Off-Site Alternatives Analysis

Fall 2010 Consultant Workshop







Purpose

- Compliance with 404(b)1 Guidelines as part of 404(b)1 analysis
- 40 CFR Section 230.7(b)(1)
 - ➤ No discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem
- Required for all <u>non-water dependent</u> Section 404 discharges



Purpose (Cont'd)

- Water Dependency
 - where a project does not require access or proximity to or sighting within a special aquatic site, it is presumed that a practicable alternative that does not involve discharges into special aquatic sites are available, unless clearly demonstrated otherwise





Order of Alternatives Analysis

- 1. Site selection criteria
- 2. Factors used to analyze alternatives
- 3. Applicant's preferred alternative
- 4. Alternative sites considered





Site Selection Criteria

- Based on project purpose, case-by-case basis
- Minimum Size Requirement and Rationale
- Configuration and Rationale (square, rectangle, etc.)
- Where does project need to be located?
 - ▶ Regional
 - ▶ State
 - ▶ County
 - ► City
 - ▶ Specific area of the city
 - ► Proximity to a certain development (target market, airport, availability of potable water, etc.)
- Scope cannot be too limited as to eliminate all practicable alternative, i.e. at intersection 'Y'



Applicant's Preferred Alternative

- Explain characteristics of the site and impacts that would occur on the site with the proposed project as planned without being biased.
 - ▶ USACE makes final decision



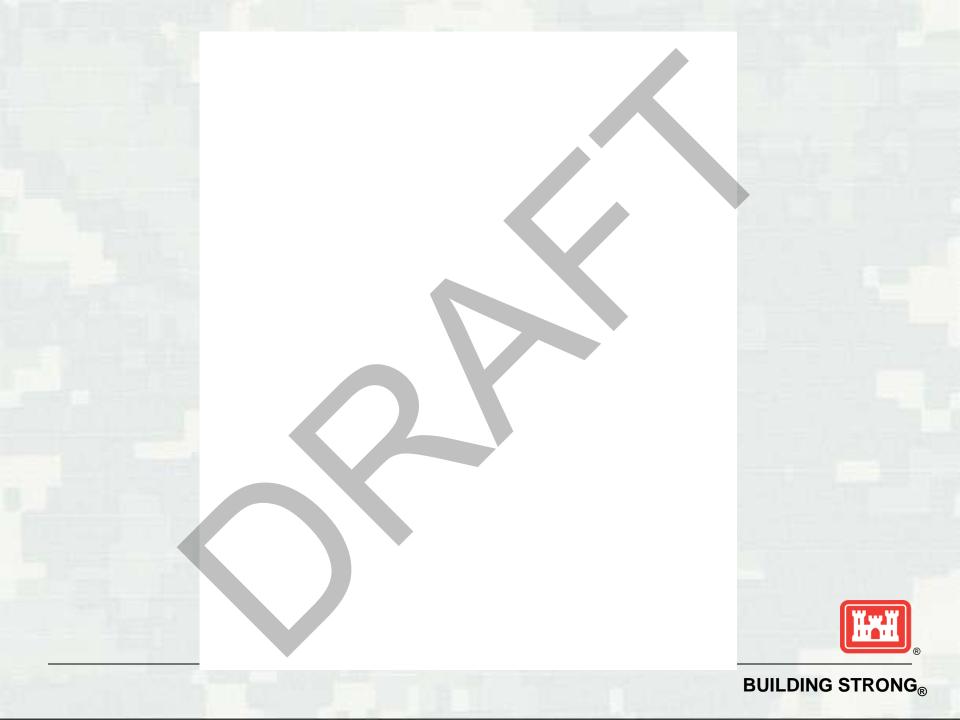
Factors Used to Analyze Alternatives

- Based on the purpose and need of project
- Used to determine the least environmentally damaging practicable alternative (LEDPA)
- Type of factors and number of factors is determined on a case-by-case basis
 - Ownership of parcel is almost <u>never</u> a factor
 - Impacts to aquatic sites <u>always</u> a factor
 - All factors have to be measurable-not just Pass or Fail
- Examples
 - Highway visibility, proximity to residential areas, costs, water quality, T&E species, sustainability of the site, etc.

Analysis of an Off-Site Alternative

- Provide specific location of site
 - ▶ Maps help!
- For aquatic resources, <u>always</u> provide:
 - ► Amount of wetlands/streams on-site
 - ► Amount of wetlands/streams that would need to be impacted for purpose of the project
 - ► Impacts jurisdictional/non-jurisdictional areas?
- Label non-quantitative factors with a rating; i.e.,
 High, Medium, Low; Scale 1-5; etc.













Keep in Mind

- Off-site alternatives are <u>not</u> being compared to the preferred alternative
 - ▶ Compared to No Action alternative:
 - "The no action alternative would not result in any impact on the aquatic environment or any other environmental factor. The no action alternative would not meet the basic project purpose."
- Aquatic impacts is <u>most commonly</u> the deciding factor when determining the LEDPA



Conclusion

We need unbiased, detailed, but concise descriptions of alternative sites (include numbers and other qualitative information) in order to determine the LEDPA.

