



**US Army Corps  
of Engineers**  
Fort Worth District

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## **Three Oaks Mine Environmental Impact Statement Scoping Summary**

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**November 2001**

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## **1.0 INTRODUCTION**

This report summarizes the input received from the interested public and agencies relative to Alcoa's proposed Three Oaks Mine and the associated environmental impact statement (EIS) scoping process. Alcoa Inc. proposes to develop a surface lignite mine (the Three Oaks Mine) southwest of, and adjacent to, their existing Sandow Mine. In conjunction with this proposed development, Alcoa has applied to the U.S. Army Corps of Engineers (USACE) for a permit to discharge dredged and fill material into waters of the United States (U.S.) under Section 404 of the Clean Water Act. Issuance of a Section 404 individual permit is a federal action subject to review under the National Environmental Policy Act (NEPA). Under the provisions of NEPA and the Council on Environmental Quality implementing regulations, the USACE has determined that the permit decision is a major federal action with the potential to significantly affect the quality of the human environment; therefore, the proposed project requires preparation of an EIS. One of the required activities associated with preparation of an EIS is the solicitation and review of public and agency input as a component of the identification and analysis of potential environmental impacts and alternatives. This process of determining the key environmental issues to be addressed in the EIS document is termed "scoping."

## **2.0 PUBLIC PARTICIPATION AND SCOPING PROCESS**

### **2.1 Public Notices**

The USACE published in the July 19, 2001, Federal Register, Volume 66, No. 139, page 37660, a Notice of Intent to prepare an EIS for the proposed surface lignite mine. On July 20, 2001, the USACE published and distributed a Public Notice to all parties on the Fort Worth District USACE mailing list for Lee, Bastrop, and Milam Counties, adjacent landowners, and other interested parties. The purpose of the Public Notice was to inform interested parties about the proposed Three Oaks Mine, to solicit comments relevant to the Section 404 permit application, and to inform the public about an August 21, 2001, EIS scoping meeting in Giddings, Texas, held for the purpose of gathering information on the scope of the EIS. Also, a notice informing the public of the EIS scoping meeting was published in several local newspapers.

### **2.2 Public Scoping Meeting**

On August 21, 2001, the USACE conducted an EIS scoping meeting in Giddings, Texas, to provide additional information regarding the proposed project to the interested public and to solicit public comments in either written or verbal format.

### **2.3 Agency Scoping Meetings**

On August 22, 2001, September 26, 2001, and October 11, 2001, the USACE coordinated meetings with interested agencies to provide detailed technical information regarding key aspects of the project and to solicit agency input regarding the appropriate scope and analyses for the EIS.

### **2.4 Comment Periods**

The formal 60-day comment periods related to the Public Notice and the EIS scoping process were extended for 1 week upon the written request of several interested organizations. These revised comment periods closed on September 28, 2001.

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### **3.0 COMMENT REVIEW AND DATABASE ENTRY**

All public comments received have been directed to the USACE to ensure consistency and accuracy of handling and disposition. All written comments (including comments provided to the stenographer at the public scoping meeting) have been handled according to the following set of protocols.

#### **3.1 Comment Receipt and Cataloging**

As Public Notice and EIS scoping comments were received by the USACE, the comments were cataloged and recorded with a unique entry number for each letter, comment form, or other submittal. Original copies of all comments are being maintained by the USACE.

#### **3.2 Data Entry of Individual Comments**

Following initial cataloging, the USACE submitted complete copies of the comments to ENSR, the USACE third-party EIS contractor, for entry into a computerized database to facilitate efficient summarization and retrieval of specific comments related to specific issues.

#### **3.3 Data Analysis and Summarization**

After being entered into the database, comments were sorted by environmental/human resource and by specific issue within each resource to assess the public and agency concerns related to the proposed project. This approach facilitated a comprehensive identification of all issues to be addressed in the EIS. Results from this analysis are summarized in the following sections of this report.

#### **3.4 Use of Results in EIS Preparation**

This summary of scoping comments presents a preliminary identification of those issues that are relevant to the EIS and those issues that the USACE considers to be outside of the scope of the NEPA process for the proposed Three Oaks Mine. It also identifies the section(s) of the EIS where individual topics and issues will be addressed. Copies of the detailed comment summary and analyses have been provided to all resource specialists on the EIS team to ensure that they address the relevant issues in their technical analyses and text preparation.

