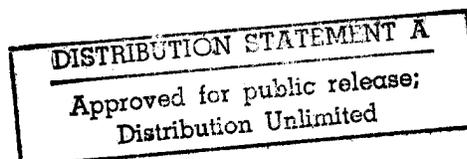


Implementing the National Environmental Policy Act A Program Design for the Army

AR510MR1

Douglas M. Brown
Sonny K. Oh

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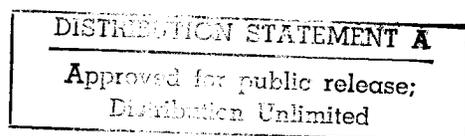
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Logistics Management Institute
2000 Corporate Ridge
McLean, Virginia 22102-7805



Implementing the National Environmental Policy Act:
A Program Design for the Army

AR510MR1/NOVEMBER 1996

Executive Summary

The National Environmental Policy Act (NEPA) requires federal agencies to address environmental impacts when making decisions about their major actions. That does not mean that decisions are forced or precluded by environmental considerations; NEPA expects decision-makers to balance environmental impact factors and associated liabilities with other critical factors such as mission capability, cost-effectiveness, and schedules. *Early* integration of NEPA considerations into broad planning processes is not only mandatory, but it also can save a great deal of expense and delay later in the implementation of a proposed action.

While the U.S. Army's stated environmental vision is to be a national leader in environmental and natural resources stewardship, it does not have a clearly articulated NEPA program. Responsibilities are not defined well and the necessary performance measurement tools and technical support capabilities have not been established. The Army's planning processes for major programs (i.e., military construction, installation land-use and master planning, base realignment and closure, exercises and training, and major weapon systems acquisition) do not integrate NEPA considerations until *too late* in the planning process, if at all. The senior decision-makers for those major programs should be supported by a staff capable of ensuring that environmental issues are considered, of monitoring NEPA activities, and of initiating technical assistance and corrective actions when necessary.

We considered several methods of establishing an effective NEPA program for the Army, and we recommend the following organization and process:

- ◆ The Assistant Chief of Staff for Installation Management should publish a NEPA program master plan to guide the development, execution, and continual improvement of the Army's environmental planning efforts. We have provided a proposed plan that includes environmental planning objectives, responsibilities, and program performance measures.

-
- ◆ The Office of the Director of Environmental Programs (ODEP) should establish a NEPA program manager within ODEP to provide policy direction and establish program goals and activities.
 - ◆ ODEP should task the U.S. Army Environmental Center (USAEC) to establish a NEPA Technical Center of Excellence to provide analytic and data support to the Headquarters, Department of the Army (HQDA); provide technical NEPA support to field activities; and serve as a quality control point for all Army-generated NEPA documents.
 - ◆ USAEC should execute the above tasking, maximizing delegation to avoid the need for new positions. We recommend a “tiger team” approach for technical support and contracted maintenance of a document repository. USAEC should provide routine program information (as defined in the NEPA program master plan), provide or coordinate HQDA-level NEPA review of decision documents identified by ODEP, manage the activities of the technical support effort and of the repository, and continue coordination to ensure the quality of supporting data.
 - ◆ The Headquarters, U.S. Army Corps of Engineers, should designate a district office as the primary source of NEPA support contracts. That designated office should establish basic ordering agreements with several qualified contractors in multiple disciplines. USAEC and installations should then use that district office to perform the NEPA contracts management function for installation support. We recommend selection of the Huntsville District Office, located in Alabama, for that function.

Well-informed planning and decision-making will play a critical role in ensuring that the Army can achieve its environmental stewardship vision. Complying with NEPA imposes a minimal burden; failing to consider NEPA can create enormous expenses and delays.

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Chapter 1

Background

REGULATORY FRAMEWORK

The National Environmental Policy Act (NEPA) was enacted in 1969 to promote good environmental planning practices among all federal agencies. NEPA requires all federal agencies to consider the potential environmental impacts and reasonable alternatives to their major actions prior to irreversible and irretrievable commitment of resources; to coordinate relevant aspects of such decisions with other appropriate federal, state, and local governments; and to solicit inputs from concerned private organizations and individuals when proposing federal actions that may have significant effects on their communities and the environment.

The President's Council on Environmental Quality (CEQ) developed an administrative procedure, commonly known as the "NEPA process," to implement the intent and spirit of NEPA. This process establishes steps that must be followed to document the inclusion of environmental concerns when agencies make decisions on proposed actions. See Appendix A for a description of the NEPA process. However, the CEQ refrained from issuing detailed guidance on NEPA implementation, deferring to the individual agencies to determine how best to fit these considerations into their various planning processes.

Although the regulations are generally perceived to be a source of unnecessary burden, this is not their intent. In fact, in order to minimize unnecessary documentation, CEQ regulations specify that brevity (but completeness) is desirable and unneeded volume is to be avoided; additionally, where actions have been determined over time to have no significant impact, they may be identified as a class of "categorical exclusions" specifically listed in applicable regulations.

The principal enforcement mechanisms under NEPA are judicial, principally in the form of injunctions (i.e., delays). Aside from the environmental impacts or regulatory burdens that may be created by improperly planned Army actions, failure to integrate environmental considerations into planning or to take the procedural steps required by NEPA can lead to long and costly delays in U.S. Army projects.

With the end of the Cold War, the public is less inclined to look the other way in the name of military readiness, and NEPA offers an excellent tool for individuals and groups to gain leverage over the Army in advancing their own agendas. While it is unusual for such opposition to lead to permanent injunctions that actually degrade operational readiness or mission capabilities, the litigation proc-

ess involves delay and expenses; court decisions can lead to additional studies or documentation, further project delays, and extensive mitigation projects. All these costs must, in the end, be financed by diverting resources away from some other mission requirement.

NEPA AND THE ARMY

The Army's environmental vision is to be a national leader in environmental and natural resource stewardship for present and future generations. To the maximum extent possible, environmentally sustainable operations are an integral part of all Army missions at all Army installations. The extensive interaction of environmental issues with other activities demands that environmental considerations become an integral part of Army planning and decision-making processes. Given these goals, when reduced to its essentials, NEPA requires little more than that the Army's planning processes conform to the Army's stated environmental goals.

Since the passage of NEPA in 1969, Congress has enacted and amended many other environmental laws that address specific pollution or natural resource protection issues. Unlike NEPA, those laws contain aggressive enforcement mechanisms, including personal civil and criminal penalties for those responsible for violations. A series of congressional and Presidential actions have waived federal agency sovereignty, requiring the Army to comply with all these environmental laws and related state and local laws. As a result, from being among the least-regulated activities in the country in the 1970s, the Army has become among the most heavily regulated in the 1990s.

Aside from the undesirable environmental consequences of a proposed action, as addressed by NEPA, there may be extensive and costly regulatory burdens associated with taking any action that will require new exposure to environmental compliance requirements. In addition to the drain that these requirements place on other resources, many of them are strictly procedural and do little to protect the environment directly; unnecessary assumptions of environmental consequences merely generate requirements for additional compliance funding without any enhancement of the Army's overall environmental condition. Thus, through its provisions for early considerations of impacts, NEPA becomes an important ally in controlling costs by considering the potential of creating either an environmental impact or a regulatory burden as early as possible in the planning process. As a result of that early consideration, the Army is able to develop cost-effective alternatives and control measures. Conversely, inadequate consideration of NEPA issues can result in greatly increased costs for the overall project if environmental mitigation must be injected as an afterthought.

The Army has invested considerable resources in the effort to comply with NEPA requirements, as shown in Table 1-1. These requirements affect decisions in several critical mission areas: construction, training and exercises, master plan-

ning, base realignment and closure, and major weapons acquisition. During the past 5 fiscal years, over \$200 million have been expended simply in the preparation of the NEPA documentation that is believed to be necessary to establish that environmental issues have been considered in the course of making other military decisions.¹ Those efforts have occurred at over 150 of the Army's installations. Despite the declining size of the Army and the associated reduction of its overall activities, each year the cost to the Army for NEPA documentation has increased. During the same period, the Army invested over \$1.5 million in NEPA training and an average of nearly \$20 million annually for mitigation activities needed to offset or preclude identified environmental impacts.

Table 1-1. NEPA Expenditures

Fiscal year	Installations with EA/EIS	EA/EIS cost (\$ millions)	Mitigation cost (\$ millions)
1990	31	15	<1
1991	44	22	<1
1992	91	18	23
1993	100	29	3
1994	153	47	18
1995	119	70	19
Total	N/A	201	63

Source: Army A-106 database.

Note: EA = environmental assessment; EIS = environmental impact statement; N/A = not applicable; < = less than.

NEPA PROGRAM MANAGEMENT ISSUES

Clearly, from the data provided in Table 1-1, NEPA compliance is a significant activity for the Army. In Chapter 2, we summarize the major operational activities in which NEPA activities may be triggered and how those NEPA activities are managed.

As a result of the increasing intensity of regulation and of public scrutiny, the Army finds itself spending ever more of its dwindling resources for environmental compliance activities in general and for NEPA documentation in particular. The Army wishes to focus its efforts on activities that best protect the environment, and it must review all its environmental investments to ensure that they are truly productive.

¹ These figures are taken from the Army A-106 database. It is unclear whether NEPA documentation in support of weapon systems acquisition programs are included.

A series of external reports have suggested that the Army's implementation of NEPA requirements is deficient in some areas, while a consensus of opinions among the Army's leaders and environmental professionals suggests that the Army is spending too much for unproductive activity in other NEPA-related areas. Those views are discussed further in Chapter 3 of this report.

Consequently, the U.S. Army Environmental Center, which provides technical support to the Office of the Director of Environmental Programs, has initiated a review of the Army NEPA program to determine areas for potential improvement or modification to maximize the effectiveness of the program. In support of that review, the Logistics Management Institute conducted a review of the programmatic issues that have been raised, identified some actions that can be taken to address those issues, and recommended a revised plan for management of the Army's NEPA program. That analysis and the resulting recommendations are presented in the final chapters of this report.

Chapter 2

Findings: Implementing NEPA Considerations in the Army's Major Programs

The implementation of NEPA requires that environmental issues be considered as part of the decision-making process with regard to major federal actions. The Army has five major categories of activities (programs) that are relevant to NEPA; each has a separate decision-making process. Those Army programs are:

- ◆ Military construction (MILCON)
- ◆ Installation land-use and master planning
- ◆ Base realignment and closure (BRAC)
- ◆ Military training and mobility exercises
- ◆ Major weapon systems acquisition.

Each of these five program areas has developed its own decision-making process that works best for accomplishing its mission requirements. Accordingly, a different approach is needed in each planning and decision-making process to integrate NEPA considerations. Developing the NEPA integration process for each of the five program areas requires an evaluation of major decision nodes of each program area because it is at those decision points that NEPA considerations must be addressed. The following sections briefly describe the planning and decision-making processes for each of the five Army program areas, and they identify decision points where NEPA considerations can be integrated into the planning process.

MILITARY CONSTRUCTION

Program Overview

The Army MILCON program is highly centralized and its programming and budgeting process is highly structured. Initially, Army installations are required to identify new construction needs and submit their list of project requirements to the Headquarters, Department of the Army (HQDA), through major Army command (MACOM) headquarters for approval and inclusion on the proposed funding list provided to Congress. Because MILCON projects are submitted and approved on an individual basis, are funded in increments over a period of years, and have

high-dollar values, there is intensive and continuing oversight of these projects. Strong procedural and documentation requirements have been established for each decision point. Those points include project approval within the Army and DoD; project authorization by Congress; and separate authorizations for land acquisition, project design, and project construction. Those clear procedural and documentation points offer excellent opportunities for including and documenting environmental considerations. The Army uses the the Defense Department (DD) Form 1391, *Military Construction Project Data*, as the primary record of all pertinent information; the form includes a check box for completion of appropriate NEPA documents.

NEPA Implementation

At least in theory, a construction project of any magnitude necessarily involves disturbance to natural resources. Hence, some environmental consideration is required, although in most cases it will be found that the impacts are negligible because the projects are being carried out on already-developed land around other existing facilities on Army installations. Many construction projects already are listed as categorical exclusion in Army regulations.¹ Nonetheless, this conclusion (although quickly and inexpensively reached) is necessary in almost all cases. Thus, for the MILCON program, the situation is quite clear: Almost all projects will require some form of environmental consideration. The DD Form 1391 offers a simple vehicle for ensuring that NEPA issues have been considered.

The Army's framework for integrating NEPA into the MILCON process is quite complete, but not perfect. Installations often submit their MILCON projects without having initiated proper NEPA considerations because the initial project submittals often are viewed as a "wish list" that serves merely as a starting point for discussion. They are reluctant to commit time and resources for an environmental assessment (EA) before there is any assurance that the projects will be funded; to invest thousands of dollars in studies for projects that will never be built (or even taken into serious consideration) is a waste of scarce resources.

Consequently, installations often will not start rigorous NEPA planning until MILCON projects receive appropriations from Congress. Congressional authorization is merely an authority to submit spending requests. The Army's view of this situation is that the project resources are not irretrievably committed (the NEPA standard) until funding supporting the construction process has been appropriated and partially obligated (i.e., design work initiated). The Army policy is that NEPA documentation (which can be time-consuming and expensive) must be

¹ Where there are several examples of similar actions that have been found to create no significant environmental impact, agencies are allowed to define this class of action as being categorically excluded from further documentation requirements. Such a decision must itself be published in the *Federal Register* and subjected to public comment, and then formally incorporated into regulations.

completed prior to the project reaching the 35 percent completion design stage; indeed, in many cases, full NEPA documentation could not be completed properly prior to that point because it would be impossible to describe the proposed project in enough detail to perform the analyses.

Although the foregoing rationale helps to explain why complete NEPA documentation is often inappropriate early in a project, project managers cannot allow themselves to forget about producing needed documents in a timely manner. When that process breaks down, the documents either become post-decisional or are done hurriedly to meet the requirement for a document rather than for a decision support tool. Simply meeting the requirement for a document is insufficient: The document must be of sufficient quality to address the pertinent issues and provide a solid basis for decision-makers.

In the MILCON program, inadequate consideration of NEPA issues can be an expensive error. In most cases, identified environmental problems can be easily resolved by making minor changes or modifications during the pre-design phases (and some changes can be incorporated even as late as the construction phase without difficulty). However, if NEPA consideration is found to be inadequate, the Army can be forced to mitigate potential environmental problems after construction work commences. Aside from the cost implications of the mitigation projects themselves, the associated litigation is expensive and time-consuming to pursue. As a rule, such litigation (if entertained by the courts) is accompanied by an injunction to preclude further action. Such an injunction creates havoc (and major expenses) in the contracts associated with the construction.

Where the identified environmental problems cannot be corrected, the project may have to be canceled. Even if the problems can be corrected, the additional expense (as well as the closing of a window of opportunity to execute the program) may result in the project being canceled anyway. In short, NEPA has major potential ramifications for construction activities; in view of the large cost of the projects, effective NEPA compliance is a relatively small cost to pay.

INSTALLATION LAND-USE AND MASTER PLANNING

Program Overview

The process by which the installation *Real Property Master Plan* (RPMP) is developed is a major and critical planning process for Army installations. The purpose of a master plan is to make optimum use of existing installation resources such as facilities, land, and other cultural and natural resources. The RPMP lays out a commander's vision of how an installation will develop over the next 30 to 50 years. This vision also must incorporate installation realignment directions to accommodate changes in force structure.

The Army decentralized the responsibility for developing installation master plans. Installation commanders are given a wide range of authority in deciding how to use their installation resources in support of Army missions. In response to that guidance, installation Director of Public Works staff members develop and maintain the master plan or land use plan for their own installation and their training ranges. When these master plans are developed in close coordination with local planning authorities, a major requirement of NEPA has been satisfied.

The installation RPMP consists of three components: a long-range component (LRC), a capital investment strategy (CIS), and a short-range component (SRC). The LRC contains broad descriptions of potential future uses of the installation. The CIS is a commander's strategy for providing adequate facilities to support personnel and the installation's mission. The CIS must examine all options available to meet facility needs. The SRC provides the interface between the installation land-use and master planning proposals and the Army Planning, Programming, Budgeting and Execution System (PPBES) cycle. The installation's new requirements, resulting from the CIS and SRC, are submitted to MACOMs and HQDA in a manner similar to the MILCON program.

