

presently owned by the applicant which could reasonably be obtained, utilized, expanded or managed in order to fulfill the basic purpose of the proposed activity may be considered.”³⁹

An EIS informing a DA permit decision by the Corps must be thorough enough to determine compliance with NEPA and the Section 404(b)(1) Guidelines, as well as all federal, state, and local requirements with respect to the Proposed Project activities and permit approvals. Based on information submitted by Palmetto Railways (Appendix B) and the Corps’ independent review, the Corps has completed an initial identification, screening, and evaluation of all alternatives for the Navy Base ICTF, and has identified the alternatives to be evaluated in detail in the EIS. The alternatives analysis conducted by the Corps and described in this EIS complies with NEPA, and provides the basis for the Corps to make the required findings under the Section 404(b)(1) Guidelines.

2.2 SCOPING AND DEVELOPMENT OF ALTERNATIVES

Participation by the public, governmental agencies, tribes, and non-governmental organizations is critical to the NEPA process, which requires an early and open process for determining the scope of the issues to be addressed as part of the preparation of an EIS. The Corps has provided and will continue to offer opportunities for participation through review of the Final EIS. Input for the scope of the EIS was obtained through a scoping process that included the following elements:

- **Initiation of the scoping process via the Notice of Intent (NOI).** The Corps, Charleston District, initiated the public scoping process with the publication of the NOI in the *Federal Register* on October 23, 2013.
- **Public scoping meeting and comments.** The Corps conducted a public scoping meeting on November 14, 2013, to solicit public, agency, and Tribe comments.
- **Scoping comment period.** Written and oral comments were received via email, letters, and the project website (www.NavyBaseICTF.com) during the public scoping meeting and during the scoping period, which ended on December 14, 2013.
- **Additional Comments:** The Corps received additional comments after the formal scoping period, and these comments have been considered in the development of the EIS.
- **Second public scoping meeting and comments.** The Corps conducted a second public scoping meeting on October 27, 2015, to inform the public, agencies, and Tribes of the revised project and to solicit comments.
- **Second scoping comment period.** Written and oral comments were received via email, letters, and the project website during the additional public scoping meeting and during the scoping period, which ended on November 27, 2015.
- **Additional Comments:** The Corps received additional comments after the second formal scoping period, and these comments have been considered in the development of the EIS.

³⁹ 40 C.F.R. 230.10 [a][1-3]

The Corps received a number of comments on a broad range of topics. A summary of the scoping process and all the comments are available on the Corps' Navy Base ICTF EIS website at www.NavyBaseICTF.com. Several comments were submitted that pertain to identification and evaluation of alternatives for the proposed action, and they are summarized in Appendix C. These comments were taken into consideration during the alternatives development process.

2.3 CORPS' SCREENING OF ALTERNATIVES

This section describes the process used by the Corps to identify and screen potential alternatives to Alternative 1 (Proposed Project) that would be considered further in the EIS, in compliance with the applicable CEQ and Corps regulations. The analysis of alternatives is considered to be the "heart of the environmental impact statement" (40 C.F.R. 1502.14). The Corps is required to "rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" (40 C.F.R. 1502.14). Determining a range of reasonable alternatives to be evaluated is the first step in this process. For some proposals, a large number of possible reasonable alternatives may exist. Therefore, the Corps typically develops appropriate screening criteria that are used to pare down a large list to a reasonable number of alternatives to evaluate in an EIS.

Reasonable alternatives do not include remote or speculative alternatives, or alternatives that would not achieve the project purpose. The CEQ provides guidance on the range of alternatives that should be considered in an EIS and on how to define whether an alternative is sufficiently reasonable to be considered in detail in an EIS. As noted earlier, reasonable alternatives include those that are practical or feasible from a technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant⁴⁰; however, first and foremost, a reasonable alternative must meet the purpose and need of the project.

The following sections introduce the alternatives screening criteria (Section 2.3.1) and then provide the results of the analysis using the screening criteria (Section 2.3.2).

2.3.1 Alternatives Screening Criteria

In consideration of the purpose of and need for Alternative 1 (Proposed Project), the Corps developed screening criteria to identify possible alternative ICTF sites that would be evaluated in the EIS. Three different levels of screening were used: Initial, Tier I, and Tier II. Initial screening criteria narrowed the analysis to private/public intermodal container terminals in Charleston Harbor. Tier I screening criteria narrowed the realm of possible alternative ICTF locations to specific sites, and then Tier II screening criteria further narrowed these sites to those to be carried forward in the EIS.

⁴⁰ NEPA's Forty Most Asked Questions (<http://ceq.hss.doe.gov/nepa/regs/40/40p3.htm>).