



UNITED STATES MARINE CORPS
MARINE CORPS BASE HAWAII
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KANEHOHE BAY, HAWAII 96863-3002

BaseO 5420.1
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27 JAN 1997

BASE ORDER 5420.1

From: Commanding General, Marine Corps Base Hawaii
To: Distribution List

Subj: ENVIRONMENTAL IMPACT REVIEW PROCEDURES

Ref: (a) National Environmental Policy Act (NEPA) (NOTAL)
(b) MCO P5090.2 (NOTAL)
(c) CMC White Letter 2-94 (NOTAL)
(d) FMPACO 11011.6B (NOTAL)

Encl: (1) Environmental Impact Review Board Procedures
(2) Categorical Exclusion Determination Procedures
(3) Environmental Impact Review Board Organization
(4) Environmental Impact Working Group Organization
(5) Responsibilities of Key Personnel in the Environmental Impact Review Process

1. Purpose. To promulgate policy, procedures, and guidance and assign responsibilities to administer the environmental impact review process for proposed actions which are to be conducted at Marine Corps Base Hawaii {MCBH} and which may affect the environment or cause controversy.

2. Cancellation. ASO 5420.24B.

3. Policy. Plan and implement all proposed actions at MCBH with adequate consideration of their environmental impacts, per references (a) and (b). Document how and to what extent environmental concerns were considered in conjunction with each proposed action.

4. Definitions

a. Action Sponsor. Commanders, department heads, and Base staff officers having cognizance over the proposed action. The most frequent designations as action sponsors are:

(1) Activity/Unit Commanders for proposed actions involving military training.

(2) Director, Facilities Department for proposed actions involving construction and maintenance projects.

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(3) Director, Environmental Compliance and Protection Department for proposed actions involving natural and cultural resources management.

(4) Director, Morale Welfare and Recreation Department for proposed actions involving Non-Appropriated Fund (NAF) construction and maintenance projects and recreational activities.

b. Environmental Impact Review Board (EIRB). An executive body, which meets quarterly or as, required to consider time-sensitive, proposed actions. The meetings are called by the Chair, and the agenda is set by the Executive Agent. The Board reviews environmental documentation to determine if the potential for environmental degradation or public controversy exists, and recommends to the installation Commander whether a Finding of No Significant Impact (FONSI) or a Draft Environmental Impact Statement (DEIS) is appropriate.

c. EIRB Chair. Deputy Commander, MCBH.

d. EIRB Executive Agent. Director, Environmental Compliance and Protection Department.

e. Environmental Impact Working Group (EIWG). An ad hoc body. Meets as called by the Chair to address one or more projects on a project-by-project basis. Responsible to help the EIRB review proposed actions, conduct necessary research, identify/seek resolutions to issues, identify needed permits, approvals, or reviews, and recommend modifications to, and the type of, environmental documentation required for proposed actions.

f. EIWG Chair. Head, Environmental Affairs Division, Environmental Compliance and Protection Department.

g. Human Environment. The natural and physical environments and the relationship of people with these environments. When economic, social, natural, or physical environmental effects are interrelated, the environmental documentation must discuss all of these effects on the human environment.

h. Mitigation. Includes the avoidance, minimization, rectification, reduction, elimination of, or compensation for the environmental impacts of a proposed action.

i. Monitoring. The supervision and regulation of implementation of approved actions, including mitigation and other environmental protection measures required by the EIRB, HQMC, or this Order.

j. Originator. The organization or unit proposing the action.

k. Proposed Action. Includes, but is not limited to:

(1) Projects, programs, training exercises, construction, equipment tests, maintenance, and associated activities.

(2) The promulgation of policies, regulations, instructions, manuals, or major policy statements which, when implemented, have the potential to impact on the human environment.

5. Background

a. As environmental issues have become more visible and their resolutions more complex, the need for a more consistent and coordinated approach to environmental compliance/review has increased. The process must provide for coordinated staff review that produces well-developed recommendations concerning the implementation of proposed actions, which involve potential environmental impacts. The environmental impact review process provides the Commanding General with sufficient information to make informed decisions on the form and timing that those actions will take.

b. Presidential Executive Orders 11514 and 12088 and reference (a) direct that all Federal agencies provide leadership to protect our Nation's environment. Reference (c) requires that all Marine Corps commands actively protect and enhance the environment through strict compliance with all applicable regulations.

c. Section 102 of reference (a) requires that each Federal agency consider and document the alternatives to and environmental impacts of the agency's proposed actions as part of its decision making process whenever it proposes a major Federal action which may significantly impact the human environment. The President's Council on Environmental Quality (CEQ) has promulgated regulations, which helps Federal agencies determine what type of environmental documentation to prepare and when they should prepare it. Chapter 5 of reference (b) provides guidance to implement National Environmental Policy Act (NEPA) and the CEQ regulations for Marine Corps proposed actions.

d. The two primary types of environmental documentation in the CEQ regulations and reference (b) are Environmental Assessments (EA) and Environmental Impact Statements (EIS). An EA is a concise public document, usually between 10 and 15 pages long.