The master planning process is also similar to the MILCON program in that installations cannot be certain that their requirements will be supported during the PPBES process. Even more than the MILCON proposals, master plan projects are considered wish-list proposals.

NEPA Implementation

Consideration of environmental issues is important in such a long-range planning document. The degree to which formal NEPA documentation is required is less clear-cut.

Although integrating NEPA considerations with LRC efforts is feasible and desirable, the actual preparation of NEPA documents is not required under CEQ regulations because there is no proposed Army action. However, Army Regulation (AR) 200-2, *Environmental Analysis of Army Actions*, requires the preparation of an EA for a republished LRC and an environmental impact statement (EIS) for an LRC that changes significantly from current plans.

Often, installation-wide environmental surveys or analyses are conducted to support the LRC efforts. Such studies can be used as a basis for preparing programmatic NEPA documents (a "tiered" document that could, over time, considerably decrease the expense of full-scale environmental documentation). The CEQ regulation does not mandate preparation of programmatic NEPA documents; a federal agency may exercise its discretion to prepare one on a voluntary basis. Therefore, Army installations generally do not, and should not, prepare NEPA documents to support LRC efforts unless such programmatic NEPA documents

will act as a precursor to (and possibly a substitute for) the NEPA documents required for actions committed to in the CIS and SRC.

The CIS and SRC consist of specific project proposals, and these proposals qualify as proposed actions under the NEPA definition. When developing the CIS, installations are required to determine alternatives. They typically include relocation of existing assets, renovation of substandard facilities, conversion of existing facilities' uses, leasing, and new construction. NEPA documentation requirements are well supported by the CIS and SRC effort because both processes address the evaluation of alternatives also required for NEPA documents.

Although CIS and SRC submittals do contain proposed new actions, in a strict NEPA interpretation, the requirements of NEPA are not triggered unless these projects are authorized for funding. When installations believe their chances of obtaining funds for projects are low, they are not willing to invest in NEPA planning to support their CIS and SRC decisions.

Environmental considerations must play a part in such sweeping decisions as are represented by the RPMP. However, the concepts being presented are so future-oriented (and often unlikely to occur) that significant investment of resources for NEPA documentation would merely detract from the installation's other environmental programs while adding nothing of value.

Part of the solution to this problem comes from the fact that actually implementing any of the ideas presented in the RPMP generally creates specific actions to be executed under one of the other major activity programs: MILCON, BRAC, military training, or major acquisition activities. Most land-use or master plans address minor changes in the future outlook, which therefore eliminates the need to prepare extensive NEPA documents for each version of the plan (although the Army needs to be wary of incremental changes ultimately leading to a significant shift). Where the revised plan represents a major shift from the previous master plan, then preparation of an EA or EIS may be required.

A key mechanism in this process, therefore, is the involvement of the installation environmental staff with the specific charter of identifying potential new environmental impacts as a result of the new proposals in the plan. Integrating such a discussion, if any is required, in the plan itself generally will satisfy the requirements of NEPA until a specific project must be approved, in which case the prior assessment may help to structure the project in a way that avoids environmental costs.

It is essential to have environmental baseline information in formulating the RPMP; otherwise, the environmental aspects of the plan cannot be considered effectively. That baseline information is the same information needed for supporting NEPA analyses and, in many cases, already has been developed to support earlier analyses for the installation. Conversely, much of the documentation se-

cured at some expense for NEPA documents is the same information needed (and sometimes secured at additional expense) to develop the RPMP. The Army needs to ensure that these two processes are integrated.

BASE REALIGNMENT AND CLOSURE

Program Overview

The BRAC process is highly centralized and its actions are largely driven by separate legislation, the Defense Authorization Amendment and Base Closure and Realignment Act (BCRA).² With the passage of this law, Congress waived the applicability of NEPA to the process used to determine which installations are to be closed. However, Congress still requires that the NEPA planning process be applied for determining the future use of bases after closure or realignment decisions have been finalized by the President and Congress.

NEPA Implementation

Each BRAC³ action requires appropriate NEPA documentation. Since BRAC is a highly sensitive public and political issue, every planning and decision-making process has been closely scrutinized. Failure to include NEPA considerations can serve as a vehicle for derailing, or at least delaying, proposed BRAC actions.

For BRAC activities, the requirement for NEPA documentation begins when the bases earmarked for closure or realignment are approved by Congress. To date, the NEPA process is well defined and codified by the law and by practice. Because every BRAC action requires some NEPA document, there is no room for interpretation; because every action is approved by the time that Congress approves the BRAC list, there is no question of whether or when the documentation should be prepared. The requirements for NEPA documentation are thoroughly integrated into the Army's BRAC planning and decision-making processes. All that remains, from a program management perspective, is to ensure that the documents are complete, relevant, and cost-effective.

EXERCISES AND TRAINING

Program Overview

The planning and decision-making processes for military exercise and training activities have both top-down and bottom-up components. To the extent that training activities are top-down driven, the Deputy Chief of Staff for Operations

² During implementation of this Act, the associated process resulted in reversal of the nouns, becoming "base realignment and closure," in order to de-emphasize the closure aspects.

³ The acronym changed from BCRA (the law) to BRAC (the activity).

and Plans (DCSOPS) is the HQDA focal point for establishing Army policy and for general readiness monitoring. The U.S. Army Training and Doctrine Command (TRADOC) is responsible for developing detailed guidance and manuals for all Army training.

The vast majority of the Army's training-related planning activities are decentralized. The responsibility for training is delegated to the division level. Division-level planning processes for training and mobility activities are not closely directed or monitored by the headquarters staffs. The scope of training and mobility activities varies a great deal, with training exercises from 10-person squads to a full Army division of 15,000 people with thousands of tracked and wheeled vehicles (although training activities involving units larger than a battalion of roughly 1,000 people and associated equipment are infrequent). Training often includes live-fire activities.

Aside from the process used to develop training plans, there is a formal process for establishing the requirements for, and uses of, training lands. The document resulting from that process is the *Range and Training Land Plan* (RTLTP). That plan is linked to the master planning process through the RPMP in seeking major changes to land usage, as well as requiring funding through the MILCON process in effecting any significant capital improvements. The RTLTP is developed through a formal, interdisciplinary process that in many ways mirrors the requirement for preparation of NEPA documents, including specific statements of requirements and evaluation of alternatives. The plans are reviewed at the MACOM and HQDA levels in several forums that, however, do not (at least formally) include any representatives from environmental staff offices.⁴ The Range Prioritization Board procedures do include specific recognition of environmental impacts as a review criterion.

NEPA Implementation

Many exercises and training activities occur throughout the Army at any given time. Only some of these activities trigger NEPA planning requirements. Because requirements for NEPA planning are determined on the basis of the particular set of circumstances, military trainers and planners at all Army echelon levels must be familiar with training issues that would typically trigger the application of NEPA; they must be supported by staff members with NEPA expertise to provide the technical help necessary to properly comply with NEPA.

⁴ The boards are the Requirements Review Board, the Range Prioritization Board, the Training Land Prioritization Board (all chaired by DCSOPS), and the MILCON Program Review Board (chaired by the Office of the Assistant Chief of Engineers). In each of the three DCSOPS boards, the formal members are the Director of Training, DCSOPS; Directorate of Military Programs, U.S. Army Corps of Engineers; Range Program Coordinator, Army Training Support Command (TRADOC); and Training Land Program Coordinator, Combined Arms Support Command (TRADOC).

One of the most important points about NEPA as it applies to training and exercises is that NEPA addresses major federal actions (i.e., a change in current activity). Training that simply offers minor variations on the same activities that have been going on in the past (as does almost all military training) does not require NEPA analysis. Whether there are detrimental environmental consequences of past decisions on land use is an entirely different issue that can be addressed in the RPMP process.

Planning for most training and mobility activities occurs at the battalion level or in smaller elements. Therefore, they are decentralized to the point of being impossible to monitor (as noted above). Most of these small-scale military exercise and training activities would *not* trigger NEPA requirements. Relevant NEPA considerations for those activities should be addressed during the development of SRC and CIS components of a land-use or master plan if there is an intent to use new land or to make significant changes to the way in which existing lands are used to support military training and mobility activities. When a smaller unit proposes a radical departure from existing training concepts, therefore, installations may need to have the environmental coordinator present at the decision brief.

When large-scale exercises and training activities are to occur in a manner or on a scale not envisioned in the installation master plan, NEPA consideration would be required. The scale of this consideration must be determined locally on a case-by-case basis, depending on the nature of the deviation. It is anticipated that such a significant departure would require some form of decision briefing, at which the environmental coordinator should be present to identify potential environmental considerations.

Large-scale military exercises initiated at the MACOM or HQDA level generally will require formal NEPA documentation. These exercises normally require a long lead-time that easily accommodate the NEPA process; they are usually planned at the headquarters level, which enables better visibility. Sometimes, a separate management decision package (MDEP) is developed to plan such large-scale military exercises, in which case Office of the Director of Environmental Programs (as the HQDA staff agency) is easily able to identify a major activity that may require NEPA consideration. In a few of these cases, however, is there any procedural requirement or mechanism to ensure that any NEPA-oriented review is conducted.

MAJOR WEAPON SYSTEMS ACQUISITION

Program Overview

The weapon systems acquisition process is the only one of the Army's five major NEPA-related activities that occurs largely at a headquarters level and has little or no installation involvement. The process is highly structured and subject to inten-

sive oversight. In most cases, an MDEP is created for each major acquisition program to track status and keep top decision-makers informed. Acquisition programs must go through time-phased milestones that are accompanied by elaborate review and documentation processes. These processes are far too complex to review in brief here; they are amply laid out in DoD Instruction 5000.1, *Defense Acquisition*, and associated DoD and Army publications. What is important is that, like the MILCON program, this very formal structure offers many key opportunities for bringing NEPA considerations into the decision-making process at each point in the process, starting at a very early stage.

NEPA Implementation

The Assistant Secretary of the Army for Research, Development, and Acquisition is the Army's proponent for major weapon systems acquisition programs and, as such, is also responsible for conducting appropriate NEPA planning. Most Army major weapon systems acquisition programs will trigger the application of NEPA requirements. Testing, production, and some research and development projects can all have potential environmental impacts. DoD Instruction 5000.2, *Defense Acquisition Management Policies and Procedures*, and AR 200-2 provide guidance for incorporating NEPA considerations into the acquisition program from the time that projects are proposed.

The process for integrating NEPA considerations into the acquisition process is clearly established. It is not without flaws, however. In the FY95 Defense Appropriations Act, Congress directed DoD to place greater emphasis on environmental policy. It specifically required initiation of NEPA compliance efforts before development begins; environmental analyses for each milestone decision; accounting for all direct, indirect, and cumulative environmental impacts before production starts; and analysis of life-cycle environmental costs. This congressional directive indicates that, although the process may be established, its execution is subject to improvement.

Chapter 3

Observations on the NEPA Program

Observations on the present Army NEPA program fall into three broad areas: organization, formal assessments, and the observations of Army personnel working in the NEPA area.

ORGANIZATION FOR NEPA

The principal observation is that, while the Army can identify significant expenditures for the execution of NEPA requirements (as shown in the previous chapter) and many organizations are significantly contributing to the enhancement of the Army's NEPA activities, there is in fact no formal Army-level NEPA program, at least as defined by organization, objectives, or documented planning.

The principal regulation for NEPA-related activities is AR 200-2; however, this regulation primarily addresses the technical actions of preparing the documentation required under NEPA. The other principal Army environmental regulation is AR 200-1, *Environmental Protection and Enhancement*; it does not address NEPA issues at all because NEPA generally (and correctly) is perceived to be a planning *process*, not a compliance program.

As might be expected in the absence of a formal charter, there are no staff agencies at the Army-level with authority to administer the NEPA program. The Office of the Director of Environmental Programs (ODEP) and the U.S. Army Environmental Center (USAEC) both have staff members who are points of contact for NEPA issues, but there are, as of the time of this writing, no measurable program objectives and no chain of reporting or responsibility specifically for NEPA issues.

The absence of a formal organization for NEPA does not inherently imply a compliance problem. NEPA aims at effective decision-making by leaders, not at creating staff specialists. And, despite the lack of a formal organization, the Army is, as noted earlier, engaged in a significant amount of activity aimed at meeting NEPA requirements.

As noted above, both ODEP and USAEC have NEPA-qualified personnel on their staffs. Among the U.S. Army Corps of Engineers (USACE) district offices are several NEPA specialists; the Mobile District Office, located in Alabama, has been tasked in past years to serve as a USACE Technical Center of Excellence (hereafter "Technical Center") for technical support of the installations in NEPA documentation issues, generally (but not exclusively) for BRAC support. Each

MACOM of the Army, and most subordinate commands down to the installation level, have staff specialists who (among other duties) are the principal points of contact for NEPA actions. The Space and Strategic Defense Command (SSDCOM) has been tasked to assist USAEC in providing technical support to installations for NEPA issues related to acquisition and facility operations.

The principal roles of these installation and staff specialists are to provide ongoing guidance to nonenvironmental decision-makers, to make short-term analyses of whether detailed NEPA documents such as an EA or an EIS may be needed, and then to supervise the completion of those documents. In the past, preparation of documents has been done almost exclusively under contract. Although the supervision of a full-scale EIS can be a full-time job for one person for a year or more, the Army actually executed comparatively few of these documents. EAs are smaller-scale documents that follow the general format of an EIS but can be executed with much less formality and consume perhaps a person-month's worth of resources. The actual number of documents (over 700 EA and EIS projects were executed in the past 5 years) must be tempered with the realization that the Army operates over 100 major installations and several hundred smaller ones. Thus, while the workload on an individual at a particular installation may be large in some years, on the aggregate, there is enough expertise to meet the Army's needs. While this staffing remains lean, it is not inadequate. Other observations presented below, however, indicate that it needs to be redistributed.

FORMAL ASSESSMENTS

External assessments of the Army NEPA programs have come from several sources, including the President's Council on Environmental Quality (CEQ), the U.S. Environmental Protection Agency (USEPA), the Defense and Army Inspectors General (IGs), and the contractor audits performed under the Army's Environmental Compliance Assessment System (ECAS).

Inspector General Findings

During FY93, the Army IG found that the "proponents of Army actions" (i.e., nonenvironmental decision-makers) did not fully understand their responsibilities, and they often relied on supporting environmental staffs to identify the possibility that the provisions of NEPA might be involved in a decision or to complete NEPA documentation after the decisions had already been formulated. Preliminary environmental documentation (e.g., record of environmental consideration [REC] and environmental assessment) were frequently incomplete, unsigned, or received no external review. In many cases, installations had stretched the definition of a categorical exclusion beyond reasonable bounds. The IG noted consider-

able confusion over the use of tiered and proactive environmental documentation.¹ Finally, the IG noted that the mitigation measures proposed in environmental documents as a condition of proceeding with the proposed actions were not tracked by the Army and often not funded under the Reports Control System (RCS) 1383; any tracking that was done came through external regulators, who could issue a citation that would then be fundable through the RCS 1383.

The IG's summary recommendation was that the proponents of Army actions should be equipped to properly and effectively meet their legal requirements under NEPA. Specific recommendations encouraged

- ◆ developing of specific responsibilities by ODEP for inclusion in future revisions of AR 200-2;
- ◆ requiring more RECs and REC review at a level above the installation to preclude abuse of the categorical exclusion;
- ◆ including NEPA issues in revisions of several key Army regulations;
- ◆ including environmental staff in a wider range of management activities;
- ◆ clarifying of the tiering and background documentation processes; and
- ◆ developing a mechanism for tracking mitigation activities.

Findings from the Environmental Compliance Assessment System

During the same period as noted above, the ECAS report indicates that over 3 percent of all findings were based on NEPA. While this seems like a small proportion, it actually places NEPA in company with major regulatory programs such as the Clean Air Act and Clean Water Act, and ahead of a host of minor regulatory programs, as a source of findings.²

More recent iterations of ECAS (FY95 to FY96) indicate that installations continue to experience challenges in NEPA compliance, principally in the management of NEPA documentation (nearly 90 percent of all NEPA findings).

