UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII
999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

EO-2

OCT 20 1999

Ref: 8EPR-EP

Mr. Jerry B. Reese
Forest Supervisor
Targhee National Forest
420 North Bridge Street
St. Anthony, Idaho 83445

Re: Squirrel Meadows Grand Targhee Land Exchange
Draft Environmental Impact Statement

Dear Mr. Reese:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the Region VIII Office of the United States Environmental Protection Agency (EPA) has reviewed the *Draft Environmental Impact Statement (DEIS) for the Squirrel Meadows Grand Targhee Land Exchange Proposal*, dated June 1999. The United States Forest Service (USFS) proposes to exchange up to 195 acres of Forest Service lands at Grand Targhee Resort (GTR) for at least 385 acres of private land at Squirrel Meadows. Both parcels are located within the Targhee National Forest in Teton County, Wyoming.

This DEIS analysis supports two Forest Service decisions (p. 1-4): 1) Whether or not the USFS should acquire Squirrel Meadows, and 2) whether the USFS should exchange property at the base of Grand Targhee Resort for the Squirrel Meadows parcel. Regarding the first decision, the Environmental Protection Agency (EPA) agrees with the USFS that the Squirrel Meadows parcel would be a valuable addition to the USFS land base because the habitat values appear to be high for certain plant and wildlife species and the parcel contains valuable wetland complexes. Squirrel Meadows represents an in-holding, and a potential gap in protection of these resources.

Regarding the second decision on whether to trade the GTR base area, EPA has environmental and analysis concerns. Our environmental concerns center around the direct and indirect impacts to wetlands and wildlife habitat from the additional development on the GTR parcel afforded by Alternatives B, C and D.

In Alternatives A and E the base area remains on USFS land, while in Alternatives B, C and D the base area is private, and these alternatives would allow less-restrictive development of the base area. These two sets of alternatives present very different base area development scenarios. The DEIS indicates a different type, and a greater amount of development for Alternatives B, C and D than expected with Alternatives A or E. The DEIS therefore makes a

clear case that the *land exchange* and the resulting *base-area development* are "connected actions" because the amount and type of development proposed in the exchange alternatives cannot, and will not, proceed unless the land exchange proceeds (see Regulations for Implementing the Procedural Provisions of NEPA 40 CFR 1508.24(a)(1)(ii)). However, the DEIS does not specifically identify the land exchange and the base-area development as connected actions as required by NEPA's implementing regulations.

As a connected action, the environmental impact expected from base-area development plans for Alternatives B, C, and D must be disclosed in detail to allow the public a complete understanding of direct, indirect and cumulative effects from these proposed actions. If the proponent indicates that base-area plans are not currently available, we offer two options: 1) Include in Alternatives B, C and D, resource-protective conditions (deed restrictions) or "maximum allowable resource impact" including building footprints, roaded acres, waste water treatment plant discharge, wetland fill, tree cutting, etc., and then base the environmental impact analysis on those maxima, and 2) Postpone the FEIS until site-specific development plans are available so that impacts can be fully assessed.

We have enclosed detailed descriptions of our comments for your consideration as you complete the FEIS. The primary concerns for EPA on this project include:

1. The DEIS does not identify the type and functions of the wetlands resources within the GTR base area, and Alternatives A-C do not protect those resources;
2. The DEIS does not sufficiently identify and evaluate potential direct, indirect and cumulative impacts to waters of the United States, including wetlands, from base area development within the Grand Targhee Resort;
3. The DEIS fails to consider the development of the GTR parcel as a connected action, and does not adequately disclose potential direct and cumulative impacts of the action on both parcels;
4. The DEIS fails to ensure that all unavoidable adverse impacts are adequately mitigated and monitored until deemed fully successful by the appropriate resource agencies.

