and state  
11 priority, Montana possesses reserves of clean-burning coal-bed natural gas, and the timely development  
12 of those resources is important; and

13 WHEREAS, it is the policy of this state to promote efforts that will minimize damage to the human  
14 environment, prevent unreasonable depletion and degradation of natural resources, maintain and improve  
15 a clean and healthful environment, and protect the right to use and enjoy private property; and

16 WHEREAS, with the enactment of the Montana Environmental Policy Act (MEPA), the Legislature  
17 intends that state agencies consider the consequences of agency actions prior to acting and to consider  
18 those consequences in a thorough, yet efficient, manner; and

19 WHEREAS, the state has determined that prior to authorizing further development of Montana  
20 coal-bed natural gas, a comprehensive environmental impact statement (EIS) addressing the impacts of  
21 the development must be completed by the Department of Environmental Quality and the Board of Oil and  
22 Gas Conservation in cooperation with other state and federal agencies; and

23 WHEREAS, the Environmental Quality Council has longstanding and statutorily required involvement  
24 in MEPA issues and has demonstrated strong bipartisan expertise in analyzing and reviewing MEPA  
25 implementation.

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27 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
28 STATE OF MONTANA:

29 (1) That the Environmental Quality Council (EQC) be requested to provide oversight for the state's  
30 preparation or involvement in the preparation of the coal-bed natural gas development EIS as required by

1 MEPA.

2 ~~(2) That the EQC, at its first meeting of the next interim, be requested to develop a method to~~  
3 ~~provide legislative oversight of the project described in subsection (1) with the purpose of ensuring that~~  
4 ~~the coal-bed natural gas development environmental review process under MEPA is timely, efficient,~~  
5 ~~informed, and cost-effective and that it results in a legally defensible decision.~~

6 ~~(3)(2) That the EQC require that staff from the Department of Environmental Quality and the Board~~  
7 ~~of Oil and Gas Conservation BE REQUESTED TO provide written and oral status reports on the progress and~~  
8 ~~preparation of the coal-bed natural gas development EIS to the EQC on at least a quarterly basis until the~~  
9 ~~EIS is complete. The first status report of the agencies must be provided to the EQC at the EQC's first~~  
10 ~~meeting of the interim.~~

11 ~~(4)(3) That the EQC serve as a forum for members of the public to present any concerns regarding~~  
12 ~~the timing and cost-effectiveness of the coal-bed natural gas development EIS.~~

13 BE IT FURTHER RESOLVED, that all aspects of the oversight functions, including presentation, conclusions  
14 and reporting, be concluded prior to September 15, 2002.

15 BE IT FURTHER RESOLVED, that the EQC prepare a brief report of its findings and conclusions concerning  
16 the coal-bed natural gas MEPA process and present the report, including any findings, conclusions,  
17 comments, or recommendations of the EQC, to the Governor and to the 58th Legislature.

18 - END -