¹ A "tiered" environmental document is one that addresses broad programmatic issues initially in order to identify potential environmental impacts. Subsequent decisions on the same issue that do not violate the constraints and conditions of the top-level documents can then use that top-level document as the required documentation. This precludes the need for a separate detailed document for every case.

² All regulatory programs are dwarfed by the Resource Conservation and Recovery Act program that deals with solid and hazardous waste issues.

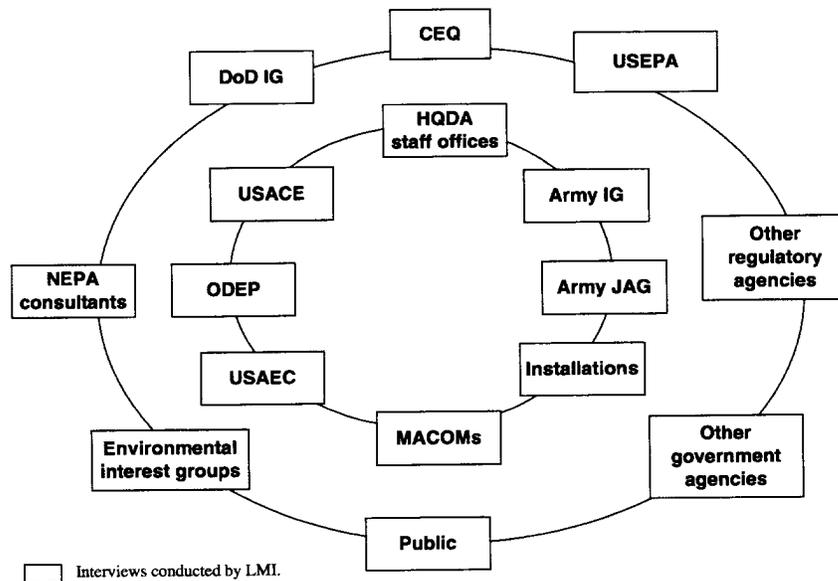
Congressional Concerns

One of the clearest indications that there is room for improvement in the Army's execution of NEPA responsibilities comes from the FY95 Appropriations Act, in which Congress clearly directs the Army to enhance its oversight. The language is aimed principally at the acquisition program. As was noted in the previous chapter, that program actually has one of the more robust NEPA consideration systems in the Army; we are left to conclude that more decentralized programs certainly would not meet congressional expectations.

UPDATES TO OBSERVATIONS

Some of the formal observations stated above are dated. The Army has not stood by idly. We emphasize here that the Army leadership has made its support of NEPA clear. After reviewing the formal assessments that were available, we conducted many interviews to determine whether ensuing actions had been responsive to the leadership's prescriptions and to determine whether additional issues had not been addressed in those formal assessments. Figure 3-1 portrays the many organizations with a role in NEPA implementation, and it shows where we conducted interviews.

Figure 3-1. Participants in the NEPA Process



Note: JAG = Judge Advocate General.

Army Leadership Actions

The Army leadership took a forceful position on NEPA immediately upon learning of the IG's findings. The Army Chief of Staff immediately tasked the Commanding General, TRADOC to provide the principal field leadership for the NEPA program and to initiate the integration of NEPA issues into all Army operations.³ In November 1993, addressing the Army's Senior Environmental Leadership Conference, the Chief of Staff established NEPA integration as one of the Army's principal short-term goals, directed the Army staff to pay more attention to environmental issues in making decisions, and directed a revision of regulations and manuals to reflect NEPA considerations.

Some of the fruits of those directives arrived in short order. USAEC had already directed LMI to examine the range of officials who were part of the environmental decision-making process. This resulted in the identification of 49 officials at the HQDA level, and many more at lower levels, who made such decisions as part of their operational role.⁴ In addition, USAEC developed (again with assistance from LMI) significant amounts of environmentally oriented material for incorporation into formal Army training for military and civilian leaders at all levels.⁵

Field Interviews

In order to assess the current condition of the Army's NEPA activities, we interviewed several of the environmental professionals at levels from the Army staff down to the installation level. From the observations of those personnel, we developed findings in four principal areas: the integration of NEPA considerations into decision processes; the decentralization of NEPA activities and a need for coordinating guidance; the high cost of NEPA documentation; and the quality of NEPA documents.

INTEGRATION OF NEPA INTO DECISION PROCESSES

In many cases, environmental personnel are not included in routine operational meetings. While often there is no relevance for them, these are the places where the decisions occur that may have environmental impacts. Thus, if the environmental staff is not always present, it becomes critical that operational decision-makers have sufficient awareness of the environment to know when their activities may trigger NEPA considerations.

³ TRADOC is responsible for the content and materials of all Army formal training programs; in addition, it is responsible for issuance of all field (i.e., operations) manuals and training manuals.

⁴ LMI Report PL204MR1, *The Need for Environmental Awareness Training Within the Department of Defense*, Christopher P. Werle and Douglas M. Brown, June 1993.

⁵ LMI Report CE217RD1, *Methods for Integrating Environmental Awareness Training into Army Programs of Instruction*, Christopher P. Werle, June 1993.

In some cases, NEPA gets limited attention because field decision-makers perceive it to be another regulatory process to be tolerated at the minimal essential level when unavoidable. In many cases, the NEPA process is viewed interchangeably with the preparation of EIS documents. This is a result of imperfect understanding of the ways in which early inclusion of NEPA considerations can eliminate the need for EIS documents, reduce final project costs, and speed up projects. In fact, NEPA-induced activity delays tend to be the result of failure to consider NEPA until too late, rather than of considering it too early.

A more realistic concern is that the ultimate cost of NEPA documentation can be significantly increased simply as a result of failure to incorporate NEPA considerations in a timely manner.

DECENTRALIZED NEPA IMPLEMENTATION

Many NEPA-related activities occur at the installation level. Sometimes, major new activities, especially procurements, are initiated at the HQDA level, in which case the opportunity arises for tiered NEPA processes. But, for the most part, the Army's operational decisions are delegated to installations. This does not, however, imply that there is no responsibility for NEPA at the HQDA level or that installations are properly equipped to execute this requirement effectively.

The interviewees were consistent in observing that, beyond the regulatory focus taken by AR 200-2, there is little practical guidance available for carrying out NEPA responsibilities. Because the opportunity to undertake a major NEPA process occurs infrequently at each installation, there is no reason to believe that on any given installation there is anyone with extensive practical experience in applying NEPA considerations to mission decisions or in conducting or managing a NEPA documentation project.

It is also unclear to staff members at the installation level as to where any necessary technical support can be obtained. To date, USAEC has not received a charter to provide this support and ODEP has not had the capability. Some USACE district offices are stronger than others in their ability to provide NEPA technical support; the selection of the Mobile District Office, located in Alabama, as a lead district office by USACE does not make it official for the rest of the Army. MACOM staffs generally do not have the depth or experience to provide significant support. Army counsel staff are not trained environmental professionals (nor should they be), and they vary in their experience in NEPA; but, since it is not "their" money, they frequently err on the side of exhaustive documentation in an effort to preclude litigation. Although the Army Civilian Personnel System does incorporate a feature for identifying specific technical skills, that feature has not been implemented.⁶

⁶ LMI Report PL204MR2, *Methods for Identifying DoD's Civilian Environmental Work Force*, Christopher P. Werle and David Smith, November 1993.

As a result, installation staffs are dependent on Army advice of varying quality or upon the very contractors who will be paid to develop NEPA documentation. Those contractors are being asked whether such documentation is necessary, whether the scope of the effort is reasonable and appropriate, and whether the final product is adequate. Even with the best intentions, contractors that are unable to receive coherent guidance and information from the supported installation will err on the side of caution and recommend the maximum development of documentation. That tendency increases the cost of the effort but may not actually create any better product in the end. Although continuing hiring restrictions may require dependence on contractors to execute the actual work, it is imperative that the Army be able to provide effective guidance, supervision, and review of the contracted product.

At higher levels, especially among the proponents for weapon systems and construction, the process for implementing formal NEPA documents is better understood and formalized. However, even at those levels, NEPA considerations often are included late in the decision-making process; this may increase costs unnecessarily.

At all levels, it appeared that the lack of external enforcement provisions for NEPA provided a strong disincentive to consider NEPA issues, in view of limited resources and strong competition for staff assets. In addition, the lack of any oversight or monitoring seems to be sending staffs at all levels the message that NEPA is not one of the Army's major concerns until an EIS becomes necessary. Paradoxically, however, early attention to NEPA issues can render an EIS unnecessary, while belated consideration may create the need for an EIS that could easily have been avoided.

Finally, the absence of an oversight function appears to result in great uncertainty about whether mitigation activities promised in NEPA documents actually are carried out. While much of the foregoing adds cost and/or increases delays before an activity can be initiated, subsequent discovery of ignored mitigation measures could very well result in the forced cessation of an activity. That would be the worst-case scenario for the Army.

DOCUMENTATION COSTS

At all levels, there is a consensus that the Army pays far more for environmental documentation, especially for an EIS, than the information is worth. The information provided is often repetitive from earlier studies and often is drawn at considerable expense from publicly available (indeed, from government-funded) resources. However, at present the Army has not developed credible alternatives that could avoid those costs. The Army's only baseline data system, the Army Compliance Tracking System, has considerable latitude for recording such information, but it is often incomplete and not considered reliable; to date, the Army has no general repository for gaining access to frequently used data from other

government agencies. Installation staff members believe that they could not complete an EA or EIS themselves, and even if they could, they do not have the time to do so; thus, the work is almost always done on contract.

When a contract is let, the absence of a baseline or effective guidance (as discussed above) make it difficult to reduce the scope of the research required, and contractors are unable (even if they were willing) to make recommendations for a reduced-cost document. The contracting process also contributes to the additional cost, because much of the contracting is done through a third party (the supporting USACE district office), and then the principal actor is a contracting specialist, not an environmental specialist. Being removed from the site, unfamiliar with the personnel and untrained in the technical issues, the contracting specialist is unable to set realistic limits and, not being the bill payer, will tend to err on the side of overinclusiveness. The Mobile District Office staff members, among others, also are aware of this cost issue, and they are researching ways to reduce it through selection of the areas to be studied. They endorse the idea of better guidance to the installations and better baseline data.

The sheer volume and price of an EIS in particular (these documents routinely run into the hundreds of pages) appears to most of the people we interviewed to add little value to the environmental aspects of the analysis and to be driven largely by the desires of litigation-conscious Army lawyers to ensure that there is no possible point on which the Army could be sued over inadequate documentation. In order to address this latter point, USAEC requested that LMI conduct a study of the current state of NEPA litigation; the findings of that study are summarized later in this chapter.

Another reason that documents become excessively large is, as noted above, that the nonenvironmental decision-makers who should be concerned about cost-effectiveness are seldom participants in the NEPA process. The usual committee of environmental professionals, military lawyers, and other staff specialists who determine the need for and scope of supporting documents tend to be more concerned with not making a mistake than with reaching an effective decision; this results in a tendency to be overinclusive.

In addition to the concern that environmental documentation is overpriced, perhaps a more important issue is that this cost may cause NEPA considerations to be excluded until the last possible minute. As with any large organization, the Army makes a lot of contingency plans, many of which are never intended to be executed. Of particular significance from the NEPA perspective is the development of installation master plans, which reflect a future idealized view of the installation. However, until funds are approved for specific projects (and for the most part, they are not so approved), Army planners tend to view the actions required to fulfill these plans as being “wish lists” more than as serious “proposed actions.” Certainly, the construction of a large new shopping center on an installation might warrant NEPA consideration, but to invest hundreds of thousands of dollars on an

EIS for a facility that will not be built in the near future appears to people in the field to be a sheer waste of scarce resources. Clearly, Army guidance needs to be more specific about the level of environmental consideration needed to support planning activities and to define clearly when a decision point is reached.

QUALITY OF NEPA DOCUMENTATION

Despite the high cost paid for NEPA documents, there is a concern that these documents are not particularly useful. Worse, despite their high cost and massive contents, these documents may still be inadequate under any aggressive review.

Our observations of NEPA documents prepared for other agencies indicate that NEPA contractors seldom misstate the facts (if anything, they state them too copiously). However, the relevance of much of the material provided to the question at hand is often very tenuous. More significantly, the documents are often produced in a one-size-fits-all manner, using the power of word processing software. While this can greatly speed the writing process and reduce its cost per page, it encourages the production of more pages and does not indicate that the contractor really understands the issues about which the documentation is being prepared. Frequently, such studies completely ignore some potential sources of impact that are obvious to anyone familiar with the activity in question. Many of these documents merely reflect a decision already made, and few credible alternatives are proposed or discussed.

We were unable to gather significant evidence as to whether these civil agency observations hold for the Army, other than in anecdotal cases, because there is no existing institutionalized management and review process. Each document is reviewed by Army counsels and environmental professionals at several levels, but there is no repository of documents or of review issues. We did review several documents that were available at USAEC and at Fort Belvoir, Virginia, and we found many of the same conditions noted above.

Unfortunately, it is those types of errors and omissions (indicating that the Army had not really thought through its decision), rather than the adequacy of the environmental science, that is usually called into question in those NEPA lawsuits.

Legal Review of NEPA Cases

In an effort to establish what NEPA document preparation issues lead to litigation, LMI conducted a review of the current state of litigation on NEPA issues. Details are provided in a separate report.⁷ The summary of that report is as follows:

- ◆ All NEPA procedural steps have been the subject of litigation.

⁷ LMI Report AR510RD1, *Challenges to the Adequacy of Environmental Impact Statements*, Marianne Woloschuk and Douglas M. Brown, October 1996.

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- ◆ The government is almost invariably the winner, despite significant errors of fact or scientific method, provided that the required NEPA steps were followed and there was a good-faith effort to consider environmental issues.
 - ◆ Despite this tremendous record of failure, interest groups continue to file suit on what often appear to be rather unlikely grounds.

The report concludes from those findings that it is impossible for the Army to completely preclude suits under NEPA. However, a reasonable effort to include NEPA considerations into the planning process, and a reasonable analysis of the situation, will suffice to win virtually any cases that are brought. Thus, an enormous defensive research effort is not cost-effective.

The best approach is to make decision-makers aware of environmental issues to facilitate early inclusion of environmental considerations and to provide installation-level staffs with the tools needed to be able to guide and scope the preparation of needed documents.

SUMMARY OF FINDINGS

This review of existing policies and procedures, external evaluations, and staff observations leads to the following conclusions with regard to the Army's NEPA program:

- ◆ Generally, the Army is meeting its NEPA requirements, as evidenced by significant investments and limited litigation.
- ◆ The program lacks effective definition and control: There is minimal formal program organization; and technical resources to support program execution are scattered.
- ◆ Even where processes ensure that some documentation is presented, there are few oversight or quality control mechanisms in place for the documents themselves; there is no follow-up on required mitigation projects or on NEPA program deficiencies.
- ◆ Many decisions continue to be made without having incorporated NEPA considerations.
- ◆ NEPA activities that are undertaken are already too expensive (besides adding little value to the decision-making process).

Given the Army's general success in the NEPA area, its limited exposure to litigation, and the lack of other penalties, one might be cautious about recommending the institution of a program to address an issue that (while a problem) does not

appear to be critical. This is, however, not in line with the emphasis placed on this subject by the Army IG, Army leadership, and Congress.

In order to address the problems identified, the Army needs to establish a management system that will provide oversight and guidance for its NEPA-related activities. That system need not be large or complex, but it must do the following:

- ◆ Take steps to ensure that NEPA considerations are included in appropriate decision processes.
- ◆ Provide greater program management definition, including identifying the organizations with responsibility for managing the programs and developing (and using) program performance measures.
- ◆ Provide technical support for ongoing NEPA documentation projects.
- ◆ Provide quality control of completed documents.
- ◆ Accomplish these actions at a cost proportionate to the size of the program and problem.

In the remainder of this report, we consider some cost-effective alternatives for building on the Army's successes and for addressing deficiencies.