It provides sufficient information and analyses to determine whether to prepare an EIS or a FONSI. EIS's are usually more comprehensive than EA's and are the most complex of environmental documents. They are prepared for major actions which may significantly impact the quality of the human environment or which are potentially controversial in their environmental effects. These and other environmental documents are further described in Chapter 5 of reference (b).

e. Neither an EA nor an EIS is required if a proposed action falls within a Categorical Exclusion (CATEX) defined in the regulations of the federal agency, which is proposing the action. There are currently 33 CATEX's listed in reference (b) that apply to Marine Corps actions. If a proposed action falls within the terms of one or more of these, then normally, neither an EA nor an EIS is required. A part of the Base review process will include CATEX determinations and the documentation of such determinations.

f. The Director, Environmental Compliance and Protection Department has staff cognizance over matters pertaining to compliance with environmental regulations, environmental planning, and environmental impact assessment.

6. Discussion

a. Environmental Impact Review Procedures. The environmental impact review process used at MCBH includes EIRB procedures and CATEX determination procedures. The principle components are:

(1) EIRB Procedures. The EIRB review process consists of three phases: Pre-Board Review, Board Review, and Post-Board Review. Pre-Board Review involves those steps in the environmental impact review process which occur before a proposed action is considered by the EIRB. This phase is described in Annex I, Appendix A of enclosure (1). Board Review involves considering a proposed action by the EIRB. This phase is in Appendix B of enclosure (1). Post-Board Review involves those steps, which occur after a proposed action has been considered by the EIRB. This phase is described in Annex I, Appendix C of enclosure (1).

(2) CATEX Determination Procedure This determination is conducted in lieu of EIRB procedures and involves documenting that a proposed action falls within the terms of a categorical exclusion. This is described in enclosure (2), and involves CATEX Analysis, which is in Appendix A of that enclosure.

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b. Environmental Impact Review Organizations. The principal environmental impact review organization at MCBH is the EIRB. The composition of the EIRB is in enclosure (3). The EIRB is assisted in its duties by the EIWG, whose composition is in enclosure (4).

c. Early Liaison and Planning. The appropriate level of environmental documentation, if any is required, may not be readily apparent. Consult with the Base Environmental Compliance and Protection Department as early as possible to determine whether or not environmental documentation for a proposed action is necessary. Failure to prepare adequate environmental documentation in a timely manner may preclude implementation of proposed actions until such documentation is prepared, reviewed, and approved. Following local approval, all EIS's, and those EA's for proposed actions in one or more of the following categories must be forwarded to CMC(LFL) for review and appropriate action:

- (1) Proposals to convert undeveloped natural areas to developed areas.
- (2) Proposals where adverse effects will not be fully mitigated on air, water, wildlife, natural vegetation, wetlands, or cultural resources.
- (3) Proposals that will appropriate, consume, or depreciate the assets of other individuals or agencies interest.
- (4) Proposals of significant public or congressional
- (5) Proposals having adverse impacts that are cumulative with impacts of other existing or proposed military or related activities.

Originators must provide sufficient lead-time for early liaison and planning.

d. Mitigation and Monitoring Appropriate measures to mitigate the environmental impacts of the proposed action or alternatives to the proposed action must be discussed in an EA/EIS whenever mitigation is necessary. Once a proposed action and its associated mitigation have been approved, implementation of the approved action must be monitored by planners and functional managers to ensure compliance with mitigation and other environmental protection measures established by the EIRB, HQMC, or other appropriate authority.

7. Action

a. Environmental Impact Review Procedures use the environmental impact review procedures in enclosures (1) or (2) to analyze the impacts of proposed actions at MCBH.

b. Responsibilities of Originators and Action Sponsors

(1) Commanders and Base staff officers who desire to implement proposed actions at MCBH shall comply with all requirements for originators and/or action sponsors per paragraph 8 below and in enclosure (5).

(2) Commanders and Base staff officers who desire to implement proposed actions on DoD property outside MCBH shall coordinate with that activity's environmental staff to ensure proper documentation is provided.

