

Form Letter ZI:

The scoping decision should limit the analysis of impacts in the EIS to those impacts that have a close connection to the project. Impacts that have a superseding cause to an impact can be identified, but should not be studied to the same degree as impacts that are proximately caused by the project. For instance, because the proposal is a terminal proposal, the use of the bulk commodity by a third party is a superseding and intervening cause to the combustion of coal. As a result of these superseding causes, the construction and operation of the terminal is not a proximate cause of the combustion of coal. If a close causal relationship cannot be established for emissions, the impacts should only be accounted for as part of the No Action Alternative as an impact that would have occurred without the project and studied nonetheless in the cumulative impact section of the EIS as a non-project impact, if studied at all.