

The question has come up regarding the level of detail that should be included in the SDEIS for dismissed alternatives.

CEQ regulations state at 40 CFR 1502.14(a) that only reasonable alternatives need be considered in detail. Reasonable alternatives must be those that are feasible and such feasibility must focus on the accomplishment of the underlying purpose and need (of the applicant or the public) that would be satisfied by the proposed Federal action (permit issuance). The emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.

Under the Clean Water Act, only the least damaging practicable alternative may be permitted. An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

We consider the NEPA "reasonableness" test and the Clean Water Act "practicability" test to set essentially the same threshold. In evaluating various alternatives likely to achieve the overall project purpose, we pursue that evaluation of the various alternatives to its logical conclusion. Generally the first level of review is for practicability. In those cases where the project is determined to not be practicable, the analysis is terminated and does not pursue an evaluation of impacts to the human environment. The rationale for dismissing an alternative from further consideration should be included in the DEIS.

During initial screening, some alternatives may be identified as having unacceptable environmental consequences on their own or when comparison with other practicable alternatives under consideration. The DEIS should also characterize the basis from excluding these otherwise practicable alternatives.

For example, during planning for a new highway proposal several alternatives that achieve the overall purpose may be considered. While screening the various routes, one may impact substantially more wetlands than the other routes. If on further analysis, the other alternatives do not show other substantial environmental impacts, the route with high wetland impacts would not be carried forward for further review in the DEIS. The basis of this decision would be represented somewhere in the administrative record. In many cases it would be characterized in a brief narrative and possibly a table showing various wetland impacts for the alternatives originally screened.