### **4.0 STATISTICAL SCOPING SUMMARY**

The scoping phase of EIS preparation is designed to encourage public input to the environmental analysis and document preparation process. Hence, the number of comments received at this stage, as well as at other key points in the process, gives an indication of both the level of public interest in the proposed project and the level of public participation in the EIS process.

The following quantitative summary provides a general overview of the number of comments by resource and by issue. Some comments concerned more than one subject; therefore, some comments have been included in more than one quantitative issue summary although they were counted only once for the total comments category in Subsection 4.1. Due to limitations in the database's ability to capture the depth and specificity of public comment, these numbers represent an approximate and relative, rather than an absolute, accounting of comments.

Each individual commenter submitted one or more scoping comment letters or forms, each containing one or more individual comments that were categorized by subject. Specific issues that represented approximately 20 percent or more of the total comments for a given resource are listed as most frequently

raised. Therefore, the number of comments to qualify as “most frequent issues” is relative within each resource. No ranking is implied within the order of these top issues.

#### 4.1 Total

Number of Submissions (Letters or Forms)	1,391
Number of Comments	3,379
Number of Individual Commenters	1,298

#### 4.2 Water Resources

Number of Comments	1,077
Number of Individual Commenters	582
<b>Most Frequent Issues</b>	
Effects of groundwater withdrawal on water quantity, water quality, and public health	
Effects of groundwater withdrawal on vegetation and wildlife	
Effects of groundwater withdrawal on social and economic issues such as quality of life, property values, and income	
Effects of groundwater withdrawal on flood hazards and flood control	
Effects of bottom ash disposal practices on water quality	
Effects of mine dewatering on downstream reaches of surface water resources	

#### 4.3 Soils and Reclamation

Number of Comments	129
Number of Individual Commenters	108
<b>Most Frequent Issues</b>	
Effects of mining on erosion rates and soil loss	
Effects of proposed reclamation procedures on land use options	
Effects of reclamation on wildlife and vegetation communities	
Effects of bottom ash disposal on reclamation	

#### 4.4 Biological Resources (Vegetation and Wildlife)

Number of Comments	382
Number Individual Commenters	246
<b>Most Frequent Issues</b>	
Effects of groundwater withdrawal on vegetation and wildlife habitat	
Effects of groundwater withdrawal on habitat for threatened and endangered species	
Effects of mine water discharge on vegetation and wildlife habitat	
Effects of reclamation on wildlife habitat	
Effects of mining activities on wildlife habitat	
Effects of mining activities on habitat for threatened and endangered species	

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#### 4.5 Cultural and Paleontological Resources

Number of Comments	17
Number of Individual Commenters	17
<b>Most Frequent Issues</b>	
Effects of groundwater withdrawal on historic properties and archaeological resources	
Effects of mining activities on historic properties	
Effects of air quality changes on historic properties	

#### 4.6 Air Quality

Number of Comments	228
Number of Individual Commenters	155
<b>Most Frequent Issues</b>	
Effects of mine emissions and dust on air quality and the surrounding community	
Effects of mine emissions on public health	
Effects of plant emissions on air quality and public health	
Effects of mine emissions on visibility	

#### 4.7 Land Use and Recreation

Number of Comments	93
Number of Individual Commenters	87
<b>Most Frequent Issues</b>	
Effects of groundwater withdrawal on tourism and recreational opportunities	
Effects of mine emissions and dust on tourism and recreational opportunities	
Effects on land available for future building and agriculture due to potential subsidence in reclaimed areas	

#### 4.8 Social and Economic Resources

Number of Comments	822
Number of Individual Commenters	483
<b>Most Frequent Issues</b>	
Effects of mine on local employment, taxes, and economy	
Effects of mine on local property values, quality of life, and economic growth potential	
Role of Alcoa as a corporate neighbor and benefactor to civic groups	

#### 4.9 Noise and Visual Resources

Number of Comments	76
Number of Individual Commenters	44
<b>Most Frequent Issues</b>	
Effects of mining activities on local aesthetic characteristics	
Effects of mining-related noise on public health, quality of life, and wildlife and vegetation	
Effects of mining-related light pollution on public health, quality of life, and wildlife and vegetation	