Based on the procedures EPA uses to evaluate the potential effects of proposed actions and the adequacy of the information in the DEIS, the Preferred Alternative identified by the DEIS for the Squirrel Meadows Grand Targhee Land Exchange Proposal (Alternative B) will be listed in the Federal Register in the category EO-2 (Environmental Objections- Insufficient Information). This rating means that the EPA has identified potential significant impacts that must be avoided in order to provide adequate protection to the environment and the DEIS does not contain sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment. To adequately address these issues, a supplemental Draft EIS is recommended under NEPA (40 CFR 1502.9) to fully evaluate and disclose the remaining potential significant impacts to the public prior to issuing a Final EIS. We have enclosed a summary of EPA's rating criteria and definitions.

Because some of the action alternatives differ substantially in content from the preferred alternative, EPA is providing ratings for all alternatives in this DEIS. Alternative D is

substantially similar to Alternative B, though the development footprint would be reduced, and is also rated "Environmental Objections - Needs Information" (EO-2). Alternative C allows controls over the impacts of development through deed restrictions and offers more protection of Forest interests, both environmental and recreational, but also has a substantially larger developed footprint and is rated "Environmental Objections - Needs Information" (EO-2). Finally, Alternative E does not include a land exchange, has no substantial negative environmental impact, and is rated "Lack of Objections" (LO).

For those alternatives on which we have expressed environmental objections, if these alternatives were to include appropriate deed restrictions, and/or other legal restrictions, such as required mitigation measures, EPA's concerns could be significantly reduced. We would welcome the opportunity to discuss with your staff some appropriate options that could lessen the environmental impacts from this project. We again share the Forest Service's desire for the protection of the Squirrel Meadows parcel and we are convinced that this can be accomplished without significant environmental compromise.

We appreciate your interest in our comments and we are providing the enclosed specific comments and recommendations for your consideration in future NEPA documentation on the land-exchange proposal. If you have any questions or want to discuss these comments, please contact Sarah Fowler with wetland questions at (303) 312-6192 or Phil Strobel with the NEPA Unit at (303) 312-6704.

Sincerely,

Carol L. Campbell

Carol L. Campbell
Director
Ecosystems Protection Program

Enclosures
cc: Elaine Suriano, EPA HQ
Rhey Solomon, USFS

USEPA's Specific Comments

Squirrel Meadows - Grand Targhee Land Exchange Proposal
Draft Environmental Impact Statement

Connected Actions and Indirect Effects

As discussed in our cover letter, the actions of base-area development and the land exchange are considered connected actions under NEPA. It is important that this EIS treat these actions as connected in order to assure that impacts from the development of the GTR parcel are fully understood and disclosed. The discussion of the expected environmental effects from development under Alternatives B, C and D is treated in the DEIS only at the broadest level of specificity. The analysis is somewhat speculative and offers no assurance that the actual impacts from development will be equal to, or less than, what is disclosed in the DEIS.

The DEIS should have included the actual number of acres of impacts by facility (i.e., lodges, single family, multi family, commercial/retail, office/ administrative, parking, open space, and infrastructure) based on site-specific development plans, or the DEIS should have set maximum allowable impact levels that could be carried forward as conditions on the land exchange. Either of these approaches would allow the public to understand the impacts of the project whether through actual expected impact, or through maximum allowable impact, and to weigh those impacts against the positive effects of the exchange. These direct and indirect effects from development should be more specifically disclosed in a table for comparison across alternatives.

Comparison of Alternatives and Impacts

Table 2.1 (p. 2-4) compares the "expected development potential by alternative." This table would be more informative if it included the amount of each *type* of housing that is expected (hot bed vs. cold bed). It would also be helpful to include in this table the acres of developed footprint in each alternative.

Table 2.2 (p. 2-10) compares the impacts of each alternative. This table should be updated to include information on land development within the GTR parcel. Specifically, the table should include developed acreage (roads, parking, facilities, lawns, etc.), acreage in a "natural" condition at full build-out, and acres of impervious surface.

