



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
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AirStaO 5090.11

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22 May 02

AIR STATION ORDER 5090.11

From: Commanding General, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: ENVIRONMENTAL IMPACT REVIEW PROCEDURES

Ref: (a) National Environmental Policy Act of 1969 (NEPA)
(b) 40 CFR 1500-1508 Code of Federal Regulations on
Implementation of NEPA
(c) MCO P5090.2A Environmental Compliance and Protection
Manual

Encl: (1) Examples of Projects Requiring EAD Review
(2) Request for Environmental Impact Review
(3) Definitions

1. Situation. To implement policy and procedures for review of proposed actions for environmental concerns aboard MCAS Cherry Point and its outlying facilities, per reference (a).

2. Mission. The purpose of the environmental impact review process is to provide the CG, MCAS Cherry Point and other members in the chain of command sufficient information on which to base informed decisions concerning environmental issues.

3. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To promulgate policy, procedures and guidance, and to assign responsibility for the administration of the environmental impact review process for proposed actions, which may effect the environment aboard MCAS Cherry Point and its outlying facilities.

(2) Concept of Operations

(a) Section 102 of reference (a) requires that each federal agency consider and document the alternatives and environmental impacts of the agency's proposed actions as part of its decision-making process. The President's Council on Environmental

AirStaO 5090.11

22 May 02

Quality has promulgated reference (b) to guide federal agencies in determining what type of environmental documentation to prepare and when to prepare it.

(b) The two levels of NEPA documentation described in references (b) and (c) are the Environmental Assessment (EA) and the Environmental Impact Statement (EIS). The purpose of the EA is to provide information and analysis for determining if significant environmental impacts would occur from a proposed action. An EIS is prepared if the impacts are determined to be significant.

(c) Neither an EA nor an EIS is required if a proposed action falls within the terms of a Categorical Exclusion (Cat Ex) specified in reference (c).

(d) Enclosure (1) contains a list of typical actions that would require Environmental Affairs Department (EAD) review. It is not meant to be inclusive.

b. Tasks

(1) EAD Officer, MCAS Cherry Point

(a) Receipt of the Environmental Impact Review (REIR) formally initiates EAD project review responsibilities. EAD will review the REIR and other project materials, and will identify potential environmental issues and constraints, including the proximity to Installation Restoration Program Environmental areas of concern.

(b) EAD will conduct site visits with appropriate subject matter experts (SME) and propose modifications as necessary to reduce potential environmental impacts.

(c) EAD will coordinate with the action sponsor in order to acquire any necessary permits. Per reference (c), the action sponsor is responsible for funding environmental documentation and review, including permitting fees and all related ancillary studies and mitigation costs.

(d) The EAO, as a designee of the CG, will co-sign with the action sponsor all Decision Memoranda (DM) documenting the use of a Cat Ex.

(e) Upon considering any EA and the conclusions of the EIRB, the EAO will prepare a recommended course of action to include a draft Finding of No Significant Impact (FONSI), if appropriate, for consideration by the CG.

(f) If an EIS is necessary, the action sponsor and EAD will work together to secure a contractor to prepare the EIS.

(2) Action Sponsor. Project originators and action sponsors will coordinate with EAD representatives early in the planning process to determine whether a proposed action requires environmental review and documentation. Failure to prepare and process adequate environmental documentation in a timely manner may delay the implementation of the proposed action. Proposed actions requiring preparation of a complex EA can require six months to one year or more for completion, some less complex EAs can be prepared and processed in three to six months.

(a) The action sponsor or the action sponsor working with the project originator will determine the need for a proposed action. Action sponsor endorsement of a proposed action is required before review.

(b) The action sponsor is responsible for accurately completing the Receipt for Environmental Impact Review (REIR) (enclosure (2)) with the assistance of the project originator and appropriate EAD SME.

(3) Project Originator

(a) Assists the action sponsor in preparing and submitting an REIR.

(b) Takes further action on the REIR as directed by the action sponsor.

(c) Provides support, as needed, to the action sponsor for briefing the proposed action to the Environmental Affairs Officer (EAO) of the EIRB.

(d) Provides a representative to work with the EIRB in preparing environmental documentation for each proposed action submitted for review.

AirStaO 5090.11
22 May 02

(e) Complies with all mitigation and other environmental protection measures established in environmental documentation for that action.

(4) NEPA Program Manager, MCAS Cherry Point

(a) The NEPA Program Manager will assist the action sponsor in effecting NEPA by providing installation guidance related to NEPA, providing technical assistance, and reviewing NEPA documents for technical and legal adequacy.

(b) The NEPA Program Manager will make recommendations as to whether proposed actions clearly meet the requirements of a Cat Ex. When a Cat Ex is appropriate, he/she will generate a DM or assist the action sponsor in generating a DM.

(c) The DM will be referred to the EIRB for approval or denial when the action involves new construction or if the proposed action does not unconditionally meet the requirements for a Cat Ex. Legal counsel and the EIRB will be consulted when the level of NEPA documentation may be subject to legal or other qualifying interpretations.