(3) Commanders and Base staff officers who desire to implement proposed actions on non-DoD property shall comply with references (b) and (d).

c. Mitigation and Monitoring

(1) As action sponsors, Commanders who implement approved actions at MCBH shall comply with all mitigation and other environmental protection measures established for those actions.

(2) The Director, Environmental Compliance and Protection Department shall monitor the implementation of all approved actions at MCBH to ensure compliance with all mitigation and other environmental protection measures established for those actions by the EIRB, HQMC, or other appropriate authority. In their roles as action sponsors, Base staff officers shall initiate and be responsible to fund corrective action for any discrepancies.

8. Responsibilities. Specific responsibilities of the Deputy Commander, MCBH{ Director, Environmental Compliance and Protection Department; action sponsors; and Staff Judge Advocate are in Appendices A through E of enclosure (5), respectively. Specific responsibilities of originators (to include non-MCBH units and organizations) are in Appendix F of enclosure (5).

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9. Concurrence. This Order has been coordinated with and concurred by the Commanding Officers, 3d Marine Regiment, Combat Service Support Group-3, 1st Marine Aircraft Wing Aviation Support Element, Marine Corps Air Facility, and 1st Radio Battalion.

W. C. PEOPLES
Deputy Commander

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ENVIRONMENTAL IMPACT REVIEW BOARD PROCEDURES

1. The EIRB review process consists of three phases: Pre-Board Review, Board Review, and Post-Board Review. These are described in the following appendices of this enclosure:

- a. Pre-Board Review - Appendix A
- b. Board Review - Appendix B
- c. Post-Board Review - Appendix C

ENCLOSURE (1)

PRE-ENVIRONMENTAL IMPACT REVIEW BOARD PROCEDURES

1. Action Proposal The organization proposing the action (the originator) shall consider environmental impacts in the early stages of a proposed action. Consult with the Base Environmental Compliance and Protection Department as early as possible to determine the appropriate level of environmental documentation needed for the proposed action. This consultation would normally be accomplished in conjunction with obtaining validation of the proposed action by the Activity/Unit Commander, or Base staff officer having cognizance over the proposed action (the action sponsor). If there is doubt as to who is the appropriate action sponsor, the decision will be made by the Executive Agent, EIRB. A proposed action will not be ready for EIRB processing until all aspects of the proposed action are evaluated to determine potential impacts. The environmental review process spans all stages of project development. This allows for early identification of environmental impacts and subsequent addressal of supplemental information/impacts as project planning becomes more specific. The environmental review process is designed to ensure that planning and decisions reflect environmental considerations, to avoid delays and to head off conflicts.

2. Initial Review

a. The action sponsor shall conduct the first review of the originator's proposed action. This review will: (1) validate the need for the proposed action, and (2) determine, using the CATEX Analysis (Appendix A to enclosure (2)) whether the proposed action may fall within a categorical exclusion, or is one which normally will require review by the EIRB.

b. Upon completion of the initial review, the action sponsor shall:

(1) Consult with the Base Environmental Office for guidance and assistance in completing the CATEX Analysis, and/or

(2) Submit the completed CATEX Analysis, maps, drawings, and other pertinent documents to the EIRB Executive Agent for forwarding to the EIWG.

Appendix A to
ENCLOSURE (1)

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3. Environmental Impact Working Group

a. The EIWG, working with the action sponsor, shall review the request, conduct necessary research, identify/seek to resolve issues, and recommend modifications to the proposed action as necessary.

b. The EIWG will identify the need for state or federal permits, approvals, or reviews.

c. Once the proposed action has been thoroughly reviewed, the EIWG will prepare documentation to support one of the following recommendations:

(1) The proposed action is not of the type subject to further environmental review.

(2) The proposed action falls within a CATEX, and there are no extraordinary circumstances per paragraph 5300.1 of reference (b) preventing the use of a CATEX.

(3) The proposed action will require an EA. This normally requires the services of a contractor for completion. The EIWG will include information as to the time required to produce the EA and the estimated cost.

(4) The proposed action will require an EIS, which must normally be prepared by a contractor.

d. The EIWG Chair shall forward the action proposal along with EIWG review documentation, to the EIRB Executive Agent.

5. EIRB Executive Agent. Upon receipt of the package from the EIWG Chair, the EIRB Executive Agent shall:

a. As Director, Environmental Compliance and Protection Department, sign the decision memorandum prepared by the EIWG approving the CATEX; and

b. Inform the action sponsor that no further environmental review is required and that the proposed action can be implemented without further delay; or

c. Place the proposed action (for which an EA/EIS has been recommended) on the EIRB agenda for the next EIRB meeting.