An example of the type of information described above is found in the Water Quality section of the DEIS (p. 4-23). The 1994 MDP authorized base-area development up to approximately 27.9 acres of impervious surfaces (buildings and parking). Alternatives B and D would increase the impervious surface acreage from 27.9 acres to 119 acres. It would greatly assist the reader if this information were also provided in the summary tables mentioned above.

The discussion on *Effects of the Alternatives on the Issues*: *Lands and Legal Considerations* (DEIS Summary p. 12) for Alternative A indicates that "adverse impacts to

wetlands, water quality and soils would occur with development at Squirrel Meadows." Because wetlands are also likely to be impacted under alternatives B, C and D, it should be stated there as well. There is no statement regarding the increased potential negative impacts to lands associated with Alternatives B, C or D. The DEIS (page 6) reports that "the potential development of Squirrel Meadows would be a conventional subdivision with six to nine home sites located in upland areas."

Wetlands

Regarding the analysis of potential wetland impacts on Squirrel Meadows under the Alternatives A and E, it is not clear that adverse impacts to wetlands will occur. The DEIS indicates that 380 of the 385 acres in the parcel are classified as wetlands. Any proposed development in wetlands in Squirrel Meadows would be difficult to permit under a Section 404 permit since the high quality of the wetlands would likely result in intense scrutiny by the regulatory agencies. While there is the potential for unregulated activities causing adverse impacts (i.e., groundwater pumping, indirect impacts from adjacent residential development, etc.), the likelihood of these impacts should be thoroughly investigated and documented prior to making the conclusion that impacts to aquatic resources will occur. The EIS should more specifically indicate the amount of wetlands likely to be impacted from 6 to 9 home sites, and should more fully describe the CWA approvals necessary to allow such impacts.

The DEIS section on floodplains and wetlands (p. 3-38) identifies the presence of seeps and springs within the GTR base area. More analysis is required to identify whether potential fens, or peatlands, are present within the GTR base area and whether they may be affected by the respective alternatives. Should fen-type wetlands exist within the wetlands in the GTR base area and have proposed direct or indirect adverse impacts as potential impacts, mapping of those locations should be included in the Supplemental Draft EIS. We request that fens be mapped prior to issuing the next EIS document and prior to CWA 404 permit application. Fen-type wetlands have recently been designated by Region 6 of the Fish and Wildlife Service (USFWS) as Resource Category 1 with respect to the USFWS Mitigation Policy.[1] The mitigation goal of Resource Category 1 is *no loss of existing habitat value* and makes the protection of fens a priority during Section 404 permit reviews. Fens are wetlands that have primarily organic soil material (*i.e.* peats or muck) and are created over long time periods in ground water driven, saturated conditions. Because the rate of plant growth exceeds that of decomposition, organic soils form very slowly by accumulation of plant debris. Fens in the Rocky Mountains are believed to develop or accumulate at rates ranging from 4.3 to 16.2 inches per thousand years. In Colorado, the Corps of Engineers has revoked the use of Nationwide Permit #26 in fens containing histisols to better protect this unique wetland type.

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[1] Peatland Mitigation Policy Considerations, U.S. Fish and Wildlife Service, Region 6, January, 1998

Accordingly, we consider this wetland ecosystem to be, for all practical purposes, non-renewable and irreplaceable. Mitigation for these wetlands types is also highly problematic. Therefore, in accordance with the goal of no overall net loss of the nation's remaining wetlands base for the Section 404 regulatory program, we consider these unique aquatic resources to be of critical ecological importance and should be evaluated and disclosed in the Supplemental Draft EIS, and will likely receive the highest regulatory scrutiny during subsequent 404 permit review.

