

general purposes set forth in NEPA Sections 101(b) and 102(1). NPS policies provide a framework to balance visitor use and resource protection and values to be preserved for future generations.

2.7 Environmentally Preferred Alternative

As defined by the CEQ: “The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA’s Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources” (CEQ 2005a).

After careful consideration of Section 101 with regards to the detailed study alternatives, the Monetary Settlement Alternative was selected as the Environmentally Preferred Alternative for this project because it best promotes the goals described in the requirements above. The Monetary Settlement Alternative is not expected to impact GSMNP resources. This alternative is not necessarily the same as the Preferred Alternative nor is the NPS required to select this alternative as the Preferred Alternative.

2.8 Least Environmentally Damaging Practicable Alternative

The Section 404(b)(1) Guidelines, published by the Environmental Protection Agency (USEPA) in conjunction with the United States Army Corps of Engineers (USACE), contain substantive environmental criteria used in evaluating discharges of dredged or fill material. Under these guidelines, no discharge can be permitted if a practicable alternative with less adverse impact on the aquatic environment (unless the identified alternative poses other significant environmental consequences) is available. The USACE requires that an EIS, being prepared for an action which will require a Section 404 permit, identify the Least Environmentally Damaging Practicable Alternative (LEDPA) on the aquatic environment in accordance with the Section 404(b)(1) Guidelines. However, the USACE’s evaluation of a Section 404 permit application is a two part test involving (1) a determination of whether the project complies with the Section 404(b)(1) Guidelines, and (2) a public interest review. This public interest review is a balancing test in which the public and private benefits of a project are compared against its adverse impacts to the environment. It includes such considerations as conservation, economics, aesthetics, navigation, fish and wildlife values, water supply, water quality, energy needs, flood damage prevention, and cultural resources. The USACE also considers all comments received in the permit process, whether in response to a public notice or a public hearing. A permit cannot be issued or an application must be denied if the project fails to comply with the Guidelines or is found to be contrary to the public interest.

In that the Monetary Settlement Alternative would not involve fill in “Waters of the United States,” and would have no effect on the aquatic environment, it was selected as the LEDPA.

2.9 Preferred Alternative

The Preferred Alternative is the alternative that best meets a project’s purpose and need and accomplishes the project’s goals and objectives. “This is the alternative the park service believes would best accomplish its goals after the in-house NEPA analysis has been completed, when the choice of an alternative as ‘preferred’ is appropriate” (NPS, 2001a). To date the National Park Service has not determined a Preferred Alternative. After full review of the DEIS and careful consideration of comments, a Preferred Alternative will be identified and made available to the public in the Final Environmental Impact Statement.