ENVIRONMENTAL IMPACT REVIEW BOARD PROCEDURES

1. The action sponsor, assisted by the EIWG Chair and the originator (as necessary) shall brief the EIRB on the proposed action.
2. The EIRB will review the EA documentation prepared for the proposed action to determine if it adequately describes alternatives, impacts, mitigation, and monitoring requirements.
3. Once the EIRB is satisfied that the EA is complete and accurate, the EIRB shall determine that:
 - a. The proposed action will have no significant impact on the environment; or
 - b. The proposed action as planned could have a significant impact on the environment unless prescribed mitigation measures are accomplished. The EIRB's final recommendation shall fully describe all required mitigation and monitoring necessary to support a conclusion of no significant impact. These measures shall be made a part of the FONSI, and incorporated into project design. If a permit is required for a proposed action and that permit contains mitigation and/or monitoring requirements as a condition of the permit, those requirements shall also be made part of the FONSI and incorporated into project design; or;
 - c. The proposed action cannot proceed as planned without a significant impact. However, a reasonable alternative to the proposal can proceed without a significant impact. The EIRB's final recommendation shall fully describe the preferred alternative and direct that the EA be revised; or
 - d. A FONSI for the proposed action is inappropriate: significant impacts can be avoided only if the "no action" alternative is selected. The EIRB's final recommendation would be to develop an EIS if the originator wishes to continue with the proposal.
4. Upon consideration of the EA, the EIRB will prepare a recommended FONSI, if appropriate, and proposed course of action for consideration by the Commanding General, MCBH.

Appendix B to
ENCLOSURE (1)

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POST-ENVIRONMENTAL IMPACT REVIEW BOARD PROCEDURES

1. The EIRB's recommended FONSI, if appropriate, and proposed course of action will be forwarded to the SJA for review and comment. As part of the SJA's review, the Western Area Counsel Office, Pacific Division Naval Facilities Engineering Command, Commander Marine Forces Pacific, o~ Commander Naval Base Pearl Harbor counsels office may be consulted. The legal review will confirm whether or not any permits/applications/determinations are required and ensure regional continuity of the environmental documentation process. The entire package, including the legal review, will be forwarded to the EIRB Executive Agent.
2. The EIRB Executive Agent will prepare a transmittal document for the EIRB Chair's signature. This document will contain recommendations of the EIRB, an explanation of all recommendations, any nonconcurring opinions of EIRB members, and the supporting environmental documentation for each recommendation. The transmittal document, together with the rest of the package, including the SJA's recommendations, will be forwarded to the EIRB Chair.
3. The EIRB Chair will review the transmittal document. Once the Chair has signed the transmittal document, the entire package will be forwarded to the Commanding General, MCBH.
4. The Commanding General will decide whether to accept the EIRB's recommendation and:
 - a. Sign the FONSI; and
 - b. Forward the completed EA to the CMC; or,
 - c. Return the proposed action for further EIRB review.
5. A recommended finding by the Commanding General, MCBH to proceed with an EIS shall be coordinated with CMC (LFL) by a Notice of Intent.
6. The Commanding General, MCBH shall forward the proposed FONSI, EA, and conclusion to CMC (LFL) for review and appropriate action for proposed actions falling into one or more of the categories shown in paragraph 5302.8 of reference (b).

Appendix C to
ENCLOSURE (1)

CATEGORICAL EXCLUSION DETERMINATION PROCEDURES

1. Pre-Environmental Impact Working Group Analysis The determination of whether or not a particular proposed action falls within the terms of a categorical exclusion initially follows the same procedures as a proposed action bound for EIRB review. This process is described in paragraphs 1, 2, and 3 of Appendix A of the EIRB Procedures.

2. Post-Environmental Impact Working Group Analysis

a. If the EIWG determines that the proposed action falls within a CATEX, the EIWG will forward a decision memorandum on the CATEX Analysis and any other pertinent information to the EIRB Executive Agent (Director, Environmental Compliance and Protection Department), for approval/disapproval.

b. If the EIRB Executive Agent does not agree that a CATEX applies, then the package will be returned to the EIWG for further processing.

c. If the EIRB Executive Agent agrees that a CATEX applies, the decision memorandum will be signed and copies forwarded to the Action sponsor and retained in the Environmental Department's NEPA files.

d. Following these actions, the EIRB Executive Agent shall inform the action sponsor either:

(1) The proposed action can proceed with no further environmental documentation required; or

(2) Further environmental documentation is required.