(d) A quarterly report, listing all proposed actions that were Cat Ex'd during the previous quarter, will be generated by EAD and distributed to EIRB members, the Staff Judge Advocate, the EIRB Chairman, and the CG.

(e) The NEPA Program Manager is responsible for EIRB administration, including scheduling quarterly EIRB meetings and preparing and distributing meeting agendas. The agenda will be distributed at least 10 days before the meeting to the permanent EIRB members and appropriate on-call members.

(5) EIRB

(a) Cat Ex's will be reviewed by the EIRB when the proposed action includes new construction or when required by legal or other qualifying interpretations. After consideration of the proposed action, EIRB members will vote on the appropriate level of NEPA documentation (see enclosure (3)):

1 No Documentation Required. The proposed action is not the type subject to environmental impact review and no NEPA documentation is required.

2 Cat Ex

3 EA

(b) Command EIRB will review completed EAs and make one of the following determinations:

1 The proposed action meets the criteria of paragraph 12104.5.e.(2) of reference (c) and the EA will be forwarded to CMC (LF) for review and appropriate action; or

2 The proposed action will have no significant impact on the environment a FONSI is appropriate, and the action may proceed as planned.

3 The proposed action as planned may have a significant impact on the environment unless prescribed mitigation measures are accomplished. The final recommendation will contain a full description of all required mitigation and monitoring necessary to ensure that no significant impact will occur. The FONSI and project design will incorporate the mitigation measures.

4 The proposed action cannot proceed as planned without significant impact on the environment. However, a reasonable alternative to the proposal that was not originally evaluated in the EA can proceed without a significant impact. The final recommendation from the EIRB will contain a full description of the new preferred alternative and direct the action sponsor to revise the EA.

5 A FONSI for the proposed action is inappropriate; significant impacts can be avoided only if the "no action" alternative is selected. The final recommendation will be to begin an EIS if the action proponent wishes to continue with the proposal. EIRB members may supply some of the information required to complete the analysis.

(c) Tabling. The EIRB may table a proposed action for the following reasons:

1 Incomplete information available for the project.

2 The action sponsor is not present.

(6) MCAS Cherry Point EIRB

(a) Reference (c) requires installation commanders to designate, chair, and provide for establishing a command EIRB. Although the action sponsor of the project is responsible for the cost of NEPA compliance, the EIRB and ultimately the CG of MCAS Cherry Point, is responsible for ensuring NEPA compliance for all projects aboard MCAS Cherry Point. This applies to projects proposed by MCAS Cherry Point tenant commands and other organizations as well.

(b) Membership. Reference (c) requires that the EIRB consist of a cross section of command personnel, including both environmental and legal staff. The Director of Facilities will be the Chairman of the EIRB and the EAO will be the Secretary. The CG, MCAS Cherry Point may appoint interested citizens of the Craven, Carteret, Jones and Pamlico Counties to serve as ex-officio members. Representatives of citizen, environmental/conservation groups, interested individuals or governmental agencies may attend as appropriate. The EIRB will include the following individuals:

- 1 Director of Facilities (Chairman)
- 2 Director of Operations
- 3 Facilities Development Officer
- 4 Facilities Engineering Officer
- 5 Facilities Maintenance Officer
- 6 Environmental Affairs Officer (Secretary)
- 7 2d MAW G-4 representative
- 8 2d MAW G-3 representative
- 9 Environmental Affairs Department
representatives
- 10 Naval Aviation Depot Energy and Environmental
Division representative
- 11 Eastern Area Counsel Office representative
- 12 Comptroller
- 13 Community Plans and Liaison Officer
- 14 Public Affairs Officer

AirStaO 5090.11
22 May 02

- 15 Staff Judge Advocate
- 16 Action sponsors and project originators, as appropriate, for various Marine Corps/Navy actions.

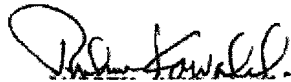
(c) Meetings. The EIRB will meet on a quarterly basis to review NEPA documentation.

4. Administration and Logistics. The CG, 2d MAW, CO's, NAVHOSP, NADEP, CSSD-21, 12th Dental, and the Chief, Defense Reutilization and Marketing Office concur with the contents of this Order insofar as it pertains to members of their command.

5. Command and Signal

a. Signal. This Order is effective the date signed.

b. Command. This Order is applicable to the Marine Corps Reserve.


ANDREW KOWALSKI
Chief of Staff

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AirStaO 5090.11
22 May 02

EXAMPLES OF PROJECTS REQUIRING EAD REVIEW

1. Training Exercises - Submit Environmental and Natural Resources Impact Survey enclosed in AirStaO 5090.1
2. Ditch Maintenance
3. Construction
4. Asbestos Removal
5. Lead Removal
6. Dredging
7. Paving
8. Excavation or any Ground Disturbing Activity
9. Shoreline Stabilization
10. Maintenance or Construction of Shoreline Structures
11. Erosion Control
12. Vegetation Removal other than grass mowing outside of rare plant areas.
13. Disposal of soil, Hazardous Waste, Contaminated Anything
14. Burning
15. Well Installation
16. Pesticide Use or Storage
17. Petroleum Use or Storage other than in mobile vehicles
18. Construction or Modification of Land Drainage Systems including storm water facilities and drainage ditches.
19. Building Renovation