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#### 4.10 Transportation

Number of Comments	70
Number Individual Commenters	50
<b>Most Frequent Issues</b>	
Effects of road relocations and changes on public safety	
Effects of road relocations and mining operations on local traffic volumes and patterns	
Effects of road relocations and changes on property values	
Road relocations and changes and increased government spending	

#### 4.11 Public Health

Number of Comments	136
Number of Individual Commenters	110
<b>Most Frequent Issues</b>	
Effects of water quality impacts on public health	
Effects of air quality impacts on public health (mine emissions)	
Effects of air quality impacts on public health (plant emissions)	
Effects of light pollution impacts on public health	

### 5.0 SCOPING COMMENTS TO BE ADDRESSED IN THE EIS

This section summarizes the public comments that will be addressed in the EIS. The comments below generally reflect the wording expressed by members of the public. The EIS will address both potential adverse and beneficial effects associated with each issue. Additional issues identified by agency personnel and the EIS preparation team will be examined during the EIS analyses to identify potential impacts and associated mitigation measures, where appropriate.

#### 5.1 Purpose and Need

- Mine would provide fuel for necessary energy production
- Mine would provide fuel for necessary aluminum production, providing a strategic metal and maintaining the market price of aluminum

#### 5.2 Alternatives

- Economic viability of using other types of fuel to generate power, including:
  - Low sulfur coal from Wyoming
  - Natural gas
- Continued smelter and power plant operation versus potential closure associated with the No Action alternative

#### 5.3 Geology

##### 5.3.1 Direct/Indirect Effects

- Change in stratification in soils and geological formations as overburden materials are placed back in the pit prior to reclamation activities

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### 5.3.2 Cumulative Effects

- No comments

## 5.4 Water Resources

### 5.4.1 Direct/Indirect Effects

- Direct mine area construction and operation impacts on surface and ground water quality, including:
  - Overburden runoff and erosion
  - Acid mine drainage
  - Changes in gradient and flow direction caused by lignite mining and faulting
  - Increased mobility of trace metals
  - Increased exposure of sulfur-bearing rocks
- Increased flood hazards and peaks due to:
  - Reduced number of impoundments necessary to store flood waters
  - Loss of natural vegetation necessary to slow down flood waters
  - Change in drainage patterns and elimination of wetlands and flood plains needed to absorb flood waters
  - Increased runoff and reduced lag time due to disturbed soils and compaction
  - Increased discharge from mine dewatering
  - Increased sedimentation in streams from mine water discharge, windblown soil, and road runoff reducing stream's ability to handle flood waters
- Groundwater withdrawal [Simsboro aquifer] impacts on:
  - Reduced water availability for riparian vegetation, wetlands, groundwater-dependent vegetation, and local agriculture (orchards)
  - Reduced water availability for wildlife
  - Reduced water quality and impacts on downstream ecosystems
  - Reduced baseflows to surface waters and wetlands
  - Reduced well production and well water quality
- Reduced Simsboro aquifer recharge due to:
  - Pumpage in excess of recharge rate
  - Continued pumpage causing collapse of storage areas
- Reduced Calvert Bluff Aquifer recharge due to reclamation and soil disturbance
- Geomorphological, ecological, and water quality impacts from mine water discharge, including:
  - Increased bottom scour and erosion
  - Increased sediment load and turbidity
  - Increased bank destabilization
  - Changes in river physiology and riffle/run sequence
  - Increased water temperatures and biological oxygen demand
  - Increased transmittal of pesticides, herbicides, and fertilizers
  - Increased potential for introduction of invasive species
  - Increased potential for flooding of certain properties
- Bottom ash disposal and mine pit impacts on water quality and public health, including:
  - Potential for leaching of pollutants that would exceed water quality standards
  - Need for a long-term water quality monitoring program around the mine
  - Need for liners and other leachate barriers to protect groundwater
  - Increased potential for radionuclides entering water supplies
  - Increased contamination of groundwater from heavy metals
  - Increased selenium contamination

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- Impacts of reclamation activities and procedures on water quality and resources, including:
    - Increased fertilizer and herbicide runoff from reclaimed area
    - Increased potential for groundwater contamination associated with disposal of bottom ash in the mine pits
    - Increased consumption of water resources from use of non-native grasses and vegetation in reclamation