Chapter 4

Analysis of the Alternatives

OVERVIEW

We developed several alternatives that would capitalize on the Army's strengths in NEPA issues to provide an institutional capacity that will address the needed improvements noted in the previous chapter. We identified in that chapter the principal features of any proposed alternative: it must identify the organizations with responsibility for ensuring early consideration of NEPA issues, for providing technical support for ongoing NEPA documentation projects, for providing quality control of ongoing processes and for completed documents, and for ensuring that there is follow-up on mitigation measures and program control issues. The three continuing themes appear to be the need for improved integration of NEPA issues into decision-making processes, for improved program oversight, and for improved quality control of the NEPA documents that are produced. Additionally, alternatives should be considered in light of the anticipated costs.

ASSUMPTIONS

We assume that NEPA activities will continue to be managed within the same general frameworks that exist today. Given the limited problems encountered by the Army in this area, the best action to take is to provide a clearer definition of roles and responsibilities rather than creating an entirely new NEPA program aimed at creating new organizations and activities.

One of the principal issues that still must be resolved is the continuing fluidity in the relationships among the various offices that execute Army environmental programs. There is a great deal of uncertainty with regard to the future status, charter, and ownership of ODEP, USAEC, and various elements of USACE. For the purposes of this report, we assume that those entities remain in place with essentially the same relationships that exist as of the writing of this report.

ALTERNATIVES

The NEPA program goals and objectives stated above, as well as the general corrective action aims of the program, can be accomplished by any organization that receives the authority to do so. The principal question surrounding enhancement of the Army NEPA program master plan is which organizations will do what, which is based on their capacity and legitimate roles. In structuring the alternatives for managing the program, we considered three principal issues: the degree

of centralization required, the degree of oversight required, and the organizational entities needed to perform the various tasks outlined above.

Centralize at Some Level

The principal issues that emerge from the prior discussion are the needs for NEPA technical support and for increased centralized guidance or control of the Army's NEPA activities: in other words, a program. This does not necessarily imply that all activities need be executed from the office with responsibility for the program, nor that such an office be the sole repository of expertise. It does, however, suggest that some organization must be given the responsibility for each required activity and that all of them be executed as a coherent whole under the policy guidance of a single office. But, because NEPA activities must be undertaken in concert with other operational decisions, to some degree, NEPA activities must remain as decentralized as the activities with which they are associated.

There are several advantages to increased centralization. It provides a single voice for policy and guidance. Where expertise or experience are limited, by providing a common pool accessible to all, it makes maximum use of available technical experts. When they are not being specifically tasked for support, these experts can develop assistance tools for the field reflecting Army-wide experiences. Where multidisciplinary efforts are required (one of the principal features of NEPA), a centralized process offers the opportunity for rapid and close collaboration, as opposed to a review-in-sequence process. By limiting the number of levels of review, it can make a review process much faster and cheaper than a hierarchical decentralized process.

The disadvantages of centralization tend to be the counterpoints of the advantages. By concentration of expertise, field activities are stripped of their expert resources. While this may work as long as the resources remain available to all, there is a strong tendency in centrally managed organizations to turn their focus inward, and the resources tend to migrate toward support of headquarters-level projects. As the supporting capability of the centralized staff office grows, the more headquarters can devolve responsibilities and tasks to that office. This can result in a long-term spiral in which the field loses all of its resources and the expert staff becomes progressively less available.

The second principal disadvantage of centralization is that field activities may be tempted to abandon their responsibilities. When they believe that their capacity to respond is weak, they may depend on the centralized office to catch and repair any errors; in the belief that the program manager is monitoring, they may defer any action until prompted. However, the centralized office may not have the capacity to do everyone's job for them. Furthermore, with the Army NEPA program, the corrective actions needed are not so much to obtain more thorough NEPA documents as to inject the NEPA considerations earlier into the decision process so that the need for NEPA documents may be avoided or greatly reduced. Such

oversight can only be executed by continuous involvement of local-level environmental staff members in the decision processes.

Centralization can suggest that the bulk of the activity is executed from a single office and that all the activity is directed by managers from that office. Decentralization implies that activities are the responsibility of the field organizations, with only general guidance from any higher levels. There are compromises between these points. The Army's traditional management by objective (MBO) philosophy leaves operating details of a program with the field organizations and exercise program control through reports provided by the field on its own performance.

The Technical Center concept tries to leave control of a program with the field while providing a pool of technical resources to draw on. A "virtual" center (using a "tiger team" approach) would enable the experts to remain with their home organizations except when needed for specific projects. There are many other potential variations on these themes.

Table 4-1 summarizes the strengths of these various approaches with regard to the principal needs of the Army's NEPA program: to improve the integration of NEPA considerations into Army decisions, to ensure program management, to provide expert technical support where needed, and to provide quality control of NEPA documents. In addition, the table portrays the potential cost impacts; the Army's objective is to enhance an existing program that simply needs improvement, not to create a major new program, and one of the areas of concern already is excessive cost.

Table 4-1. Relative Comparison of Centralization Approaches

Approach	NEPA integration	Program management	Technical support	Quality control	Cost impacts
Baseline; de-centralization (status quo)	0	0	0	0	0
MBO	+ May be improved	+ Sets clear standards	0	0	0 Minimal effort required to set up standards
Virtual center (tiger teams)	-- Could not provide any support, but might be expected to do so	-- Could not provide any support, but might be expected to do so	+ Significant improvement, although management may be difficult	- Review process would be complex, and no lasting repository of expertise	++ Minimal operating costs beyond reimbursable efforts
Technical Center of Excellence	-- Could not provide any support, but might be expected to do so	- Could not serve as Army-wide manager, but could support such a manager	++ Significant improvement	++ Significant improvement	-- Increased staff costs; also would require personnel relocation to assemble staff
Centralized NEPA office	- May have unrealistic expectations of Technical Center's capability	++ Significant improvement	+ Clear improvement, although mixing management and support may create conflict	++ Significant improvement	-- Significant staff costs; may require organizational authorization process

Notes:

0 indicates no change from the current situation; however, the current situation is defined as needing improvement.

- indicates deterioration from the present situation.

+ indicates improvement.

++ or -- indicate strong improvement or deterioration, respectively.

Clearly, each approach has advantages and disadvantages in the NEPA context. On the basis of these considerations, we recommend an organizational plan that is tailored to take the best features of the above alternatives. This would incorporate

- ◆ *a Technical Center to provide technical support and review of NEPA documentation and*
- ◆ *a designated program office to provide program oversight.*

In view of the potential offered by the MBO approach to enhance the field capabilities without assuming field missions, that program office should use clear objectives in establishing guidance and program monitoring systems. It needs to be made quite clear that field entities remain responsible for including NEPA considerations in their decision processes (i.e., the existence of the program office does not relieve field entities of their responsibilities).

The Technical Center, in turn, should incorporate some of the features of the virtual-center concept to take advantage of the relative strengths and weaknesses of those two forms. Use of a virtual-center to provide installation support would eliminate the need to develop a full-time staff to respond to intermittent field support requests. However, establishing a physical center with some permanent staff enables the creation of a repository, the continuing capacity to provide support as would be expected of a physical center (but could not be provided by a virtual organization), and development of the organizational history needed to provide effective support to the program office over time.

A combination approach using a physical center to manage the required activities, including managing “tiger teams” of experts, would provide the benefits of centralization without requiring a large permanent staff.

Increase Oversight by Some Degree

The establishment of a Technical Center and a program office still enables various levels of oversight by the program office. This can range from very rigid controls, and procedural proscriptions, through a reporting process, to an advocacy role.

The appropriate level of oversight depends in part on the organization that is being monitored. NEPA oversight includes activities at HQDA and above, at the MACOM and installation levels, and at the tactical unit level. For the moment, we assume that the program office is located at essentially the same organizational level (i.e., the Assistant Chief of Staff for Installation Management [ACSIM], ODEP, USAEC, and USACE) such that their authority relationships with other offices are essentially similar, whichever entity serves as the program office.

The activities to be managed remain the same as those shown in Table 4-1. Table 4-2 portrays how these alternatives are evaluated in terms of their effectiveness in achieving the goals of the Army's NEPA program, and in terms of their relative cost.

Again, each approach has advantages and disadvantages. In general, the establishment of an advocacy role offers some improvements to the present decentralized approach in that the advocate office may be able to raise the level of visibility of NEPA issues. However, such an approach does not take any proactive steps to make improvements. Similarly, establishment at HQDA of clear standards for NEPA actions may improve the integration of NEPA into field decision processes by giving better guidance to decision-makers. However, a simple reporting approach without an effective staff support capacity places the burden for corrective action on the Army's executive leadership, which has enough issues to worry about without micromanaging the NEPA program. A reporting program that has no teeth could result in sporadic reporting due to field inattention or to selective reporting if the installations perceive that they can only get in trouble by self-reporting.

The approaches that establish a formal program management structure offer the best opportunities for program oversight and enhancement. As Table 4-2 indicates, the establishment of a strong NEPA program office with a robust staffing level would provide significant improvements in the management and oversight of the program and could cause the most effective use to be made of a separate Technical Center. However, such an approach will have extensive cost and administrative implications.

The creation of a new entity with any kind of authoritative role would require sustained top-level support to overcome inertia and political resistance from other existing organizations; we did not address that option further. The proponents of the Army's major activities are significant in the Army hierarchy, and efforts on the part of a minor player to impose controls on them will simply not work. That approach offers a more cohesive program focus than the looser controls of MBO reporting or the lack of control characteristic of an advocacy role. An advocacy role is needed to maintain the visibility of NEPA among the Army's high-level, nonenvironmental decision-makers. A cooperative approach would be much more effective at those levels, but to make cooperation worthwhile for the proponents, the NEPA program office needs to have a sponsor of equal power to the proponents so that issues can be appealed if needed. That office must therefore be located at the Army staff agency level or an organizational equivalent.

Table 4-2. Relative Advantages of Degree of Oversight for Program Office

Approach	NEPA integration	Program management	Technical support	Quality control	Cost impact
No control (status quo)	0	0	0	0	0
Advocacy role	+ May be improved	-	+ Program office can "sell" use of the center	+ Program office should be able to sell attorneys on need for review	+ Minimal cost; potential improvement in program may reduce field costs
MBO	+ Standard setting may enhance performance	+ Clear standards will improve program management	0	- Field will be graded only if they send material to the center	+ Minimal cost; potential improvement in program may reduce field costs
Strong reporting and initiation of necessary program support activities	+ Provides feedback and identifies opportunities for improvement without interfering in chain of command	++ Clear standards will improve program management; activity initiation enables corrective action	++ Provides clear customer support—non-directive role for the center	++ Provides clear customer support—non-directive role for center	- Cost for data gathering and reports; probably no new staff costs
Strong, centralized NEPA office with capability to initiate or direct the undertaking of NEPA-related activities	- May have unrealistic expectations of own capabilities; overrides chain of command; not politically feasible	++ Clear standards will improve program management; activity initiation enables corrective action	+ Will require capable center to support the office; but center tasks may reduce ability to support the field	+ Will require capable center to support the office; but center tasks may reduce ability to support the field	- Will require space and robust staff to execute major program; without stripping field experience, this will require new staff

Notes:

0 indicates no change from the current situation; however, the current situation is defined as needing improvement.

- indicates deterioration from the present situation.

+ indicates improvement.

++ or -- indicate strong improvement or deterioration, respectively.

To provide the most improvements in the program with a limited investment, we recommend the establishment of a NEPA program office that is not freestanding (i.e., derives its legitimacy from its parent organization), but that has staff assets dedicated to NEPA activities so that they can generate and maintain a strong reporting capability as well as the ability to engage in policy analyses.

ORGANIZATIONAL CHOICES

The alternatives were compared in terms of their ability to meet the Army's objectives of improved integration of NEPA into major programs, program oversight, and improved quality of NEPA documentation. The best structure for the NEPA program would be to establish separate entities that would serve as a program management office and as a Technical Center. The program management office would be best established as a small specialized cell within an existing organization; that office should focus on reporting and development of specific action plans, rather than on trying to develop a large independent program office. To conserve resources, the Technical Center should use a virtual system to address field support requirements rather than establish new personnel positions.

Given the constraint of being able to operate at the Army staff level, the present organizations involved with NEPA policy issues and technical support include ACSIM, ODEP, USAEC, and USACE (to date, especially, but not exclusively, the Mobile District Office). Again, speculation about potential realignments of these organizations is not considered in this report.

Many other Army staff organizations are heavily involved with the management and execution of specific aspects of the NEPA program. The important roles of the staffs at the MACOM level, particularly as they apply to the unique functions of that MACOM, cannot be overemphasized. For instance, the work of the Army Materiel Command (AMC) staff in integrating NEPA considerations with the weapon systems acquisition process, or of the TRADOC staff in integrating environmental awareness issues into Army school curricula, is extremely important. The SSDCOM is performing a valuable service in providing its technical support expertise at all installations. In the proposed NEPA program master plan, included as Appendix B to this report, we identify many roles for these and other offices. However, this section of the report addresses only those agencies that can plausibly carry out the roles of the Army NEPA program office or the Technical Center.

Assistant Chief of Staff for Installation Management

ACSIM is responsible for the NEPA program in an executive role in that the Army's other environmental offices report to ACSIM. However, ACSIM does not have the staff to perform full-scale program management activities. It would not be appropriate to focus on one comparatively minor program in a manner that

is not done for other programs. Operation of a Technical Center within ACSIM would be completely infeasible. At the ACSIM executive level, however, a very effective role can be played as the Army's advocate for NEPA considerations.

Office of the Director of Environmental Programs

Until recently, ODEP was a very small office that was oriented strictly to policy support for ACSIM (prior to that, for USACE). During the past 3 years, ODEP staff levels have grown significantly and there is now a designated NEPA action officer.

ODEP is the proponent for the Army Environmental Strategic Action Plan (AESAP) and would be a logical setting for the program management activities envisioned for a limited NEPA program office as described earlier. In addition, ODEP is considered to be an Army staff office and, as such, has access to the proponents of the major Army programs.

Because NEPA is a planning process and not a compliance program, there is merit to the idea of placing it within ODEP's Foundation Group. However, the principal skills of NEPA personnel tend to be in conservation issues. Because NEPA activities should not be full time at the ODEP level, the NEPA program manager and staff should be assigned to the conservation group to facilitate its work on other activities when not engaged with NEPA and to maximize the rapport between the ODEP staff and supporting agencies and MACOM staff, who also tend to be assigned to conservation positions.

ODEP does not have the experience, the staff, or the space to serve as a NEPA Technical Center.

U.S. Army Environmental Center

The USAEC has multiple roles. The Environmental Compliance Division provides analytic and administrative support to ODEP, provides technical expertise and contractual support to MACOM and installation environmental offices, and acts as the program manager for several components of Army environmental programs. The division also manages all the Army's standard environmental information systems, which are maintained at USAEC by the Information Systems Division. A small NEPA staff is located within the Conservation Branch of the Environmental Compliance Division. At present, the role of that staff is unclear; this report was commissioned in part to help define what that role should be.

The history of USAEC in providing technical support and guidance to installations would make it credible as a Technical Center. It does not, however, presently have sufficient experience among its staff members to serve effectively in that role for NEPA issues; a cadre of personnel would have to be assembled at USAEC for this purpose. USAEC does have the tools and the experience to oper-

ate a virtual center (i.e., to manage ad hoc task forces), thereby conserving space and personnel billets. USAEC also has experience in, and is greatly improving, its capabilities to assemble data, produce reports, and monitor programs in support of a policy staff at ODEP. It has an excellent capability to institute nationwide contracts for installation support activities; this would certainly apply to NEPA support.

USAEC can serve as a program management office because it has sufficient staff, communications, and data capacity. It has in the past seen limited success acting as a program management office or serving in a policy development role. A large part of the problem in those efforts was due to a lack of definition of USAEC's role and authority to manage, especially in view of the continuing evolution of ODEP as well as various realignments of USAEC's reporting chain. In addition, when USAEC has been tasked with being both the program manager and the installation support provider, difficulties have arisen due to this inherent conflict in trying to fill directive, operational, and cooperative roles all at the same time.