ENCLOSURE (2)

CATEX ANALYSIS

1. Introduction. A proposed action may be excluded from further environmental review/documentation if it meets the criteria for a CATEX, CATEX are for those actions that have been found by CMC to not have a significant effect on the human environment, individually or cumulatively and, therefore, require neither an EA nor an EIS. In other words, a CATEX is granted for those kinds of actions that minimally affect the quality of the human environment, do not result in any significant change from the conditions existing at the site of their impact, and whose effect is primarily economic or social.

2. Categorical Exclusions. Paragraph 5301 of reference (b) lists 33 actions which, under normal circumstances, are categorically excluded from further environmental documentation requirements under NEPA.

3. Extraordinary Circumstances. Per paragraph 5300.1 of reference (b), even though a proposed action generally fits the description of one or more of the referenced CATEX's, a CATEX should not be used if the proposed action:

- a. Would adversely affect public health or safety;
- b. Would adversely affect a site that includes wetlands, endangered or threatened species, historic, cultural or archaeological resources, or introduce hazardous waste;
- c. Likely effects on the human environment that are highly uncertain, that involve unique or the potential for unknown risks, or that are scientifically controversial;
- d. Establishes precedents or makes decisions in principle for future actions with significant effects, or;
- e. Threatens a violation of federal, state, or local law or requirements imposed for protection of the environment.

4. Analysis. Once the proposed action has been carefully analyzed with regard to the above-listed CATEX's and exceptions to CATEX's, a decision to forego preparation of an EA or EIS on the basis of one or more of the categorical exclusions must be documented. Documentation, in the form of a decision memorandum, shall include the exclusions found applicable, the facts supporting their use, and specific considerations of the exceptions to the use of categorical exclusion. The decision memorandum shall accompany the project file through project planning.

Appendix A to
ENCLOSURE (2)

CATEGORICAL EXCLUSION

DATE: _____

PROJECT TITLE:

INSTALLATION: MARINE CORPS BASE HAWAII, KANEOHE BAY

PREPARED BY:

(Name/Rank/Title/Activity/Phone)

This environmental review was prepared per MCO P5090.2 and the National Environmental Policy Act of 1969 as implemented by the Council on Environmental Quality Regulations 40 CFR Parts 1500 to 1571.

1. Introduction

a. Action Description (with attached plan drawings/maps):

b. Existing Environment of Proposed Action Site(s):

Annex I to
Appendix A t6
ENCLOSURE (2)

CATEX APPLICATION

2. Alternatives To The Proposed Action

a. During normal project planning, various options and alternatives were considered. The No-Action alternative, though considered, was eliminated for the following reason(s):

b. Serious consideration was given to the following alternative(s):

3. Relationship of the Proposed Action to Land Use Plans, Policies, and Controls for the Affected Area (as applicable):

	Conforms With	Conflicts With
a. Base Master Plan		
b. Community Zoning (Off Base)		
c. Cultural Resource Management (NHPA, NAGPRA, etc.)		
d. Coastal Zone Management		
e. Flood Plain Management (EO 11988)		
f. Air, Water, and/or Solid Waste Regulations (CWA, CAA, etc.)		
g. Wildlife Management (ESA, MBTA, etc.)		
h. Hazardous Waste Regulations		
i. Environmental Quality Permits		
j. Underground Storage Tank (UST) Regulations		
k. Other:		

Discussion:

CATEX APPLICATION

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4. Potential Impact Of the Proposed Action on the Environment

a. After thorough investigation, it has been determined that the proposed action:

(1) Will/Will not result in emissions to the atmosphere which exceed National Emission Standards for Hazardous Air Pollutants (NESHAP) or require a Prevention of Significant Deterioration (PSD) program for the Base air quality permit.

(2) Will/Will not directly or cumulatively introduce toxic or hazardous chemicals, organic substances, or solid waste into bodies of water, into the air or on land to cause the level of these substances to exceed regulatory standards.

(3) Will/Will not cause the creation of noise, which would exceed DOD, HUD or OSHA noise criteria established for health and safety of humans, or cause a violation of regulations established for protection of wildlife.

(4) Will/Will not cause traffic hazards or degradation of level of service (LOS) below "D" classification.

(5) Will/Will not require the use of non-renewable energy sources, (e.g. fossil fuels, etc.) in excessive or disproportionate amounts.

(6) Will/Will not require utilities services (water, electricity, sewerage, etc.) beyond the available capacity of existing utility systems.

(7) Will/Will not generate hazards from explosives or flammable fuels or other hazardous chemical to affect areas outside of Base property or other protective zones previously established for safety from these hazards or/nor impose explosive hazard arcs on occupied buildings.