#### **5.4.2 Cumulative Effects**

- Impact of groundwater withdrawal for the Three Oaks Mine, municipal pumping, SAWS contract, and other users [Simsboro aquifer – cumulative pumping] resulting in:
  - Reduced water availability for riparian vegetation, aquatic vegetation, wetlands, and groundwater-dependent vegetation including post oak savanna and Lost Pines
  - Reduced water availability for wildlife; specific interest in the Houston toad, other species of concern, and migratory waterfowl
  - Reduced water availability for local agriculture (orchards, pastures, and stock ponds)
  - Reduced well production and water quality including saline intrusion and changes in depth and flow patterns
  - Reduced water quality and impacts to downstream ecosystems
  - Reduced baseflows to surface waters and wetlands
  - Reduced recreation opportunities including hunting, tourism, wildlife watching, and other outdoor activities
  - Collapse of aquifer and soil subsidence
  - Reduced ability for aquifer recharge
- Effects on surface water resources resulting from changes in amounts and locations of mine water discharge as Three Oaks Mine is developed, Sandow Mine closes, and SAWS contract is implemented
- Support for development of water resources for beneficial uses rather than discharge of excess mine water into local drainages

### **5.5 Soils and Reclamation**

#### **5.5.1 Direct/Indirect Effects**

- Direct mine area construction disturbances including physical removal of topsoil
- Erosion impacts due to soil exposure, road runoff, reduced number of impoundments, and increased runoff velocities, resulting in:
  - Increased soil loss and resulting water quality impacts
  - Increased sedimentation and siltation of important river resources
  - Increased loss of topsoil and subsequent reduced vegetation health
- Reclamation impacts on aquifers and water quality, including:
  - Reduced ability for aquifer recharge due to reclamation and soil changes
  - Potential leaching of toxic solutes from bottom ash disposed as backfill
  - Increased contamination of groundwater and surface waters from fertilizers and herbicides
- Constrained land use options following mining due to subsidence
- Reclamation impacts on surrounding environment, including:
  - Quality of post-mining habitat for wildlife
  - Use of non-native vegetation species
  - Loss of mature oak and pine trees

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### **5.5.2 Cumulative Effects**

- No comments

## **5.6 Vegetation**

### **5.6.1 Direct/Indirect Effects**

- Direct mine area construction and operations impacts, including physical removal of mature woodlands and native vegetation
- Groundwater withdrawal [Simsboro aquifer] impacts on riparian vegetation, groundwater-dependent vegetation, wetlands, and local agriculture (orchards)
- Mine water discharge impacts on vegetation, including:
  - Changes in river physiology and impacts to aquatic and riparian vegetation
  - Increased turbidity and sedimentation and impacts to aquatic and riparian vegetation
  - Increased flooding of wetlands, native vegetation, and existing forestlands and orchards
  - Effects on wetland vegetation due to dust from roads and sediment from modified drainages
- Effects of mine emissions and fugitive dust from spoil piles and roads on upland vegetation
- Effects of vibrations and light pollution on vegetation
- Reclamation impacts on vegetation, including:
  - Replacement of native vegetation with non-native species
  - Long-term loss of mature oak and pine trees

### **5.6.2 Cumulative Effects**

- Groundwater withdrawal [Simsboro aquifer – cumulative pumping] resulting in:
  - Reduced water availability for riparian vegetation and aquatic vegetation
  - Reduced water availability for groundwater-dependent vegetation including post oak savanna, Lost Pines, and mature woodlands
  - Reduced water availability for local agriculture (orchards, pastures)
  - Reduced baseflows to wetlands
- Effects of smelter and power plant emissions on vegetation

## **5.7 Fish and Wildlife Resources**

### **5.7.1 Direct/Indirect Effects**

- Direct mine area construction impacts on wildlife, including:
  - Loss of habitat for wildlife in the mine area; specific concern for migratory and resident bird species
  - Increased stress on carrying capacity of nearby habitat areas due to influx of individuals (mobile species) from the mine area
  - Reduced habitat for threatened and endangered species; specific concern for the timber rattlesnake, Houston toad, white-faced ibis, wood stork, whooping crane, black-capped vireo, blue sucker-fish
- Groundwater withdrawal [Simsboro aquifer] impacts on wildlife, including:
  - Availability of water and feed during drought
  - Water availability for threatened and endangered species including: Houston toad, timber rattlesnake, whooping crane, white-faced ibis, wood stork, black capped vireo, American and Arctic peregrine falcons, bald eagles, mountain plover, false spike mollusk, blue sucker-fish, guadeloupe bass
  - Reduced habitat for migratory and resident waterfowl