USAEC, located in Edgewood, Maryland, does manage to provide support to ODEP (and ACSIM) in Washington, D.C., even though the two organizations are 75 miles apart. This is possible because the taskings for USAEC as a technical support center generally are not particularly time sensitive and the distance is small enough that attendance at scheduled meetings is feasible with minimal expense and coordination. Unplanned (i.e., less than 24-hours' notice) meetings, which would be routine in the HQDA-level program management role, create a problem. For that reason, USAEC could not credibly take on the advocacy role envisioned for a program management office because that role requires close and continuous physical interaction (basically, "management by wandering around") with other HQDA-level staff offices, all of which are located in Washington, D.C..

U.S. Army Corps of Engineers District Offices

Unless the NEPA program is located at USACE headquarters, it would not be credible to house the Army NEPA program management role within USACE (i.e., at a district office). It is true that both USAEC and ODEP have their origins within USACE and, therefore, one could make a case that USACE could handle such a responsibility. However, during the past several years, USACE has withdrawn from the Army's environmental manager role, generally in deference to ACSIM. There is no reason to reverse that trend for this particular program. NEPA is by no means primarily a USACE concern; although construction activities (managed by USACE) generate a great many NEPA activities, many others are generated by other major programs, particularly the weapon systems acquisition program operated by AMC. Therefore, it would be inappropriate to establish another MACOM as the program office.

Some USACE district offices already are involved in providing NEPA technical support to installations, either directly or by contract. There is probably considerable debate about which district office has the best capability in this regard, although the Mobile District Office appears to be the most active in soliciting such work.

There is no reason to believe that the installation support provided by the USACE district office, in either technical assistance or contracting, is any better or any worse than might be provided through USAEC and, in fact, a district office could continue to provide such support under USAEC tasking. Any of the district offices would have to add additional staff to develop a fully functioning multidisciplinary center to provide Army-wide support. However, if one of the corps district offices established itself as the primary source of contracted NEPA support, with a range of qualified contractors and vehicles in place, this would enable that district office to serve a valuable function supporting the center wherever it was located. If SSDCOM is to continue its role of technical support to field installations, then the USACE Huntsville District Office becomes a very strong candidate for such a central point, especially in view of its existing role in environmental training development.

Only the Baltimore District Office, located in Maryland, is within a reasonable supporting distance to ODEP or ACSIM; thus, if any other district office was selected, a continuing role for USAEC to provide technical support to HQDA organizations would be required. In addition, USAEC maintains the Army environmental data systems, so continued support from USAEC would be required to provide baseline data for the selected USACE district office.

Other Commands

As noted above, any organization performing as the Technical Center would have to be able to serve both the HQDA staff and the field organizations. In addition, unless each MACOM agreed, establishment of one MACOM as program manager over another peer command would pose considerable difficulties.

The technical support function now being performed by the SSDCOM, under USAEC guidance and tasking, could continue in that manner if USAEC remained as the Army's overall Technical Center. However, SSDCOM staff do not have enough personnel to begin managing all the issues required of the technical center, and because of location and access to data, they could not perform effectively as the principal provider of support to a program office at ODEP.

No other command has expressed an interest in serving in such a role.

Recommended Organizational Alternatives

The program office could be housed at ACSIM, ODEP, or USAEC. If USAEC is to be the program manager, then another activity at HQDA must be responsible for the advocacy role. Additionally, the lines between ODEP and USAEC must be made very clear; USAEC taskings in providing installation support or support to ODEP must not be allowed to undermine or conflict with its roles as NEPA program manager. The ACSIM's ability to focus on individual subprograms is limited.

The Technical Center role, at least in terms of providing support to MACOM and installation staffs, could be served either by USAEC or a USACE district office. Both have demonstrated their ability to do this in the past. However, if a USACE district office were to be the Technical Center, USAEC still would have to have a strong role in providing data support. Additionally, USAEC would have to continue to serve as a support staff for ODEP and ACSIM, partly because of its control of the data and also because of its proximity to HQDA.

Given these constraints and ODEP's policy development and program management role, those responsibilities would be best carried out by ODEP. We recommend that USAEC be designated as the Technical Center.

Chapter 5

Recommendations and Implementation

This chapter provides our recommendations for organizational assignments and detailed implementation requirements in establishing a program that accomplishes the Army's principal goals for NEPA.

RECOMMENDATIONS

The alternatives were compared in terms of their ability to meet the Army's objectives of improved integration of NEPA into major programs, program oversight, and improved quality of NEPA documentation. The best structure for the NEPA program would be to establish separate entities that would serve as a program management office and as a Technical Center. The program management office would be best established as a small specialized cell within an existing organization; that office should focus on reporting and development of specific action plans, rather than on trying to develop a large independent program office. To conserve resources, the Technical Center should use a virtual approach to address field support requirements rather than establish new personnel positions.

Several alignments of responsibility are feasible, but the following recommended organization and process offers the most advantages at a reasonable cost:

- ◆ The Assistant Chief of Staff for Installation Management should publish a NEPA program master plan to guide the development, execution, and continual improvement of the Army's environmental planning efforts. We have provided a proposed plan that includes environmental planning objectives, responsibilities, and program performance measures.
- ◆ The Office of the Director of Environmental Programs (ODEP) should establish a NEPA program manager within ODEP to provide policy direction and establish program goals and activities.
- ◆ ODEP should task the U.S. Army Environmental Center (USAEC) to establish a NEPA Technical Center of Excellence to provide analytic and data support to the Headquarters, Department of the Army (HQDA); provide technical NEPA support to field activities; and serve as a quality control point for all Army-generated NEPA documents.
- ◆ USAEC should execute the above tasking, maximizing delegation to avoid the need for new positions. We recommend a "tiger team" approach for technical support and contracted maintenance of a document repository.

USAEC should provide routine program information (as defined in the NEPA program master plan), provide or coordinate HQDA-level NEPA review of decision documents identified by ODEP, manage the activities of the technical support effort and of the repository, and continue coordination to ensure the quality of supporting data.

- ◆ The Headquarters, U.S. Army Corps of Engineers, should designate a district office as the primary source of NEPA support contracts. That designated office should establish basic ordering agreements with several qualified contractors in multiple disciplines. USAEC and installations should then use that district office to perform the NEPA contracts management function for installation support. We recommend selection of the Huntsville District Office, located in Alabama, for that function.

IMPLEMENTATION OF RECOMMENDATIONS

If the Army decides to adopt our recommendations, several program management issues must be resolved. A proposed NEPA program master plan (provided in Appendix B) provides the framework for managing the Army NEPA program. That plan assumes that the following supporting administrative actions are put into place.

Planning

Undertake the following planning actions to initiate the NEPA program:

Note: The organizational element indicated in parentheses at the end of each recc. is the element that should be responsible for the action.

- ◆ Convene a decision meeting to determine whether to adopt this plan, as modified, or adopt some other plan (an ODEP action, ACSIM as decision authority).
- ◆ Approve and adopt the attached master plan (see Appendix B), or some other plan (ACSIM).
- ◆ Modify AESAP to include more detailed program actions and performance measurements (ODEP).
- ◆ Develop appropriate budgetary support documents (ODEP)

Organization

Undertake the following actions to put into place the organizations that will execute the plan:

- ◆ Approve the proposed organization or some other organization (ACSIM).
- ◆ Initiate reorganization documents as needed (affected offices).
- ◆ Initiate staff transfers as needed (affected offices).
- ◆ Select a USACE District Office to serve as the primary source for NEPA support contracts (USACE headquarters).
- ◆ Initiate a process for identifying qualified contractors in each of the NEPA disciplines, with the collective volume and distribution capable of supporting Army requirements nationwide and establishing basic ordering agreements for support (selected USACE district office). The NEPA disciplines are as follows:
 - ◆ Air emissions
 - ◆ Archeology
 - ◆ Economic analysis
 - ◆ Geology
 - ◆ Hazardous materials management
 - ◆ Historic structures and cultural preservation
 - ◆ Hydrology
 - ◆ Master planning and traffic analysis
 - ◆ Plant biology and endangered species
 - ◆ Water spills and discharges
 - ◆ Wildlife biology and endangered species.

Staffing

Undertake the following actions to provide action offices with the appropriate staff assets:

- ◆ Identify two specific positions at ODEP to serve as NEPA program manager and action officer (among other duties). The estimated level of effort for these positions in the maintenance phase is approximately half-time each; the remainder of these people's time can be used in conservation and master planning activities (ODEP).
- ◆ Provide contract or detail support of one-half to one full-time equivalent person to the NEPA program manager for the first year to establish the program and measurement system (ODEP)
- ◆ Identify two to three Army personnel in each principal NEPA discipline (as shown above) who could serve as the Army experts for that discipline. Expertise for this purpose includes the ability to function at the GS-14 technical level, as well as having an adequate credibility across the Army. (Simply having the grade is no qualification; indeed, some of the Army's best technical experts may be occupying lower-graded positions at the installation level. The issue is technical competence, not time in service). The selection should be made through a peer nomination process of the Army's environmental managers. Identify other federal agencies whose personnel could also serve as the expert in a discipline (USAEC).
- ◆ Develop a plan to make at least one expert of each type (as identified above) available to the Technical Center at USAEC (and, by extension, to SSDCOM). Each of these positions will require approximately one-half to one-third full-time equivalent person in NEPA activities, and the MACOM and installation to which they are assigned must concur in this activity (USAEC).
- ◆ Develop a memorandum of agreement (MOA) to secure support from toxicologists and epidemiologists from the U.S. Army Center for Health Promotion and Preventive Medicine, co-located at Edgewood. Develop or modify an MOA with SSDCOM to provide technical support to installations. Develop an MOA for support from any other federal agency identified as a source of expert staff (USAEC).
- ◆ Develop contract support for operation of the repository. Develop contract support for development of the program performance measurement system specified by ODEP and for assistance in management analyses as required (USAEC).

- ◆ Identify and assign a director and action officer for the Technical Center. These will be full-time staff personnel with expertise in project and program management skills and contract monitoring experience (USAEC).

Direction

Undertake the following actions to provide the program's authority and performance measures:

- ◆ Issue a directive implementing the NEPA program master plan as approved (ACSIM).
- ◆ Develop program performance indicators and include them in AESAP (ODEP).
- ◆ Modify AR 200-2, as needed, to reflect the role of the technical center in conducting quality reviews of NEPA documents and to reflect any protocols developed for NEPA integration into major program areas. Review the AR 200-2 provisions requiring NEPA documentation for master planning activities; ensure that the regulation clearly indicates that this applies only to cases where there are major changes in the master plan (ODEP).
- ◆ Issue MOAs for program execution support as noted above.

Coordination

The coordination function will be one of the most important responsibilities of the NEPA program manager. Many of the actions required to establish those functions will be accomplished through personal coordination and development of working relationships with the primary organizations at HQDA and MACOM levels with NEPA responsibilities.

Take these additional actions to enhance coordination:

- ◆ Achieve consensus on the roles and responsibilities in the final version of the NEPA program master plan (ODEP).
- ◆ Publish the NEPA program master plan (ACSIM).
- ◆ Establish communications for NEPA issues through the environmental bulletin board system (USAEC).
- ◆ Initiate publication of a NEPA-oriented standard operating procedure that details for ACSIM and ODEP staff members, and for HQDA decision-making proponents, when and how NEPA considerations can be integrated

into the formal decision processes for acquisition, MILCON, base realignment and closure, and MDEP-level training activities (ODEP).

Reporting

Complete the following actions to initiate program reporting:

- ◆ Develop data collection systems to provide the data needed to support program performance measures established in the AESAP (USAEC).
- ◆ Include performance measures in the installation status report and other reporting systems (ODEP).
- ◆ Initiate the NEPA document repository and initiate the repository quality control (QC) functions; develop reports on the condition of NEPA documents (USAEC).
- ◆ Review the A-106 process to redefine category codes as necessary to enable segmentation of the data in a way that supports program management objectives (ODEP).
- ◆ Conduct a QC review of A-106 data to reestablish control over the data and issue a data call if needed to fill data gaps (USAEC).

Budgeting

Take the following actions to provide funding for the Army's NEPA program and adequate NEPA funding submittals:

- ◆ Determine the need for personnel, interagency agreements, and contractors to support establishment of the Technical Center; develop specific funding documents to accomplish those actions; include an A-106 project to operate the technical center (USAEC).
- ◆ Obtain technical contract support as needed to establish the data collection and reporting functions (USAEC).
- ◆ Determine the need for NEPA support contracts Army-wide and provide for allocation of funds from supported activities (USACE District Office and USAEC).
- ◆ Identify the general level, over time, of unforeseen requirements for NEPA support and documentation and establish an Army-wide NEPA support project (placeholder) in the A-106 system (USAEC).

Bibliography

LMI Report AR510RD1, *Challenges to the Adequacy of Environmental Impact Statements*, Marianne Woloschuk and Douglas M. Brown, October 1996.

LMI Report CE217RD1, *Methods for Integrating Environmental Awareness Training into Army Programs of Instruction*, Christopher P. Werle, June 1993

LMI Report PL204MR1, *The Need for Environmental Awareness Training Within the Department of Defense*, Christopher P. Werle and Douglas M. Brown, June 1993.

LMI Report PL204MR2, *Methods for Identifying DoD's Civilian Environmental Work Force*, Christopher P. Werle and David Smith, November 1993.

Army Regulation 70-1, *Army Acquisition Policy*, 31 March 93.

Army Regulation 200-1, *Environmental Protection and Enhancement*

Army Regulation 200-2, *Environmental Analysis of Army Actions*

40 Code of Federal Regulations 1500–1508, *Council on Environmental Quality Regulations*

Department of the Army, Inspector General, *Special Inspection of Environmental Program Management, Phase 2*, October 1992–March 1993.

DoD Inspector General Report 94-020, *Environmental Consequence Analyses of Major Defense Acquisition Programs*, 20 December 1993.

DoD Directive 6050.1, *Environmental Effects in the United States of DoD Actions*, 30 July 1979

DoD Instruction 5000.1, *Defense Acquisition*, 23 February 91.

DoD Instruction 5000.2, *Defense Acquisition Management Policies and Procedures*, 23 February 1991.

Field Manual 100-5, *Operations*

Training and Doctrine Command brochure, *Army Leader's Guide to NEPA*, undated.

42 United States Code 4332, *National Environmental Policy Act*

Appendix A

Description of the National Environmental Policy Act Process

The President's Council on Environmental Quality (CEQ) regulations outline an implementation method commonly known as the "NEPA process." The following steps are required to complete the NEPA process.

STEP 1. DESCRIBE PROPOSED ACTION

NEPA is triggered only when there is a proposed program or project that may have significant impacts on human health and the environment. In the absence of proposed actions, there is no NEPA requirement. Federal agencies are given wide latitude in determining how NEPA planning is applied to a given proposed action. For example, under different circumstances, an installation development plan may or may not be considered a NEPA-triggering proposed action. It depends on the possibility of the plan being approved, funded, and implemented. The timing of NEPA integration is determined on the basis of the nature of the commitment of resources.

The NEPA process must be followed for "major federal actions" with significant environmental impacts. For example, a "beddown" of a new Army division at a new location will most likely trigger NEPA requirements and preparation of an environmental impact statement (EIS). However, it is not always clear that all proposed actions will cause significant impacts without a preliminary investigation (known as an environmental assessment [EA]) of how the environment will be effected. There is no concrete and fast rule for determining what level of environmental impacts constitutes "significant" impacts. Initially, the collective judgment of the Army NEPA staff is used to determine whether the impacts from proposed actions are significant. Later in the NEPA process, this judgment is scrutinized through interagency coordination and public participation.

Most routine Army activities will not trigger NEPA planning; these actions can be categorically excluded from having to complete NEPA planning. The Army has listed categorically excluded activities in AR 200-1, *Environmental Protection and Enhancement*. More activities can be listed as categorically excluded action if they can be supported from previous environmental analyses. Any changes to the current list of categorical exclusion must go through the public hearing process as a part of the agency rulemaking process.

STEP 2. IDENTIFY AND EVALUATE ALTERNATIVES

How the goal of a proposed action is defined will determine the formulation of alternatives. For example, alternatives for reducing a housing shortage are different from alternatives for achieving a goal of building additional family housing units. Developing the alternatives is the heart of the NEPA process. Along with the proposed action, a reasonable number of feasible alternatives, including the no-action alternative, should be considered; typically, consideration of three to five alternatives is considered to be sufficient.