(8) Will/Will not generate electromagnetic radiation or electromagnetic interference to affect areas outside of previously established protective zones from these hazards or interference.

(9) Will/Will not be located in an area with known potential hazard such as ESQD arc, EMR zone, airfield clear zone or aircraft accident potential zone.

(10) Will/Will not cause non-point source pollution or degradation of water quality in adjacent stream or body of water and/or require dewatering operations that require a National Pollution Discharge Elimination System (NPDES) general permit.

Annex I to
Appendix A to
ENCLOSURE (2)

CATEX APPLICATION

(11) Will/Will not affect any endangered or threatened or candidate species of flora or fauna, or/nor any critical habitat or wildlife refuge.

(12) Is/Is not located within a wetland. Will/Will not have an adverse impact on an adjacent wetland area.

(13) Is/Is not located within the 100-year flood/tsunami hazard area identified by the Federal Emergency Management Agency, National Flood Insurance Program, Flood Insurance Rate Map (FIRM).

(14) Is/Is not located on a site listed in activity Installation and Restoration Program (IRP) or eligible for listing.

(a) Site does/does not show signs of contamination

(b) Activity historical records indicate project site has/has not been used as an industrial or disposal site.

(15) Will/Will not affect historic or cultural resources currently listed or eligible for listing in the National Register of Historic Places (NHRP) or a National Historic Landmark. This determination is based on:

(a) Project Is not an undertaking as defined in 36 CFR Part 800,
OR

(b) _____ Formal Section 106 consultation with the State Historic Preservation Officer (SHPO). SHPO letter of concurrence of 'no effect attached, OR

(c) _____ Formal Section 106 consultation with the Advisory Council on Historic Preservation (ACHP). SHPO and ACHP letters of concurrence of "no adverse effect" attached.

(16) Will/Will not result in the irreversible and/or irretrievable commitment of resources.

(17) Will/Will not result in adverse short/long-term effects on the environment.

(18) Has/Has not been subject to past controversy, Is/Is not controversial, Does/Does not have potential for future controversy.

Discussion:

CATEX APPLICATION

b. The proposed action has been evaluated with regard to socioeconomic factors listed below:

FACTOR	FAVORABLE	ADVERSE	DIRECT	INDIRECT	NO EFFECT
Area Appearance					
Land Management					
Population Patterns					
Housing					
Community Facilities					
Employment					
Security					
Personnel Morale					
Recreation					
Other					

Discussion:

c. The proposed action does/does not involve effects on the human environment that are highly uncertain, pose unique or unknown risks, or have effects which are scientifically controversial.

d. The proposed action does/does not establish precedence or make decisions in principle for future actions with significant effects.

e. The proposed action does/does not threaten a violation of Federal, State, or local laws or requirements imposed for the protection of the environment.

Discussion:

5. Unavoidable Adverse Environmental Effects Should The Proposed Action Be Implemented.

6. Mitigation Measures/Comments:

7. Conclusions:

----a. The above environmental review indicates that the effect of the proposed action on the human environment will require a more thorough evaluation by the EIRB in a detailed EA.

----b. Based on the above Environmental Review, it is concluded that the effects of the proposed action on the human environment are so minimal that neither an EA, nor an EIS is required.

----c. This is a CATEX action that does not normally significantly impact on the quality of the human environment. The applicable CATEX (s) is/are as follows (exclusion number and verbatim text from MCO P5090.2):

Unit Commander/Department Head or
Designated representative (Proponent)

Date

CATEX APPLICATION

8. Consultation: List of Persons, References, and or Agencies Consulted

<u>Name/Title/Agency</u>	<u>Phone#</u>	<u>Date consulted</u>
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DISCUSSION

Annex I to
Appendix A to
ENCLOSURE (2)

ENVIRONMENTAL IMPACT REVIEW BOARD ORGANIZATION

1. Membership. The EIRB shall be comprised of the following:

Chair: Deputy Commander, MCBH

Executive Agent: Director, Environmental Compliance and
Protection Department, MCBH

Legal Advisor: Staff Judge Advocate, MCBH

Members: AC/S G-3, MCBH
AC/S G-4, MCBH
Executive Officer, 3d Marine Regiment
Executive Officer, 1st Radio Battalion
Executive Officer, CSSG-3
Executive Officer, 1st MAWASE
Executive Officer, MCAF
Provost Marshal, MCBH
Consolidated Public Affairs Officer, MCBH
Executive Officer, HQSVCBN MARFORPAC
Director, MWR

2. The members of the board, including the board's legal advisor, are the principal staff officers indicated in paragraph 1 above. Attendance by other than the listed principal staff officers must be approved in advance by the EIRB Chair. Other MCBH Tenant Organization representatives, advisors, and project officers are encouraged to attend EIRB meetings as observers.