The section in the DEIS describing *Wetlands and Water Quality at Grand Targhee* (page 4-22) notes that the GTR will likely propose wetland impacts (letter sent 6 July 1999) in the future with "(t)he extent and nature of potential impacts... unknown at this time." As stated before, this presents a significant concern for the Environmental Protection Agency which we have been expressing consistently with the Forest Service and with the ski industry; that is, that the environmental analysis (i.e., Forest Service NEPA documents) for development projects affecting waters of the U.S., including wetlands, should include the Section 404(b)(1) alternatives analysis required under 40 CFR 230.10. There are many benefits to including information to support both the USFS EIS requirement and the CWA Section 404 requirements in the same NEPA process in order to disclose all direct, indirect, and cumulative impacts to aquatic ecosystems, as well as to bring avoidance, minimization and mitigation requirements (i.e., Section 404 CWA requirements) to the applicant, early and consistently through the process.

Should the Forest Service proceed with this land exchange without the necessary information that the Corps and EPA requires for full disclosure of wetlands impacts, the Corps may be faced with a decision to supplement the NEPA document which may result in additional costs and delays. The fact that the DEIS discloses only a preliminary development plan with no site-specific analysis of impacts to waters of the U.S. appears to suggest that the applicant is waiting for the land exchange approval before requesting federal approval from the Corps of Engineers. The NEPA Guidance found in the *Forty Most Asked Questions Concerning the CEQ's Regulations* (#9), further directs the federal agencies to contact other federal agencies where approvals are necessary, to insure an early and comprehensive analysis of the direct and indirect effects of the proposal **and any related actions**. In view of the new information that wetland impacts will likely be proposed for base-area development with the land exchange and the potential for significant adverse impacts resulting from this base area development, the Forest Service should evaluate and disclose these impacts, and take steps to avoid these impacts in the current NEPA document.

Further, adverse impacts to waters of the U.S. resulting from increased impervious development with the proposed action (Alternative B) are likely to occur. Developed flows have been demonstrated to cause erosion, loss of aquatic habitat, and carry potential water quality impacts. The analysis of potential indirect effects to wetlands associated with this project has not been adequately documented and should be completed prior to the Final EIS. This analysis could include storm water treatment systems that will be designed to mitigate potential water quality and water quantity problems associated with this alternative. In-channel mitigation should also be

identified to mitigate the impacts from increased erosion resulting from runoff that is 2.4 times the magnitude of runoff under Alternative A (in a 100 year event).

In conclusion, it is in the best interest of all the parties to include 404(b)(1) Guidelines alternatives analysis in one NEPA document to prevent unnecessary time delays and duplicative environmental analysis.

Selection and Analysis of Alternatives

The Forest Service has selected Alternative B (land exchange without deed restrictions) as its preferred alternative. The DEIS did not contain the rationale behind that decision. It would seem that if the land exchange is approved, Alternative C, which includes deed restrictions, would allow the Forest Service to be in a better position to assure that this action is protective of the resources in the base area and in the USFS land surrounding the base area.

It appears (DEIS Appendix B-1) that Booth Creek, Inc., given that it is successful in acquiring the GTR parcel, is willing to adhere to the applicable mitigation measures from the 1994 MDP. Specifically, Booth Creek has "stipulated that their base-area development will either restate these mitigations or provide a comparable level of protection." However, we found no specific commitment to these mitigation measures listed in the description of alternatives or elsewhere in the DEIS. We recommend that these mitigation measures be added to the description of alternatives in the FEIS.

Many of these mitigation measures, if included as conditions on the land exchange, would significantly reduce EPA's environmental concerns associated with the exchange. Regarding the Booth Creek statement that if the specific mitigation measure is not followed, a "comparable level of protection" would be provided, EPA strongly recommends that an independent review panel be established to assure that mitigation measures are being followed, and to review proposals for "comparable level of protection" determinations. This panel might include Forest Service staff, citizens, county planners, environmental scientists and others.