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- Water availability for Camp Swift and resident wildlife
  - Effects of mine water discharge on wildlife based on:
    - Changes in river physiology and riffle/run sequence
    - Increased turbidity and sedimentation
    - Increased water temperatures and biological oxygen demand
    - Increased flooding of habitat areas
    - Decreased water quality and habitat for threatened and endangered species including blue sucker-fish and Guadeloupe bass
  - Effects of mine emissions and fugitive dust on wildlife, including:
    - Reduced vegetation and forage for grazing and browsing
    - Increased sources for wind-carried selenium
  - Impacts of haul roads and mine traffic on wildlife
  - Effects of noise (and vibrations) and light pollution on wildlife
  - Effects of bottom ash disposal on wildlife including potential effects of selenium and heavy metals
  - Reclamation impacts on wildlife, including:
    - Improved habitat quality with absence of grazing
    - Reduced habitat quality for wildlife due to reduced species diversity, absence of mature trees, and use of non-native species
    - Reduced diversity of habitat and food resources in manmade ponds

#### **5.7.2 Cumulative Effects**

- Groundwater withdrawal [Simsboro aquifer – cumulative pumping] impacts on wildlife, including:
  - Availability of water and feed during drought
  - Water availability for threatened and endangered species including: Houston toad, timber rattlesnake, whooping crane, white-faced ibis, wood stork, black capped vireo, American and Arctic peregrine falcons, bald eagles, mountain plover, false spike mollusk, blue sucker-fish, guadeloupe bass
  - Reduced habitat for migratory and resident waterfowl
  - Water availability for Camp Swift and resident wildlife
- Reduced regional carrying capacity due to habitat loss and conversion

### **5.8 Paleontological Resources**

#### **5.8.1 Direct/Indirect Effects**

- No comments

#### **5.8.2 Cumulative Effects**

- No comments

### **5.9 Cultural Resources**

#### **5.9.1 Direct/Indirect Effects**

- Direct mine construction impacts on archaeological resources (i.e., physical removal)
- Groundwater withdrawal impacts on springs having potential archaeological significance
- Effects of groundwater withdrawal on historic farms and residences

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## **5.9.2 Cumulative Effects**

- Groundwater withdrawal impacts on springs having potential archaeological significance
- Effects of groundwater withdrawal on historic farms and residences

## **5.10 Air Quality**

### **5.10.1 Direct/Indirect Effects**

- Generation of mine emissions and fugitive dust possibly resulting in:
  - Reduced visibility and potential traffic safety impacts
  - Reduced visibility and aesthetic impacts at key sites including national landmarks and parks
  - Reduced recreational opportunities
  - Reduced growth of vegetation and impacts on grazing wildlife and livestock
  - Air quality and public health impacts
  - Blowing selenium-contaminated particles with resultant impacts on wildlife and public health
- Reduced air quality from hauling and disposing of lignite and bottom ash

### **5.10.2 Cumulative Effects**

- Reduced air quality from power plant and smelter emissions, with potential effects to:
  - Growth of vegetation and impacts on grazing wildlife and livestock
  - Wildlife
  - Water quality and wetlands
  - Increased potential for acid rain resulting in property and environmental damage
  - Public health, based on increased particulate matter, NO<sub>x</sub> and SO<sub>x</sub> emissions, radionuclide and selenium emissions, and heavy metals
  - Visibility and aesthetic characteristics at key sites including national landmarks and parks

## **5.11 Land Use**

### **5.11.1 Direct/Indirect Effects**

- Fragmentation of land uses
- Reduced air quality and visibility impacts on state and national parks
- Impacts of ground water withdrawal on recreational sites such as Camp Swift, Scott Falls, and Bastrop State Park
- Reduced land resources for housing and agriculture due to:
  - Mine operations (short-term)
  - Post reclamation soil instability (long-term)

### **5.11.2 Cumulative Effects**

- No comments

## **5.12 Recreation**

### **5.12.1 Direct/Indirect Effects**

- Mine impacts on recreation, including:
  - Air quality and increased dust

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- Wildlife viewing and hunting opportunities
  - Noise and light pollution
  - Groundwater withdrawal effects on recreation, including:
    - Water availability for Lost Pines and post oak savanna areas
    - Water availability for wildlife resulting in reduced wildlife viewing and hunting opportunities
    - Water availability for surface water recreation areas