ENVIRONMENTAL IMPACT WORKING GROUP ORGANIZATION

1. Membership. The EIWG shall consist of the following members:

Chair: Head, Environmental Affairs Division, Environmental
Compliance and Protection Department

Legal Advisor: Staff Judge Advocate, MCBH Representative

On-Call Members: Action Sponsor representative

Originator representative

AC/S G-3, MCBH representative

Facilities Department, MCBH representative

Facilities Department, MCBH Camp H. M. Smith
representative

Consolidated Public Affairs Office representative

Public Works Officer, MCBH

Base Maintenance Officer, MCBH

Representative, Tenant command

Subject Matter Representative, Environmental
Compliance and Protection Department (as required)

OIC, Veterinary Medicine Service

Representative, Joint Safety Office

Chief, Federal Fire Department

2. The on-call members, and the group's legal advisor, shall attend the meetings as needed. The EIRB Executive Agent may require any on-call member to attend any meeting and may task the on-call members to help prepare EIWG documentation.

ENCLOSURE (4)

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RESPONSIBILITIES OF KEY PERSONNEL IN THE ENVIRONMENTAL IMPACT
REVIEW PROCESS

1. The responsibilities of the following key MCBH personnel in the environmental impact review process are described in the following appendices to this enclosure:

- a. Deputy Commander, MCBH - Appendix A
- b. Director, Environmental Compliance and Protection

Department - Appendix B

- c. Head, Environmental Affairs Division - Appendix C
- d. Action sponsors - Appendix D
- e. Staff Judge Advocate - Appendix E
- f. Originators (to include non-MCBH units and organizations)-Appendix F

ENCLOSURE (5)

RESPONSIBILITIES OF THE DEPUTY COMMANDER

The Deputy Commander, MCBH shall:

1. General. Act as Chair of the EIRB.
2. In lieu of Board Action. None
3. In Conjunction with Board Action

- a. Pre-Board Action. None

- b. Board Action

- (1) Conduct EIRB proceedings

- (2) Should the EIRB recommend that an EIS be prepared, cause liaison with CMC (Code LFL) to occur before forwarding that recommendation to the Commanding General, MCBH.

- c. Post-Board Action As EIRB Chair, sign the transmittal document containing the recommendations of the EIRB and forward same to the Commanding General, MCBH.

Appendix A to
ENCLOSURE (5)

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RESPONSIBILITIES OF THE DIRECTOR, ENVIRONMENTAL COMPLIANCE AND PROTECTION
DEPARTMENT

The Director, Environmental Compliance and Protection Department shall:

1. General

- a. Act as the Executive Agent for the EIRB.
- b. Act as the EIRB Chair in the Chair's absence.
- c. Act as action sponsor for all natural and cultural resources management actions subject to this Order.
- d. Assign the Head, Environmental Affairs Division as the EIWG Chair.
- e. Assign membership on EIWG from MCBH staff listed at enclosure (4) as needed.
- f. Provide administrative support to the EIRB (to include notices of meetings, preparation of the agenda, provision of a recording secretary to prepare and maintain correspondence and decision documents, maintain records, files, and other pertinent documents of the EIRB (including the Commanding General's decision documents)

2. In Lieu of Board Action

- a. Inform the action sponsor of approval/disapproval of a CATEX for the proposed action.
- b. Maintain a copy of the CATEX Analysis.

3. In Conjunction with Board Action

- a. Pre-Board Action
 - (1) Set the agenda of the EIRB.
 - (2) Distribute, to the members of the EIRB and EIWG, documentation on proposed actions at least 10 workdays before the meeting at which it is to be considered, unless a reasonable request for expedited review procedures has been approved. In that case, expend every effort to ensure that the documentation is distributed as soon as practicable.

Appendix B to
ENCLOSURE (5)

(3) Recommend specific revisions of Base orders as required to implement environmental protection measures.

b. Board Action. Deputy Commander, MCBH.

c. Post-Board Action Serve as EIRB Chair in the absence of the

(1) Prepare a transmittal document for the EIRB Chair's signature which will forward the recommendations of the EIRB to the Commanding General. The transmittal document will contain, in addition to the EIRB's recommendation, an explanation of that recommendation, any nonconcurring opinions of EIRB members, and the supporting environmental documentation for each recommendation.