STEP 3. IDENTIFY POTENTIAL IMPACT AREAS

Once alternatives are formulated, the different impacts on human health and the environment must be assessed and compared. However, the Army is not required to study and assess every conceivable impact. CEQ regulations allow the Army to narrow down from having to study every approach to focus only on issues where other governmental agencies and citizens expressed some concerns. The NEPA process mandates interagency coordination and the implementation of the scoping process to narrow down the options to impacted areas requiring interdisciplinary analyses.

Consulting with other governmental agencies allows the Army to obtain technical expertise and insight from credible sources that are otherwise unavailable. Advice from environmental regulators is especially important since they will have legal authority to stop the Army's proposed action if it does not meet their environmental standards. Adhering to their advice will help to prevent the Army from repeating costly mistakes based on making decisions without balanced views. Additionally, securing their support is critically important for controversial projects and when there is vocal citizen opposition.

Scoping helps to focus on the environmental issues that should be emphasized in conducting environmental analyses. Typically, scoping serves two purposes: notifying the public about the Army's proposed action and determining the public's concerns regarding the proposal. Public participation helps to focus on issues of greatest concern to the public. Addressing these concerns will help to improve public acceptance of the proposed action. Open and frequent public participation will help to improve local community relations with Army installations. This public participation can be initiated and accomplished through scoping.

STEP 4. GATHER DATA AND PERFORM INTERDISCIPLINARY ENVIRONMENTAL ANALYSES

Once relevant environmental concerns are identified, data need to be collected for analyzing impacts. Typically, locations affected by proposed actions need to be determined in order to collect baseline environmental data for analyses. Because of this limitation, it is sometimes impractical to perform this step of the NEPA process until the locations of impacted sites are known.

Programmatic NEPA documents could be prepared without having to know specific locations of potential environmental impacts due to a proposed action. Under this circumstance, a programmatic NEPA document can be used to guide site-selection choices. For example, it is difficult to estimate environmental impacts of M1 tanks without knowing where M1 tanks are to be deployed for training. However, preparation of programmatic NEPA documents can help to assess generic environment impacts from the M1 tank training operations. Decision-makers who understand the possible impacts can use this knowledge to make more informed decisions about where to locate M1 training.

STEP 5. PREPARE PROPER NEPA DOCUMENTS

The two types of NEPA documents are known as the EA and EIS, depending on the severity of potential environmental consequences. The major difference between the two documents is the level of effort for preparation. An EIS normally is prepared when the proposed actions are controversial. Generally, preparation of an EIS is more expensive, and it takes more time to write than the EA effort. If preparation of an EIS is required, the Army must formally consult with other governmental agencies and actively solicit public comments before decisions are made to implement the proposal.

If Army environmental staff determine that the environmental impacts from a proposed action will be significant, then preparation of an EIS is appropriate. If the impacts are uncertain, then an EA is prepared to determine whether preparation of a “finding of no significant impact” (FONSI) or an EIS is appropriate. Correct assessment of which NEPA document is more appropriate is a critical part of NEPA compliance and it has a direct impact on cost. Figure A-1 illustrates a schematic diagram for deciding the level of NEPA analyses required.

STEP 6. REVIEW OF NEPA DOCUMENTS

The Army is required to publish a FONSI or EIS. Typically, a draft EIS or an EA and FONSI are circulated among other agencies and concerned citizens. These

documents must be made public and the Army must provide sufficient public comment period. No further decisions to implement a proposed action can be made until this review process is completed.

The Army has developed an internal policy for publishing these documents. For an EIS, an advance courtesy copy is sent to the appropriate members of Congress before they are announced in the *Federal Register*.

STEP 7. RESPONSE TO REVIEW COMMENTS

The Army is required to respond to all comments received during public comment periods. The Army is not required to obtain concurrence and approval to implement the proposal. The Army's response to public comments becomes part of the final EIS document.

STEP 8. INFORMED DECISION-MAKING

After considering inputs from scientific analyses and concerns from citizens, Army decision-makers can make an informed decision. NEPA's intent is that any planning should include consideration of environmental impacts. NEPA requires Army decision-makers to add one more environmental impact factor, along with the traditional factors such as weighing mission requirements, schedules, and costs. The final decision is explained in the record of decision.

Appendix B
The Army National Environmental Policy Act
Program Master Plan

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The Army National Environmental Policy Act Program Master Plan

PURPOSE AND SCOPE

This document, the Army's National Environmental Policy Act Program Master Plan (the plan), guides development, execution, and continuing improvement in the Army's environmental decision-making processes. This plan applies to the "Total Army," with the exception of the civil works programs of the U.S. Army Corps of Engineers (USACE).¹ It defines the Army's National Environmental Policy Act (NEPA) Program goals, objectives, and responsibilities, as well as the measures to be used in evaluating program effectiveness. It describes a program management structure and organizational responsibilities for NEPA implementation and compliance.

The plan does not override any of the provisions of Army Regulation (AR) 200-2, *Environmental Analysis of Army Actions*. It is intended to establish a general program to ensure that the provisions of that regulation are carried out effectively. Detailed activity plans will be contained in supporting Army environmental strategic action plans developed by the Office of the Director of Environmental Programs (ODEP).

The plan will be updated as needed to reflect the accomplishment of established objectives and to address new issues.

REFERENCES²

This plan is based on the following:

- ◆ AR 70-1, *Army Acquisition Policy*, 31 March 93.
- ◆ AR 200-1, *Environmental Protection and Enhancement*, 23 April 90.
- ◆ AR 200-2, *Environmental Analysis of Army Actions*, 23 December 88.
- ◆ 40 CFR 1500–1508, *Council on Environmental Quality Regulations*

¹ Excluded because these USACE programs are managed directly by the Chief of Engineers under separate congressional authorizations.

² U.S.C. = United States Code; CFR = Code of Federal Regulations; DoDD = Department of Defense Directive; and DoDI = Department of Defense Instruction.

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- ◆ DoDD 6050.1, *Environmental Effects in the United States of DoD Actions*, 30 July 1979.
 - ◆ DoDI 5000.1, *Defense Acquisition*, 23 February 91.
 - ◆ DoDI 5000.2, *Defense Acquisition Management Policies and Procedures*, 23 February 91.
 - ◆ FM 100-5, *Operations*.
 - ◆ 42 U.S.C. 4332, *National Environmental Policy Act*.

ESSENTIAL ELEMENTS OF THE PLAN

This plan is being implemented in order to institutionalize the Army's ability to address NEPA issues and compliance requirements. It is intended to build on a foundation of many years' experience that has refined the Army's collective understanding of the NEPA process. In addressing concerns noted by a variety of program evaluations, this plan provides the mechanisms to make the expertise gained collectively available to all concerned personnel individually at the time when it is needed. In this way, each responsible person can undertake his or her responsibilities and actions with the best available knowledge and support. The NEPA program manager (NPM) is to be located within the staff of ODEP.

The plan establishes that the principal component of cost-effective incorporation of NEPA concerns into Army planning and decision-making is the inculcation of a working knowledge of environmental issues ("environmental awareness") for Army planners and decision-makers. Such awareness enables NEPA considerations to be addressed early in the decision process, thereby allowing (in most cases) the resulting decision to be tailored to reduce or eliminate potential environmental impacts, compliance requirements, and documentation costs. The plan establishes the NPM as having the primary responsibility for disseminating this awareness across the Army.

Second, the plan also addresses a consistent finding from past external evaluations in establishing a NEPA Technical Center of Excellence (hereafter Technical Center) to provide expert technical support of major Army command (MACOM) and installation staffs in executing NEPA responsibilities, as well as providing more active quality control over Army NEPA documentation.

The third principal thrust of this plan is to establish a conscious effort to achieve and maintain command support at all levels for routine integration of NEPA into planning processes.

Additional action elements are provided in the plan as improvements to the Army's existing NEPA program. These include

- ◆ improved cross-referencing to NEPA and AR 200-2, in cornerstone Army planning publications;
- ◆ improved training for Army staff members responsible for NEPA execution;
- ◆ improved technical guidance for the preparation of NEPA documents; and
- ◆ improved program oversight, including monitoring the execution of committed mitigation projects.

REGULATORY BACKGROUND

The Army's environmental vision is to be a national leader in environmental and natural resource stewardship for present and future generations. To the maximum extent possible, environmentally sustainable operations are an integral part of all Army missions at all Army installations. The extensive interaction of environmental issues with other activities demands that environmental considerations become an integral part of Army planning and decision-making processes. Given these goals, when reduced to its essentials, NEPA requires little more than that the Army's planning processes conform to the Army's stated environmental goals.

NEPA was enacted in 1969 to promote good environmental *planning* practices among all federal agencies. NEPA requires all federal agencies to consider the potential environmental impacts and reasonable alternatives to their major actions prior to irreversible and irretrievable commitment of resources; to coordinate relevant aspects of such decisions with other appropriate federal, state, and local governments; and to solicit inputs from concerned private organizations and individuals when proposing federal actions that may have significant effects on their communities and the environment.

The President's Council on Environmental Quality (CEQ) developed an administrative procedure, commonly known as the "NEPA process," to implement the intent and spirit of NEPA. This process establishes steps that must be followed to document the inclusion of environmental concerns when agencies make decisions on proposed actions. AR 200-2, provides the steps of the NEPA process as well as specific implementation instructions.

Since the passage of NEPA in 1969, Congress has enacted and amended many other environmental laws that address specific pollution or natural resource protection issues. A series of congressional and Presidential actions have waived federal agency sovereignty, requiring the Army to comply with all these environmental laws and related state and local laws. As a result, from being among the

least regulated activities in the country in the 1970s, the Army has become among the most heavily regulated in the 1990s. Aside from the undesirable environmental consequences of a proposed action, extensive and costly regulatory burdens may be only tangentially related to any actual environmental issues. Thus, over time, it has become more important to consider the potential of creating either an environmental impact or a regulatory burden as early as possible in the planning process.

The principal NEPA enforcement mechanism is the court-ordered injunction (i.e., delay). Aside from the environmental impacts or regulatory burdens that may be created by improperly planned Army actions, failure to integrate environmental considerations into planning or to take the procedural steps required by NEPA can lead to long and costly delays in Army projects. With the end of the Cold War, the public is less inclined to look the other way in the name of military readiness, and NEPA offers an excellent tool for individuals and groups to gain leverage over the Army in advancing their own agendas. While it is unusual for such activities to lead to permanent injunctions that actually degrade operational readiness or mission capabilities, the litigation process involves delay and expenses; court decisions can lead to additional studies or documentation, further project delays, and extensive mitigation projects. All these costs must in the end be paid for by diverting resources away from some other mission requirement.

NEPA PROGRAM APPLICATION AREAS

Overview

The Army's major actions (any one of which can trigger NEPA requirements) can be categorized into five program areas on the basis of different planning and decision processes and the Army's functionally responsible organizations, known as proponents. These five Army programs and their proponents are shown in Table B-1.

Table B-1. Army Programs and Their Proponents

Program	Proponent
Military construction	ACSIM
Installation land-use and master planning	ACSIM
Base realignment and closure	ACSIM
Military training and mobility exercises	DCSOPS
Major weapon systems acquisition	ASA(RDA)

Note: ACSIM = Assistant Chief of Staff for Installation Management; DCSOPS = Deputy Chief of Staff for Operations and Plans; ASA(RDA) = Assistant Secretary of Army for Research Development and Acquisition.

The Army's planning and decision processes have evolved differently in each of the five program areas. Because these processes are not the same, a customized approach will be used to integrate NEPA considerations into each planning and decision-making process. The following subsections of this plan provide a brief overview of the five major activity areas and the ways in which NEPA considerations can be integrated into the planning process.

The NPM will publish standard operating procedures (SOPs) that further explain how to integrate NEPA considerations into major Army planning and decision-making processes. That SOP will be developed jointly in consultation with environmental and nonenvironmental managers, including Headquarters, Department of the Army (HQDA); MACOMs; and installation representatives. That SOP will be incorporated into other applicable Army regulations when they are amended or revised.

Military Construction

Military construction (MILCON) is a program area with clearly defined decision points that lends itself to NEPA integration; it is also the area in which the Army has the most experience and receives the closest scrutiny. With regard to MILCON, the SOP will address

- ◆ initiating a programmatic NEPA review at the time that a project is proposed;
- ◆ funding an environmental assessment (EA) when design funds are approved—to be completed before the design work begins; and
- ◆ determining the appropriate NEPA actions required before HQDA finalizes the Army's MILCON submission to Congress.

Projects will not ordinarily be allowed to proceed to the next step without the appropriate NEPA documentation.

Installation Land-Use and Master Planning

The Assistant Chief of Staff for Installation Management (ACSIM) has HQDA responsibility for establishing policy and guidance for master planning. Executing the master planning process and providing the necessary funds are the responsibility of each installation. Current Army policy requires each installation to prepare its own master plan. The ACSIM has issued HQDA guidance for the *Real Property Master Plan* (RPMP); that guidance already requires NEPA documents to be prepared for the capital investment strategy (CIS), short-range component (SRC), and long-range component (LRC).

Land-use and master planning of Army installations is normally driven by many factors, including the four other NEPA application areas: construction, base realignment and closure (BRAC), training, and major weapon systems acquisition activities. If changes in those areas result in a major departure from the previous master plan, preparation of an EA or environmental impact statement (EIS) normally will be undertaken; otherwise, NEPA documentation for RPMP changes should be tied to the changes in the other four activities. No NEPA documentation is needed for minor changes to this plan.

Base Realignment and Closure

For BRAC activities, the NEPA process begins when the bases earmarked for closure or realignment are approved by Congress. The application of NEPA to the BRAC process is well defined and codified by law. The Army's BRAC planning and decision-making processes have been well integrated with the NEPA process; no further guidance is required at this time. The number of BRAC decisions is sufficiently limited that ODEP can monitor all proposed BRAC actions and ensure that appropriate NEPA considerations are included.

Military Training and Mobility Exercises

The Deputy Chief of Staff for Operations and Plans (DCSOPS) is the HQDA focal point for establishing Army policy for military exercises and training. The U.S. Army Training and Doctrine Command (TRADOC) is responsible for developing detailed guidance and manuals for all Army training. DCSOPS and TRADOC guidance will require integration of NEPA planning into all appropriate training and exercise manuals. Staff members with NEPA expertise will be available to provide the technical help necessary for properly complying with NEPA.

Small-scale military exercises and training activities (those at and below the battalion level) normally would not trigger NEPA requirements (unless they are to be conducted for the first time in or near a highly sensitive area such as wetlands or natural resource preserves). Commanders at all levels need to be aware of environmental regulations and issues in order to avoid creating an unanticipated environmental impact during the course of routine training. NEPA planning for small-scale activities should be addressed as a package during the development of SRC and CIS components of a land-use and master plan to support military training and mobility activities. Only large-scale military exercises (brigade-size or larger) or new training activities in an environmentally sensitive area, that are not already addressed as part of the installation master planning process, will need separate NEPA documentation.

Large-scale, off-post military exercises, or on-post exercises of an unprecedented magnitude, deviate from normal routine training and generally will require formal NEPA documentation. These exercises normally take a long lead-time that easily accommodates the NEPA process. Because activities on this scale are infrequent

and highly visible, they will be known to the DCSOPS. Through coordination, the ODEP NEPA staff will provide close management oversight and assistance. ODEP also will monitor the development of management decision packages (MDEPs) that address exercises to ensure appropriate NEPA planning.

Major Weapon Systems Acquisition

Activities of most of the Army's major weapon systems acquisition programs (including testing, production, and research and development) trigger the application of NEPA requirements. Army and DoD acquisition regulations (recently reinforced by specific directions in the FY95 Defense Appropriations Act) require consideration of NEPA issues when these projects are proposed (see DoD Instruction 5000.2 and AR 200-2). Major weapon systems acquisition programs must go through time-phased milestones, which offer clear and critical opportunities for bringing NEPA considerations into the decision-making process throughout the acquisition process. In addition to specific actions required at each of the milestones, in most cases an MDEP is created for each major acquisition program. ODEP will monitor the MDEPs to ensure that NEPA requirements are properly integrated into acquisition programs.