#### **5.12.2 Cumulative Effects**

- Groundwater withdrawal effects on recreation, including:
  - Water availability for Lost Pines and post oak savanna areas
  - Water availability for wildlife resulting in reduced wildlife viewing and hunting opportunities
  - Water availability for surface water recreation areas
- Air quality impacts on recreation

### **5.13 Social and Economic Values**

#### **5.13.1 Direct/Indirect Effects**

- Effects on jobs and employment
  - Secondary economic benefits in local economy
  - Tax payments to local governments
  - Effects on local property values
  - Stimulus or constraints on various types of local growth and development
  - Changes to quality of life and rural lifestyle
  - Social and economic impacts from groundwater withdrawal, including:
    - Reduced income from agriculture and ranching, including waterfowl production areas, viticulture, and orchards
    - Reduced income from tourism and related businesses
    - Increased costs of water supplies and treatment, including potential for increased water rates from Aqua Water as well as new private well costs
    - Reduced business profits
    - Reduced future growth in the area and increased social deterioration in Bastrop and Lee counties
    - Reduced property values from lack of water on property and impacts on surface water amenities
  - Well mitigation impacts resulting from groundwater withdrawal, including:
    - Additional costs of pumping and treatment
    - Difficulty in determining cause of well impacts
    - Past performance of Alcoa in mitigating well impacts
    - Reduced water quality
  - Social and economic impacts resulting from mine dust, noise and light pollution, and proximity of mine, including:
    - Reduced quality of life
    - Reduced property values and marketability
    - Reduced recreation, hunting, and tourism income
    - Reduced economic growth due to reduced expansion of homes and businesses serving Austin commuters
  - Effects on tax base due to removal of mined lands from potential home sites
  - Effects on local taxes from road relocations and traffic changes resulting in increased road maintenance costs due to increased wear and tear from heavy machinery and subsidence of soils in reclaimed areas
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- Local business costs associated with road relocations, including:
    - Increased wear and tear of vehicles and costs associated with traffic delays and lost productivity
    - Reduced business income due to inconvenience for patrons
  - Financing and support of local civic organizations

#### **5.13.2 Cumulative Effects**

- Social and economic impacts resulting from cumulative effects related to groundwater withdrawal, including:
  - Reduced income from agriculture and ranching including waterfowl production areas, viticulture, and orchards
  - Reduced income from tourism and related businesses
  - Increased costs of water supplies and treatment, including potential for increased water rates from Aqua Water as well as new private well costs
  - Reduced business profits
  - Reduced future growth in the area and increased social deterioration in Bastrop and Lee counties
  - Reduced property values from lack of water on property and impacts on surface water amenities
  - Reduced quality of life and loss of rural lifestyle
- Social and economic impacts resulting from cumulative effects related to air quality, including:
  - Property values
  - Property damage due to acid rain

### **5.14 Transportation**

#### **5.14.1 Direct/Indirect Effects**

- Effect of mine traffic on local roads in relation to:
  - Public safety
  - Traffic volumes
  - Opportunities for recreation
  - Travel times and traveler convenience
  - Business growth opportunities in relation to traveler convenience
  - Quality of life
- Effect of haul road construction and operation on property values, public health, and public safety, in relation to:
  - Increased noise pollution
  - Increased dust
  - Increased air pollution
  - Increased light pollution
- Impacts of fugitive dust from the mine on visibility and traffic safety
- Road relocation impacts in relation to:
  - Public safety
  - Traffic volumes
  - Effects on recreation opportunities
  - Travel times and distances
  - Emergency vehicle travel time and evacuation times
  - Business growth opportunities
- Long-term effects of constructing public roads across reclaimed areas in relation to:
  - Reduced road stability and increased subsidence
  - Increased road maintenance costs
  - Reduced public safety

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#### **5.14.2 Cumulative Effects**

- No comments

#### **5.15 Noise and Visual Resources**

##### **5.15.1 Direct/Indirect Effects**

- Aesthetic effects from mine and associated operations
- Reduced visibility and aesthetic effects due to dust from mine
- Reduced visual aesthetics from direct loss of vegetation and potential vegetation effects resulting from groundwater withdrawal
- Reduced visual aesthetics from loss of surface water resources
- Noise (and vibration) and light pollution impacts from mine traffic, draglines, and other operations on:
  - Vegetation
  - Wildlife
  - Recreation
  - Property values
  - Public health
  - Quality of life
- Potential of blasting and mine noise/vibration to damage nearby structures