(2) Monitor the implementation of environmental correction measures established by the EIRB for all approved actions, and ensure that the action sponsor initiates action to correct discrepancies.

(3) Forward completed environmental documentation to as required by MCO P5090.2.

(4) Notify the Commanding General, MCBH and the action sponsor of HQMC's approval of an EA/EIS and any accompanying directions.

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RESPONSIBILITIES OF THE HEAD, ENVIRONMENTAL AFFAIRS DIVISION

Head, Environmental Affairs Division shall:

1. General

a. Act as Chair of the EIWG.

b. Provide administrative support to the EIWG (to include notices of meetings, preparation of the agenda, provision of a recording secretary, and maintenance of official records of the EIWG).

2. In Lieu of Board Action

a. Determine if additional staffing (EIWG) needed for review of the action proposa3/CATEX analysis.

b. Identify any terms and conditions necessary to apply a CATEX to a proposed action.

3. In Conjunction with Board Action

a. Pre-Board Action

- (1) Chair EIWG meetings.
- (2) Help prepare presentation materials.
- (3) Provide consultation, guidance and oversight during preparation of EAs/EISs.
- (4) Forward-completed EA's to the EIRB Executive Agent for approval by the EIRB.

b. Board Action. Help the action sponsor present proposed actions to the EIRB when requested.

c. Post-Board Action

- (1) Conduct monitoring as tasked.
- (2) In coordination with the action sponsor, arrange for the preparation of EA's/EIS's with private contractors.
- (3) Serve as Base Point of Contact to coordinate review comments on contractor-prepared EA's/EIS's.

Appendix C to
ENCLOSURE (5)

RESPONSIBILITIES OF ACTION SPONSORS

Action Sponsors shall:

1. General. Arrange funding for contractor-prepared environmental documentation.

2. In Lieu of Board Action

a. Review the EIWG's determination that the proposed action falls within a CATEX.

b. Inform the originator of the approval of a CATEX and that the proposed action can be implemented without further delay as appropriate.

3. In Conjunction with Board Action

a. Pre-Board Action

(1) Ensure that the CATEX Analysis (Annex I of Appendix A of enclosure (2)) is properly completed by the originator.

(2) Validate the need for the proposed action as appropriate.
the EIWG.

(3) Provide a representative for each proposed action to

(4) Ensure that action proposals submitted to the EIRB Executive Agent are complete and accompanied by all necessary supporting documentation.

(5) In coordination with the EIRB Executive Agent, arrange for funding and the preparation of an EA/EIS by a private contractor.

b. Board Action. Prepare and present a brief on proposed actions to the EIRB upon request by the EIRB Executive Agent.

c. Post-Board Action

(1) Inform the originator that the EA/EIS has been approved by the Commanding General and concurred in by HQMC, a FONSI/ROD has been issued, and that the proposed action can be implemented following the appropriate public notice period.

Appendix D to
ENCLOSURE (5)

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(2) Monitor the implementation of the approved action and ensure that the originator complies with the mitigation measures determined by the EA/EIS.

RESPONSIBILITIES OF THE STAFF JUDGE ADVOCATE

The Staff Judge Advocate shall:

1. General

a. Provide legal advice to the EIRB, EIWG, and action sponsors on a continuing basis.

b. Provide a representative to act as Legal Advisor to the EIWG.

2. In Lieu of Board Action. Provide legal review of EIWG recommendations for applicability of a CATEX before those recommendations are forwarded to the EIRB Executive Agent for decision.

3. In Conjunction with Board Action

a. Pre-Board Action. Serve as Legal Advisor to the EIWG

b. Board Action. Serves as Legal Advisor to the EIRB.

c. Post-Board Action. Provide legal review of EIRB recommendations, before those recommendation are forwarded to the Commanding General, MCBH for decision.

RESPONSIBILITIES OF ORIGINATORS

The Originator shall:

1. General. None.
2. In Lieu of Board Action. Comply with all terms and conditions which pertain to a CATEX.
3. In Conjunction with Board Action
 - a. Pre-Board Action
 - (1) Prepare a CATEX Analysis (Annex I of Appendix A of enclosure (2)) and submit that request to the appropriate action sponsor.
 - (2) Provide a representative to work with the EIWG in preparing environmental documentation for each proposed action submitted for review.
 - (3) Take further action on the request as directed by the action sponsor.
 - b. Board Action. Provide support, as needed, to the action sponsor for presentation of the proposed action to the EIRB.
 - c. Post-Board Action. Comply with all mitigation and other environmental protection measures established by the EIRB or HQMC for that action.