GOALS

The following are the goals of the Army's NEPA program:

- ◆ *NEPA integration.* Institutionalize the inclusion of NEPA considerations into all aspects of Army planning and decision-making.
- ◆ *Quality NEPA documentation.* Ensure that all Army NEPA documentation is technically and legally sufficient, useful, and cost-effective.
- ◆ *Recognized leadership.* Attain recognition as the federal leader in NEPA implementation and overall environmental program management.

OBJECTIVES

To accomplish the first goal (*NEPA integration*), this plan establishes the following objectives:

- ◆ *Objective 1A.* Establish a NEPA program manager (NPM) with the responsibility and capacity for NEPA program oversight, to include monitoring compliance with critical NEPA requirements as well as the status of mitigation projects committed to in NEPA documents.

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- ◆ *Objective 1B.* Establish responsibility and capacity for Army NEPA advocacy. That responsibility is assigned to the NPM.
 - ◆ *Objective 1C.* Provide and retain a cadre of personnel with NEPA experience available to all command levels. To this end, establish a Technical Center capable of expert multidisciplinary support to installations, MACOMs, and HQDA staffs as needed.
 - ◆ *Objective 1D.* Identify key Army planners (military and civilian) with responsibility for integrated NEPA planning; provide environmental awareness training to those personnel.
 - ◆ *Objective 1E.* Integrate NEPA requirements with formal Army requirements, including cornerstone operational and administrative regulations as well as structured review processes.

To accomplish the second goal (*quality NEPA documentation*), this plan establishes the following objectives:

- ◆ *Objective 2A.* Provide a central point of expertise that can offer interdisciplinary technical and managerial assistance to Army decision-makers and MACOM and installation environmental staffs, as well as a source of quality assurance and quality control of all Army NEPA documentation prior to submission to the U.S. Environmental Protection Agency (USEPA). This role is to be performed by the Technical Center.
- ◆ *Objective 2B.* Provide the responsible personnel with the tools and data support needed to produce high-quality and cost-effective NEPA documents.
- ◆ *Objective 2C.* Improve contracting methods to ensure timely and cost-effective contractor support to Army decision-makers when it is needed. This action is the responsibility of a USACE District Office (to be designated by USACE headquarters), which will become the primary source for such contracting actions.

To accomplish the third goal (*recognized leadership*), this plan establishes the following objectives:

- ◆ *Objective 3A.* Compete annually for the CEQ Award for the agency having the most outstanding NEPA compliance program.
- ◆ *Objective 3B.* Establish a continuous public outreach program at each installation. The program need not be expensive, but must be continuous (i.e., not just when an EIS is required) and should result in active and har-

monious dialogue with appropriate local public officials, regulators, industry, and citizens groups.

- ◆ *Objective 3C.* Stress NEPA compliance as a high priority at all Army leadership levels.

PROGRAM ELEMENTS AND ACTION PLANS

This section lists management solutions to achieve the goals and objectives established in the preceding two sections.

1. Institutionalized NEPA
 - a. Identify and train key personnel
 - 1) Identify key decision-makers.
 - 2) Develop appropriate environmental awareness training packages tailored to the various needs of key personnel in various types of assignments.
 - 3) Integrate awareness training with formal Army schools.
 - 4) Provide for exportable awareness training packages for key personnel.

Action plan

The NPM will review the template developed in FY95 that identifies key decision-makers in the Army and, if needed, revise it to publish a final version. As the first step in awareness training, that template will be delivered to all named offices. The NPM will task the center to develop training packages for those key leaders (or personal briefings for high-ranking officials). The Technical Center will maintain liaison with TRADOC to ensure a continuous process for inserting awareness issues into formal training for military and civilian leaders.

- b. Link NEPA to formal requirements
 - 1) Integrate NEPA requirements into other applicable Army regulations.
 - 2) Integrate NEPA requirements into formal review processes.
 - 3) Deny funds to MDEPs or projects without adequate evidence of having included NEPA considerations.

Action plan

The NPM will review the Army's formal documents and processes to identify the decision points at which NEPA considerations can be included and, in conjunction with applicable action proponents and appropriate MACOM and installation input, will develop an SOP. The process should result in a set of protocols that includes provisions and procedures to ensure appropriate levels of environmental review.

Those procedures will ensure that proposed actions do not proceed until the environmental review has been completed. The reviews will be accomplished by the proposing command; HQDA-generated proposed actions will be reviewed by ODEP with the technical assistance of the Technical Center.

c. Establish advocacy

The NPM has responsibility for the Army's NEPA program and will establish methods of frequent communication with the proponents of the major Army programs. The NPM will be the Army's NEPA advocate and will become familiar with the major activities of those proponents in order to seek out events that will require NEPA review that may have been overlooked, to educate decision-makers on the need for NEPA review, and to seek opportunities for early (programmatic) consideration of NEPA that may preclude major NEPA reviews later on.

d. Establish a cadre of experienced NEPA staff

- 1) Establish a skills code ("shred" code) for use in civilian personnel files to indicate NEPA experience among the Army's civilian environmental professionals.
- 2) Establish a Technical Center where the Army can make maximum use of the expertise it already has available.

Action plan

The NPM will coordinate with Deputy Chief of Staff (Personnel) (DCSPER) to implement the NEPA identifier within the existing civilian personnel office data system, and to develop standards for awarding this identifier. Establishment of the Technical Center was noted earlier.

e. Establish NEPA oversight

- 1) Use the MDEP development process to identify and monitor major Army actions requiring NEPA.

- 2) Use the MILCON approval process to identify and monitor construction activities requiring NEPA.
- 3) Brief senior Army leaders during the Planning, Programming, Budgeting and Execution System cycle on those MDEPs that fail to submit evidence of appropriate NEPA consideration.
- 4) Develop program performance measures for program goals.
- 5) Provide feedback to each proponent on their progress toward goals.
- 6) Develop an incentive program to reward outstanding performers. See item 3(a), "Compete for CEQ Award," below.

Action plan

The NPM (with tasked technical and data support from the Technical Center) will establish a NEPA program oversight capability to identify and track requirements to conduct environmental reviews of proposed and ongoing actions. The NPM will develop protocols with proponent offices to obtain the necessary supporting data (e.g., MDEP, MILCON, and Army training plans) and will coordinate with the proponents to develop nonintrusive methods to determine whether the environmental reviews are executed. The NPM, with data support from the Technical Center, will compare NEPA-related project submittals in the Report Control System (RCS) 1383 with projects identified in the MDEPs.

The NPM will use and revise the program performance measures provided in this plan, establish more detailed activities and measures for use in the NEPA Army Environmental Strategic Action Plan (AESAP) as needed, and task the Technical Center to develop reports (and, if necessary, data collection systems) that address these measures. The performance measurement system will be established during 1996, initial data collection will be started for test purposes in FY97, and an operational program oversight system will be in place in time to support May 1998 budget processes.

2. Ensuring Quality NEPA Documents
 - a. Establish a Technical Center to provide Army-wide support
 - 1) Establish and maintain core in-house NEPA expertise within the Army.
 - 2) Provide both centralized and on-site technical and managerial assistance to proponents and MACOMs.

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- 3) Perform interdisciplinary reviews of all EISs for quality control.
 - 4) Ensure retention of experienced core NEPA staff at proponent organizations. Army NEPA staff positions' pay grades should be on par with other federal agencies' NEPA positions having similar responsibility and experience.

Action plan

The U.S. Army Environmental Center (USAEC), in its role as the Technical Center, will identify interdisciplinary NEPA professionals who can provide comprehensive NEPA expertise. This team, which is expected to be assigned principally to the Space and Strategic Defense Command (SSDCOM), will be tasked as needed to provide technical support to the Army, MACOMs, and installation staffs. The collective expertise of this team will address all functional elements of NEPA analyses. These elements include, but are not limited to, knowledge of impacts on air and water quality, noise, land use, fish and wildlife, endangered and threatened species, historical and archaeological assets, aesthetics, socioeconomics, etc.

The Technical Center, with the assistance of the team as needed, will organize quality reviews of NEPA documentation and identify methods for improving the quality of environmental analyses and eliminating redundant work or excessive costs.

The center will work with appropriate personnel managers (e.g., installation civilian personnel office, ASCIM, DCSPER) to survey other agencies and private-sector organizations to determine the skills expected and the appropriate compensation levels for experts at the levels required of this team. USAEC will work with the U.S. Army Engineering and Housing Support Center to develop a plan that ensures that the Army has, and can train to ensure, sufficient staff expertise to support the Army's need for skills.

- b. Provide data support of field NEPA documentation
 - 1) Develop guidance materials.
 - 2) Develop automated tools.
 - 3) Train Army environmental professionals at all staff levels on conducting adequate environmental analyses.
 - 4) Develop common resource data sets.
 - 5) Maintain a NEPA document repository.

Action plan

The Technical Center will assist decision-makers at Army commands and installations in determining the appropriate level of required NEPA analyses given the scope and nature of a proposed Army action.

The Technical Center will coordinate with TRADOC and the USACE Huntsville Center for Environmental Training Support to develop guidance materials and training packages on the basis of requests from supported organizations and from continuing issues identified during the quality assurance and quality control processes.

The Technical Center will identify recurrent data requirements and, through the Information Systems Division of USAEC, will establish common access to that data.

ACSIM will promulgate a requirement that the Technical Center must receive a copy of all NEPA documentation (e.g., EA and EIS). The Technical Center will establish a repository to catalog and store those documents, using the data to support Army and DoD categorical exclusions and to support the development of “best-example” impact assessment texts and mitigation project definitions.

c. Provide contract support

Action plan

The Technical Center will coordinate with the SSDCOM technical support team and the designated USACE district office to develop samples of boilerplate statements of work (SOWs) for common contracts for NEPA support of typical Army activities (construction, master planning, training exercises, and so forth). The Technical Center will (generally through the SSDCOM team) provide on-site technical assistance in exceptional cases where unusual environmental circumstances make application of sample SOWs ineffective or contract support undesirable.

The USACE District Office will pre-qualify organizations to perform NEPA support analyses and arrange regional basic ordering agreements that enable rapid and flexible support to be available to the field. In exercising its quality control function, the Technical Center will review all contracted NEPA products and will determine award fees based on performance. On the basis of the results of the quality reviews, the USACE district will publish suggested improvements bulletins for use by all NEPA contractors. Where necessary, the USACE District Office will modify the pre-qualification listings.

The Technical Center will identify areas where existing Army staff resources and existing federal data sources can be applied to NEPA work in order to minimize the amount of contract support required.

3. Recognized Leadership.

a. Compete for CEQ Award.

Action plan

The NPM will manage a process whereby the Army competes for the CEQ Award for the best NEPA program. The NPM will task the Technical Center for data and technical support as needed. Annually, ODEP will publish a report for all installations on lessons learned as a result of the competition process and the NPM will revise this program master plan as needed.

b. Effective Outreach

- 1) Maintain closer liaison with CEQ and USEPA officials.
- 2) Encourage and improve interagency coordination of Army actions.
- 3) Conduct effective public meetings.

Action plan

The NPM will initiate a process to strengthen informal communications with the CEQ and USEPA through periodic program update meetings, invitations to CEQ and USEPA (especially but not exclusively the Office of Federal Facilities) representatives to participate in Army NEPA conferences and training sessions, informally comment on Army NEPA program strategic planning, and participate in USEPA's workshops. For major NEPA documentation efforts, the NPM (with the prior approval of the ACSIM) may decide to include USEPA as an informal participant early in the process.

The Technical Center will develop guidance material for inclusion in environmental professional training. This material will address the proper organizations, protocols, and paperwork needed to conduct the interagency actions required as part of a detailed NEPA review.

The NPM and the Technical Center will work with the Army Public Affairs Office and USEPA to develop a training course for environmental professionals in the proper preparation for, conduct of, and response to public meetings under NEPA.

- c. Emphasize the Army's priority in complying with NEPA compliance

Action plan

This plan recognizes that “vision statements,” without accompanying actions or the standard solution of “making NEPA a part of individual performance ratings,” are not credible. The approach taken in this plan enables frequent reporting on program status and opportunities for recognition for superior performance. If adhered to, the plan provides benefits for conforming to the plan and will cause significant administrative delays for organizations that ignore their basic NEPA compliance requirements. Adherence to this plan and its reporting requirement will, therefore, serve as the best means of emphasizing that the Army is serious about NEPA, and it will highlight those entities that are not.

PROGRAM EVALUATION FACTORS

This section describes systematic methods for measuring the Army's progress toward meeting the goals stated earlier. The program evaluation process must accurately assess the status of progress and provide meaningful management feedback to senior Army leaders. The evaluation factors are tied to the specific goals and objectives outlined earlier in this plan. The many aspects of the Army NEPA program require the use of multiple evaluation factors to present the true status of the program. In addition, the different NEPA challenges facing the five principal proponents may require that these evaluation factors be weighted, over time, to reflect differences in degree of difficulty or importance of the particular measure to the proponent's activities.

The following subsections outline evaluation factors and management techniques to be used for measuring progress toward meeting the three NEPA goals. They consist of three separate indicators, each with its own evaluation techniques and each with a different evaluation process. The results from combined evaluation efforts will provide a good indication of the Army's progress toward achieving the three goals outlined in the section entitled “Goals.”

NEPA Integration

INDICATOR 1. PERCENTAGE OF MDEP ACTIONS WITH PROPER AND APPROPRIATE NEPA CONSIDERATION

This measure uses a random sample of MDEPs from the PROBE database. The NPM will assess these MDEPs to see whether appropriate NEPA documents were prepared at an appropriate point in the planning process (i.e., before the decision had been committed to), and whether the consideration of the issues was reason-

able. Where NEPA consideration was not required at all, that MDEP would not be counted in the percentage.

INDICATOR 2. PERCENTAGE OF MILCON ACTIONS WITH APPROPRIATE NEPA CONSIDERATION

The NPM will review all MILCON proposals (like it does for MDEP). Projects where detailed NEPA review is waived by categorical exclusion (if appropriate) will be counted as proper consideration; however, projects where categorical exclusions should have been claimed, but where a NEPA document was prepared, would be counted as improper.

INDICATOR 3. PERCENTAGE OF MATCH BETWEEN NEPA DOCUMENTATION IN MDEP AND MILCON RECORDS AND NEPA PROJECT REQUESTS IN RCS 1383

This measure is intended to reflect the accuracy of RCS 1383, which is the Army's single source for environmental funding requests. All NEPA actions found in the MDEP or MILCON records should be locatable in RCS 1383.

Quality of NEPA Documents

INDICATOR 1. RETURN RATE OF PREPARED EIS DOCUMENTS

The USEPA maintains a database that records the status of EIS documents received and the incidence (and reasons for) sending them back for rework.

INDICATOR 2. PERCENTAGE OF PREPARED EAS THAT MEET MINIMAL ADEQUACY STANDARDS

The use of this indicator assumes that the extensive oversight given to EIS documents renders them largely adequate (although, as noted above, some may continue to be sent back for additional information). EAs receive less scrutiny, but because they are the basis for proceeding without an EIS, must meet quality standards. The specifics of the assessment is to be left to the Technical Center's expert staff and may be largely subjective. However, the EAs must pass the following tests:

- ◆ Findings (including "findings of no significant impact" for an EA) are valid (even if the document is procedurally weak) (i.e., there is no significant impact [if true] and all plausible impacts [and necessary mitigation] have been included).
- ◆ Reasonable alternatives (including the status quo option) are provided.
- ◆ The document is not part of a larger, unacceptably fragmented process.

**INDICATOR 3. GRADE DISTRIBUTION OF ALL NEPA DOCUMENTS PREPARED
(BY TYPE)**

The repository and review function at the Technical Center will include assignment of a score for each received NEPA document. This will be done using the academic grading system: A, B, C, D, and F. Distinctions between A and B grades are determined by USAEC's expert staff. A grade of B meets all of the minimal standards of adequacy established above. A grade of C meets the first standard (i.e., findings are supported, but the document is procedurally weak). A grade of D represents a poorly prepared, poorly supported document that would probably not survive a legal challenge but nonetheless enables a knowledgeable reviewer to conclude that the net environmental impacts are as described. A grade of F indicates that the document reaches a impact conclusion that is incorrect, that is based on unspecified mitigation, or is so poorly supported that a knowledgeable reviewer would be unable to reach that conclusion from the information provided.