##### **5.15.2 Cumulative Effects**

- Reduced visual aesthetics from loss of vegetation and surface water resources

#### **5.16 Hazardous Materials**

##### **5.16.1 Direct/Indirect Effects**

- No comments

##### **5.16.2 Cumulative Effects**

- No comments

#### **5.17 Public Health**

##### **5.17.1 Direct /Indirect Effects**

- Effects of water quality changes on public health resulting from:
  - Potential contamination of groundwater from lignite, overburden, and soil disturbance
  - Bottom ash disposal
  - Reclamation and use of fertilizer, pesticides, and herbicides
- Effects of mine noise and light pollution on public health
- Effects of mine emissions including fugitive dust and equipment emissions on public health

##### **5.17.2 Cumulative Effects**

- Water quality effects resulting from groundwater withdrawal for SAWS contract
- Air quality effects resulting from smelter and power plant emissions

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## **5.18 Commitment of Resources**

- Loss of high quality clays for brick and tile manufacture
- Consumption of the lignite resource
- Reduction in water resources

## **6.0 DISCUSSION OF COMMENTS OUTSIDE THE SCOPE OF THE NEPA PROCESS**

Numerous public comments included opinions or concerns on issues that the USACE has determined to be outside the scope of this EIS. Additionally, numerous comments included opinions that, although related to issues considered within the scope of this study, provided no substantive information to define the scope of the EIS document. These types of comments are discussed below along with the rationale for why they will not be addressed in this EIS.

### **6.1 Scoping and the Overall EIS Process**

Various comments included concerns, suggestions, or requests related to the conduct of the public scoping meeting, the EIS preparation process, and the USACE administrative actions related to the EIS. These comments are not relevant to the scope of the EIS. The USACE will follow NEPA, various implementing regulations, and standard USACE policies in conducting its analyses and preparing the EIS. These procedures have been generally outlined in the Public Notice dated July 20, 2001, and in materials distributed at the public scoping meeting on August 21, 2001.

Scoping comments included concerns regarding the quality of data available through Alcoa's studies on the Three Oaks Mine property and surrounding area. While such concerns will not be specifically discussed in the EIS, the EIS preparation will include the comprehensive technical review of baseline data, models, and other information from all sources, including Alcoa. This review also may identify areas where additional data collection is necessary in order to conduct the requisite impact analyses. The baseline data to be used in the EIS will focus on potential impacts, and additional data will not be sought for the sake of presentation.

Many of the public comments addressed all components of Alcoa's existing Rockdale operations, not just the proposed Three Oaks Mine. This EIS will address direct and indirect impacts associated with the proposed Three Oaks Mine as well as cumulative impacts related to the proposed project in combination with other potentially interrelated historic and proposed projects in the vicinity. The USACE jurisdiction relates to the Section 404 permit under the Clean Water Act. It is not within the USACE purview to approve or disapprove any existing or proposed operations permitted under other state and federal regulations, although the impacts from such operations will be addressed, where appropriate, under the cumulative impact analyses. A complete analysis of all the potential social costs and economic impacts associated with Alcoa's Rockdale operations is not within the scope of this EIS analysis.

### **6.2 General Public Opinion of the Proposed Action**

A substantial majority of the commenter's expressed their favorable or unfavorable opinions of the proposed project with little or no explanation of anticipated issues or benefits. While these comments are included in the statistical summary described in Section 4 of this report, they will not be addressed in the EIS. The NEPA scoping process is intended to serve as a means for identifying public and agency issues, concerns, and opportunities associated with a proposed action and reasonable alternatives, and not as a public referendum related to the action.

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### **6.3 Outside the Scope of the EIS**

Commenters expressed a number of concerns regarding issues unrelated to the proposed action or for which the relationship appears to be weak or poorly defined. The EIS will focus on issues in which the impacts may be significant and in which the causal mechanisms and relationship to the proposed action can be identified. As part of this approach, the EIS team will identify the geographic areas for assessment of potential direct, indirect, and cumulative impacts. These geographic areas will generally correspond to the expected boundaries beyond which any anticipated impacts would likely be considered insignificant or would be undetectable in relation to natural variation in baseline conditions. Examples include statements of support or opposition without identification of specific issues.