Purpose and Need

The purpose and need statement in the DEIS (p. 1-3) provides a strong argument for the acquisition of the Squirrel Meadows parcel as it contains valuable habitat and reduces the size of an in-holding. However, the *likely* "occurrence of rare plant communities" is listed in the Purpose and Need discussion (p.1-4) as an argument for acquiring the Squirrel Meadows parcel. The *actual* occurrence of rare plant communities should be documented in the FEIS, or this purpose and need statement should be relocated from the Purpose and Need section to the Affected Environment section. Purpose and need statements should be limited to those issues that are quantitatively verified, and the EIS should include any documentation necessary to defend the need.

The arguments presented regarding the need for exchanging the Grand Targhee parcel are less conclusive and should be expounded upon in the FEIS. The exchange of the GTR parcel

would actually provide a new in-holding in the interior of the Forest and in an area that includes and is surrounded by sensitive habitat. The arguments provided in the Purpose and Need chapter regarding the high administrative burden associated with administering the base area appear to be more than balanced by the revenue generated for the Forest Service from base area amenities.

The Purpose and Need for trading out the GTR parcel states that the Forest Service is spending "extensive time administering the developments at Grand Targhee" (DEIS 1-4), and if our interpretation is correct, these administrative costs are approximately $90,000 per year (1994 MDP FEIS, page IV-101)" (DEIS 3-34). In order to be better equipped to assess the merits of the land exchange, it is essential that this cost be further disclosed or explained. In addition, it is our understanding of Table 4.4 (DEIS 4-14) that under the no-action alternatives (A and E) the resort will generate revenue for the Forest Service in the amount of $895,800 by year 10 of development. The analysis in Table 4.4 further indicates that the base area alone will generate $690,000 to $664,500 in revenue under A and E, and would produce $0 in revenue if exchanged. The stated administrative burden of base-area administration ($90,000 or 1.5 person-years) would seem to be more than balanced by the revenue benefits in the form of base and ski area permit fees under the no-action alternative. If this is the case, the net benefit to the Forest Service from being relieved of Grand Targhee management responsibilities is unclear and should be further explained in the FEIS. Finally, it should be understood that the Forest Service willingly, knowingly and voluntarily took on the administrative burdens associated with the base area when it developed and approved the 1994 MDP.

The DEIS states (p. 3-25) that the GTR base area has been developed "to the point that most, if not all, of its naturalness or forest character has been lost." This statement is made apparently to support the Forest Service's authority to exchange this parcel (see first bullet on p. 1-6). It is at least partially misleading to assert that the parcel has lost its forest character. It is our understanding that the current footprint of base-area facilities represents only 14 acres of the 195 acre trade parcel. Even with full development of the current MDP, only a portion of the parcel will have lost any of its forest character. The northern and eastern portions of the GTR trade parcel appear to be undeveloped, to retain their "forest character," and there are apparently no plans for future development under the current MDP.

Base Area Purpose

The USFS originally permitted a ski area at Grand Targhee to meet public demand for winter recreation and to provide a high quality recreation experience. More recently, the USFS issued an MDP that included some additional development at the base area in order to improve public access to the resort and to increase weekday visitation to the resort. The base area is currently on Forest Service public land and would remain so under Alternatives A and E. When the USFS approved development of the base area originally and the modifications in 1994 MDP, the *type* of development was limited by UFSF policy from the Forest Service Manual (FSM). EPA would like to see the following excerpts from the FSM included in the description of Alternative A, and referenced in Alternative E, in order that the public be able to understand the differences in development that would likely occur under different alternatives.

FSM 2343.3 - Lodging and Overnight Accommodations. This category includes sites and facilities such as lodges, hotels, motels, campgrounds, trailer courts and camps, and commercial group camps. In addition to the general policies in FSM 2340.3, the following policy applies to lodging and overnight accommodations.

1. Authorize provision of lodging accommodations on National Forest land only where there is a public need for the facilities and where there is no suitable private land for such facilities within a reasonable distance.

2. Require operation, management, and marketing of lodging and overnight accommodations in a manner that ensures the general public has full access to the facilities. Deny exclusive or preferential use by holders, their employees, families, friends, business associates, partners, stockholders, lenders, or others who may have a monetary interest in the facilities.