**INDICATOR 4. COST OF NEPA DOCUMENTS BY TYPE OF ACTION
AND BY PERFORMING ENTITY**

The Technical Center will develop a classification of the actions that require NEPA documentation and report the costs of document preparation. The costs will distinguish between contract costs and internal costs. Costs will attempt to capture all relevant Army hours, not just those involved in the actual document preparation and review process; thus, even a "contracted" EA would include many hours of Army time briefing the contractor. The program objective over time will be to identify those types of action and environmental issues that are consuming the most resources, to reduce the total cost of documentation through developing a strong set of categorical exclusions, and to reduce the contract costs and repetitive costs through the development of Army expertise.

Recognized Leadership

INDICATOR 1. PROGRESS TOWARDS THE CEQ AWARD.

It is not expected that the Army will win the CEQ Award the first time, or every time, that it sets out to do so. On the basis of the results of the CEQ evaluations, ODEP will establish indicators of performance such that the Army can work off areas of weakness. Thereafter, if the Army is not selected, it will be because another organization also has top marks in each evaluation area.

The NPM also will develop a method of making CEQ-type awards to the top-performing organizations within the Army.

INDICATOR 2. SELECTION OF ARMY ACTIVITIES AS DoD OR OTHER AGENCY MODELS

Each year, ODEP will record DoD-level (or external agency) environmental initiatives in which a Service model is selected for DoD-wide adoption, and indicate which of those are selected from the Army. Interpretation of this tabular information will have to be subjective. However, an apparent unwillingness to use the Army as a model is a good indicator that the Army's environmental program is not considered a leader.

RESPONSIBILITIES

Many of the responsibilities below are included in AR 200-1 and AR 200-2 as part of the overall responsibilities for environmental and NEPA compliance. This section includes *only* those responsibilities for executing the specific actions of this plan (i.e., they add to but do not supersede the responsibilities identified in AR 200-1 or AR 200-2).

1. *The Assistant Secretary of the Army for Installations, Logistics and Environment (ASA[IL&E])* serves as the Army's responsible official for all issues involving NEPA. In general, those issues result from installation-related activities, which fall under the ASA(IL&E) in any case. However, the ASA(RDA) (see below) is responsible for managing the environmental compliance of materiel systems as defined in AR 70-1. ASA(IL&E) must develop a formalized working arrangement with ASA(RDA) to ensure a single voice in the materiel arena. In addition, the ASA(IL&E) must ensure that the activities of the ACSIM (*in this plan, especially the action tasked to the NPM*) are coordinated with the programs established by the ASA(IL&E).
2. *The Assistant Secretary of the Army for Research, Development, and Acquisition (ASA[RDA])* has responsibilities as defined in DoDI 5000.2, AR 70-1, and AR 200-2.
3. *Acquisition Program Executive Officers* have responsibilities as defined in DoDI 5000.2, AR 70-1, and AR 200-2.
4. *Acquisition Program/Project/Product Managers* have responsibilities as defined in DoDI 5000.2, AR 70-1, and AR 200-2. To accomplish the goals of this plan, those managers are responsible for the following:
 - a. Initiating the preparation of environmental documentation and assessing the environmental consequences of proposed programs and projects; this includes tasking support agencies (e.g., USAEC, USACE activities, and supporting installation environmental staffs) with analy-

- ses and preparation of NEPA documents and development of public involvement activities
 - b. Circulating and reviewing environmental documents at the same time as other planning documents
 - c. Coordinating proposals, environmental documents, and public affairs initiatives with all appropriate HQDA agencies
 - d. Preparing and maintaining the official record copy of all environmental documents for which they are the proponent
 - e. Developing public involvement initiatives as appropriate.
5. *The Assistant Secretary of the Army for Financial Management* (ASA[FM]) is responsible for establishing procedures to ensure compliance with requirements for environmental “exhibits” (displays of supporting data) to be provided with annual authorization requests. With regard to NEPA, the ASA(FM) is responsible for developing procedures to ensure that new resource commitments do not occur without appropriate NEPA consideration. In the context of this plan, the ASA(FM) must coordinate with the NPM to incorporate those procedures into the NEPA integration SOP.
6. *The Assistant Chief of Staff for Installation Management* is responsible for the following:
- a. Coordinating and monitoring all NEPA activities within the Army, including providing oversight for NEPA-specific program management functions of ODEP
 - b. Providing detailed NEPA implementation procedures to proponents of operations and activities that are primarily conducted in the construction, base realignment and closure, and land-use and master planning functional areas
 - c. Issuing directives as needed to implement the provisions of this plan and providing ODEP and the NPM with the authority necessary to carry out the plan.
7. *The Office of the Director of Environmental Programs* serves as the Army Staff (ARSTAF) point of contact for environmental policy and program management matters. As a subordinate element of the ACSIM, ODEP is responsible for serving as the proponent for AR 200-2, overseeing periodic updates or revisions as required, and managing the Army’s NEPA program. Within the context of this plan, ODEP is responsible for designat-

ing, and for providing adequate resources to, an NPM, who will accomplish the following tasks:

- a. Monitoring proposed Army policy and program documents that have environmental implications to determine NEPA compliance requirements and ensuring integration of environmental considerations into the decision-making process
 - b. Maintaining liaison with the Office of Management and Budget; CEQ; USEPA; and other federal, state, and local agencies on environmental policies that may affect the Army; this liaison will assist in identifying and evaluating applicable regulatory policies for proposed actions
 - c. Interacting with other ARSTAF elements to advocate NEPA compliance, and monitoring development of Army planning documents during routine ARSTAF coordination to ensure inclusion of NEPA requirements
 - d. Tracking the NEPA compliance status of major Army actions identified through management decision packages and other appropriate elements of the PPBES
 - e. Identifying NEPA funding requirements and monitoring RCS 1383 to ensure that requests for funding for major NEPA documentation (e.g., EISs) projects are included in the MDEP process
 - f. Establishing and measuring appropriate indicators of program performance in integrating NEPA considerations into the Army's planning and decision-making processes.
8. *The NEPA Program Manager* is responsible for managing the Army's NEPA program and accomplishing the tasks enumerated under ODEP (listed earlier).
9. *The U.S. Army Environmental Center*, as a subordinate element of ODEP, is responsible for establishing, staffing, and operating a NEPA Technical Center to provide interdisciplinary technical and managerial assistance to Army decision-makers and MACOM/installation environmental staffs and to perform the following functions:
- a. Performing quality control reviews of all Army proponent and lead agency EIS documents prior to submission to USEPA
 - b. Performing similar reviews of other selected NEPA documents on a case-by-case basis

- c. Performing environmental analyses and preparing NEPA documentation in response to formal requests for assistance from HQDA, MACOM, or installation proponents
 - d. Developing tools for improving Army NEPA compliance such as NEPA field implementation manuals, boiler-plate NEPA documents for common Army actions, and NEPA handbooks
 - e. Operating a NEPA hotline
 - f. Tracking and evaluating mitigation measures committed to in final EA and EIS documents to ensure proper and complete implementation
 - g. Establishing and managing a NEPA document repository and automated information management system
 - h. Establishing data support for, and tracking, information requirements established by ODEP for NEPA monitoring and program evaluation
 - i. Providing for NEPA awareness training for Army planners and other nonenvironmental decision-makers
 - j. Scheduling and conducting periodic Army NEPA conferences as required.
10. *The NEPA Technical Center* will accomplish activities listed under USAEC, above.
11. *Heads of HQDA (ARSTAF) agencies* have responsibilities designated in AR 200-2. Within the context of this plan, attention is drawn to these duties:
- a. Ensuring compliance with NEPA policies and procedures, and preparation of appropriate environmental documents, when implementing programs and actions within their areas of responsibility except for state-funded, non-federal operations of the Army National Guard.³
 - b. Coordinating with the NPM to ensure that appropriate NEPA integration procedures are recorded in the *NEPA Integration SOP*.
12. *The Judge Advocate General* is responsible for providing legal advice and assistance with the interpretation of NEPA and other applicable federal statutes and implementing regulations, and with applicable state and local statutes and implementing regulations.

³ As state-level activities, these are exempt from NEPA, which only addresses federal actions.

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13. *The Surgeon General (SG)* is responsible for health and welfare aspects of environmental reviews submitted to HQDA. In practice, those reviews are generally tasked to the U.S. Army Center for Health Promotion and Preventive Medicine.
 14. *The Chief of Public Affairs (CPA)* has responsibilities established in AR 200-2. In the context of this plan, CPA also is responsible for cooperating with the Technical Center to develop a guidance manual on the conduct of public hearings under NEPA.
 15. *The Office of the Chief of Legislative Liaison* is responsible for notifying members of Congress of impending proposed actions of national concern or interest.
 16. *The Director of Program Analysis and Evaluation* is responsible for the following:
 - a. Ensuring that NEPA considerations are fully integrated across all functions, programs, and subprograms during the programming phase of the PPBES, especially during reviews and analyses of fiscal programs, requirements, resource planning, and resource allocation for the program years
 - b. Reviewing final management decision package input to identify those that may require NEPA documentation, and furnishing the resulting MDEP listing to NPM for use in tracking status and providing appropriate guidance to proponents
 - c. Ensuring that program objective memorandum guidance specifically addresses NEPA requirements and resources.
 17. *The Director of the Army Safety Office* is responsible for ensuring that NEPA considerations are integrated into Army safety policies, procedures, objectives, and evaluation standards where appropriate.
 18. *The Deputy Chief of Staff for Personnel (DCSPER)* is responsible for the following:
 - a. Undertaking requisite manpower staffing studies to identify Army requirements for NEPA professionals at all organizational levels
 - b. Integrating NEPA staffing requirements into existing civilian personnel recruiting and retention programs
 - c. Coordinating with ODEP and NPM to address the need for environmental training or certification requirements for appropriate military and civilian personnel positions or position types, and implementing

the identification, certification, and skills coding of NEPA-qualified civilian employees

- d. Directing modification of Army Civilian Training, Education, and Development System plans to reflect NEPA-specific environmental courses or awareness training for all career programs as appropriate.

19. *The Deputy Chief of Staff for Operations and Plans (DCSOPS)* is responsible for the following:

- a. Integrating NEPA procedures into Field Manual 100-5, *Operations*, and all other regulations, field manuals, and associated publications for which DCSOPS is the proponent
- b. Providing (with the assistance of NPM and the Technical Center) detailed NEPA implementation procedures for decision processes on exercise, operations, and training activities outside the TRADOC arena.

20. *Major Army Command (MACOM) commanders; the Chief, National Guard Bureau; and the U.S. Army Reserve Commander* have responsibilities identified in AR 200-2.

MACOM NEPA staff specialists are responsible for assisting the MACOM commander in carrying out the responsibilities noted in AR200-2, monitoring the command's status on program indicators established in the section entitled "Program Evaluation Factors," and briefing the commander as needed on those responsibilities and indicators. They are also specifically responsible, with the assistance of the MACOM environmental coordinator, for maintaining awareness of pending actions in the five proponent areas, ensuring that appropriate NEPA documents are prepared at the MACOM level or installation level as appropriate, contributing to decision processes, and facilitating the use of external resources through the Technical Center as needed.

21. *The Commanding General, U.S. Army Training and Doctrine Command (TRADOC)* is responsible (in addition to those responsibilities that apply to MACOM commanders, above) for the following:

- a. With assistance from the Technical Center, systematically incorporating NEPA considerations into all training and doctrines as manuals and programs of instruction are updated
- b. Assisting the Technical Center in the development of NEPA awareness products appropriate to military audiences, including videotapes, computer-aided instruction, manuals, or other student materials, as well as guidance or training aids for use by training developers or instructors.

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22. *Major Subordinate Commands, Installations (Base Operations [BASOPS]); Army Reserve Commands, activity (facility), unit (non-BASOPS); Major U.S. Army Reserve Command Commanders; and the State Adjutants General* are responsible for all those actions established for MACOM commanders above (modified to reflect their level of command). Environmental staff members at these levels are responsible for the activities established above for the MACOM environmental staff, modified to reflect their level of command.
23. *Installation Commanders* are responsible for all those actions established for MACOM commanders above (modified to reflect their level of command). In addition, they are responsible for ensuring that all responsible officials (including all unit commanders) receive environmental awareness training that provides adequate familiarity with installation environmental requirements, as well as enabling those personnel to identify potential environmental impacts from a proposed or planned action appropriate at their level.
24. *Installation Tenant Unit Commanders* are responsible for the following:
- a. Complying with installation planning processes and environmental requirements as would be expected of an organic unit
 - b. Coordinating with the tenant unit's parent command to ensure that parent mission requirement and installation mission and environmental requirements are synchronized.
25. *Unit Commanders* are responsible for the following:
- a. Ensuring that unit operations comply with all applicable environmental regulations as summarized in installation regulations, including those of installations to which a unit may be temporarily assigned for training
 - b. Being aware of general environmental regulations and principles in order to be able to determine whether a planned action may have environmental considerations and, if so, for coordinating this action in advance with appropriate staff members.
26. *Installation Environmental Coordinators and NEPA staff specialists* are responsible for the following:
- a. Assisting installation activities (both organic and tenants) in the decision-making process by providing, or providing for, NEPA expertise where appropriate

- b. Reviewing NEPA documents for technical accuracy and suitability for the installation commander's approval and public release.

Appendix C

Glossary

ACSIM	Assistant Chief of Staff for Installation Management
AESAP	Army Environmental Strategic Action Plan
AMC	Army Materiel Command
AR	Army Regulation
ARNG	Army National Guard
ARSTAF	Army Staff
ASA(FM)	Assistant Secretary of Defense for Financial Management
ASA(IL&E)	Assistant Secretary of the Army for Installations, Logistics, and Environment
ASA(RDA)	Assistant Secretary of the Army for Research, Development, and Acquisition
BASOPS	Base Operations
BCRA	Base Closure and Realignment Act
BRAC	base realignment and closure
CATEX	categorical exclusion
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CIS	capital investment strategy
CPA	Chief of Public Affairs
DCSOPS	Deputy Chief of Staff for Operations and Plans
DCSPER	Deputy Chief of Staff for Personnel
DD	Defense Department
DEIS	draft environmental impact statement
DoD	Department of Defense
DoDD	Department of Defense Regulation
DoDI	Department of Defense Instruction

EA	environmental assessment
ECAS	Environmental Compliance Assessment System
EIS	environmental impact statement
EPCRA	Emergency Planning and Community Right-to-Know Act
FEIS	final environmental impact statement
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FONSI	finding of no significant impact
FWS	Fish and Wildlife Service
FY	fiscal year
GS	General Schedule
HQDA	Headquarters, Department of the Army
IG	inspector general
JAG	Judge Advocate General
LMI	Logistics Management Institute
LRC	long-range component
MACOM	major Army command
MBE	management by exception
MBO	management by objective
MDEP	management decision package
MILCON	military construction
MOA	memorandum of agreement
NEPA	National Environmental Policy Act
NPM	NEPA program manager
OCLL	Office of the Chief of Legislative Liaison
ODEP	Office of the Director of Environmental Programs
Pub.L.	Public Law
PPBES	Planning, Programming, Budgeting, and Execution System
RCRA	Resource Conservation and Recovery Act
RCS	Reports Control System
REC	record of environmental consideration
RPMP	<i>Real Property Master Plan</i>
SARA	Superfund Amendments and Reauthorization Act

SCS	Soil Conservation Service
SG	Surgeon General
SOP	standard operation procedure
SOW	statement of work
SRC	short-range component
SSDCOM	Space and Strategic Defense Command
TRADOC	Training and Doctrine Command
TSCA	Toxic Substances Control Act
U.S.C.	United States Code
USACE	U.S. Army Corps of Engineers
USACHPPM	U.S. Army Center for Health Promotion and Preventive Medicine
USAEC	U.S. Army Environmental Center
USAEHSC	U.S. Army Engineering and Housing Support Center
USEPA	U.S. Environmental Protection Agency

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