3. Require holders to establish guest stay limits of 30 days or less to ensure the continuing availability of facilities for public use and to ensure no personal, private, or preferential use of authorized facilities including trailer sites, overnight houseboat mooring accommodations, and campsites.

2343.4 - Restaurants, Cafes, and Other Food Services.
2. As an adjunct to resorts, allow shops that provide clothing and equipment used in the primary recreation activity at the resort.

2343.03-3. Give priority to developments offering moderately priced accommodations and services as opposed to luxurious accommodations and services affordable only by the affluent.

2347.6 - Private Lodging. This category includes private accommodations such as condominiums, condo-hotels and time-share camps, hotels, and motels.

1. Allow cooperative or condominium financing of overnight accommodations only when units will be operated on a fully public basis, available for rental to the general public.
6. Require permittees to establish reservation systems that guarantee access to condominium units by the general public and do not allow investor-owners to make a reservation more than 2 months in advance of any given period of occupancy.

The above policies are in place to ensure that the public interest is the foremost consideration in providing lodging and amenities on public lands at resorts. Base-area amenities on public lands must directly support the recreation experience, and must be weighted toward affordability and public availability. These restrictions also limit the amount of development, thereby preserving as much habitat as possible while meeting the recreation need. Given that the USFS is considering the trade of the Grand Targhee base area parcel voluntarily, and given that the parcel would effectively become an in-holding in a resource-rich, ecologically sensitive area of the Forest, EPA recommends that as much of the above policy as possible should be carried forward as deed restrictions, both to maintain the public purposes of the base area and to better protect the environment both in the GTR parcel and on adjacent lands.

The Forest Service approved up to 686 publically available lodging units in its 1994 MDP. Given a trade without deed restrictions as in Alternatives B and D, there is no guarantee that the resort would provide anywhere near this number of units. These units would be replaced in part

by more profitable condo and second-home units, with no requirement that they be available to the public for lease. Second homes are typically utilized only a fraction of the year, and do not provide the same support to the recreation opportunity that lodging and condo-hotels provide. The effect of a trade without deed restrictions could therefore decrease public access to a public recreation opportunity.

With respect to overnight visitation rates among the Alternatives, the analysis in the DEIS (p. 4-10) appears to be misleading. The DEIS indicates that Alternatives A, E and C will "accommodate" approximately 140,000 visitor nights, while B and D will "accommodate" approximately 196,000 visitor nights. Given that second homes and condos (as found in B and D) are typically utilized only a fraction of the year, a more accurate picture of visitation would be provided by utilizing "projected overnight visitation" in place of "number of visitors accommodated." If any of the economic analyses or analysis of projected skier visits in DEIS were based on the "accommodation rate" figures, we recommend they be recalculated using "projected overnight visitation." Depending on the mix of "hot bed" or overnight-type lodging and "cold bed" or second home/condo-type lodging, it is entirely possible that Alternatives B and D could result *lower* actual overnight visitation rates despite allowing significantly more real estate development.

In order to assure the continued public purposes of the resort and base area we recommend that the USFS include a condition on the land exchange alternatives requiring an adequate (USFS specified) amount of public, day-skier parking be permanently provided within the GTR trade parcel. This condition would prevent parking lots from being converted to other uses at some future date, and would therefore reduce the likelihood that the USFS would have to consider provision of parking on USFS lands or conduct future land exchanges.

Miscellaneous Comments

The map for Alternative A is unreadable (Map 2.1 Alternative A: MDP Approved Development). A better map should be provided so that the public can understand the no-action alternative and its proposed footprint on the site.

The maps on pages 3-46 and 3-47 are inconveniently located with respect to the key of prescription unit definitions listed on page 3-4. Additionally, three prescriptions (2.3, 4.1, and 8.1) are listed on the maps but are not defined in this key, but on yet another map on appendix page D-1.

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonaby available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.