ENCLOSURE (1)

AirStaO 5090.11

22 May 02

20. Renovation/Repairs/Closing of underground Storage Tanks

21. Installation of above ground Storage Tanks

ENCLOSURE (1)

22 May 02

REQUEST FOR ENVIRONMENTAL INPUT REVIEW

<u>SUBJECT</u>	<u>DIVISION</u>	<u>TELEPHONE</u>
Air Quality	Env. Compliance	4562
Land Quality	Env. Compliance	4562
Groundwater Quality	Env. Compliance	4562
Surface Water Quality	Env. Compliance and/or Natural Resources	4562 5870
Natural and Cultural Resources	Natural Resources	5870
Asbestos	Env. Compliance	4562
Lead	Env. Compliance	4562
Hazardous Materials	Env. Compliance	4562
ASTs/USTs	Restoration and Recycling	4598
Solid Waste	Env. Compliance	4562
Installation Restoration	Restoration and Recycling	4598
Drinking Water	Env. Compliance	4562
General Considerations	Natural Resources	5870

<u>Yes</u>	<u>No</u>	<u>Potential Issue</u>
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Air Quality:

1. Will there be any open burning associated with the project/action?
2. Will existing permitted procedures be modified?
3. Will there be any paint booths, solvent vats, degreasers, or other vapor-producing industrial processes involved?
4. Will the project cause dust problems?

ENCLOSURE 2

AirStaO 5090.11

22 May 02

5. Will pollution control equipment be involved (e.g. baghouse filters?)
6. Does project involve design/construction of any ventilation system for carrying polluted air to the outside?
7. Does project involve design/construction of any project resulting in a roof penetration?
8. Does project involve design/construction of any corrosion control, coating, cleaning equipment or shops?
9. Does project involve design/construction of new or replacement boilers?
10. Does project involve design/construction or modification of any fuel storage, transfer, or dispensing equipment?

Land Quality:

1. How many acres would the proposed action directly impact? Direct impacts would include filling, excavating, paving, cutting of vegetation, increasing danger/noise zones, restricting access, etc.
2. How many cubic yards of fill (of any type) will be required?
3. Will there be an increase in the level of soil disturbance or damage/removal of vegetation?

ENCLOSURE (2)

Groundwater Quality:

1. Does the project involve use of herbicides, insecticides, or other pesticides?
2. Does the project involve installation/use of septic tanks, leach beds, or other on-site disposal of sanitary waste?
3. Will there be any wells dug or any excavations deeper than 20 feet?
4. Will any toxic or hazardous material/waste require disposal or be generated by the project?

Surface Water Quality:

1. Will the project involve construction of drainage ditches/underground drains for purposes of lowering the water table:
2. Will petroleum products including fuel, oil and lubricants be routinely stored or used (temporarily or permanently) at the site?
3. Will the project increase the amount of hard/impervious/paved surfaces?
4. Will wastewater be disposed of in any way other than connection with the sanitary sewer?

Natural and Cultural Resources:

1. Do trees need to be removed?
2. If yes, approximately how many or in how big an area?

AirStaO 5090.11

22 May 02

3. In what area? (attach a site map)
4. Will access for hunting, boating, fishing etc., be restricted?
5. Does the project involve the transfer (purchase, sale or otherwise) of any real estate?
6. Will the project affect any building or site on the National Register or eligible for listing on the National Register of Historic Places (for example the GOQ buildings)?

Utilities and Services:

1. Will utilities be required? If yes, please list.
2. Will modification to existing utilities be required?

Socio-Economic Considerations:

1. Will the project cause an increase/decrease in on-base or off-base military populations?
2. Will there be any increased demand on a local or state government to provide services?
3. Will there be any changes to traffic flow and patterns on or off-base?
4. Will air traffic increase or flight patterns be altered?
5. Will any noise, traffic, dust, etc., be generated which may affect on or off-base persons or property?

ENCLOSURE (2)

22 May 02

7. Is there any known controversy associated with the type of project or action proposed?
8. Will the project be located or conducted in or near primarily low income or minority concentrated housing communities? If so, where?

Asbestos:

1. Does the project include building renovations or demolition?

Lead:

1. Has a lead paint inspection been performed for building renovations and demolitions?
2. Will the section of the structure containing lead paint be repainted (preparation may invoke worker safety issues) or demolished (may invoke RCRA disposal requirements)?

Hazardous Materials:

1. Will the project involve the storage, use, or distribution of Hazardous Materials (HM), Hazardous Wastes (HW), POLs
2. Have HM/HW spill containment structures been addressed?

Above Ground/Under Ground Storage Tanks:

1. Does the project involve AST/UST removal or temporary/permanent closure? State regulations require appropriate forms be submitted 30 days prior to removal and 30 days after removal.

ENCLOSURE (2)

AirStaO 5090.11

22 May 02

2. Is there an AST or UST at the project site?
3. Do records indicate ASTs or USTs formerly being present at the project location?
4. Is there any evidence of soil contamination (dead grass, stained soil, etc.) at the project site?
5. Does the project involve any tank repair or maintenance to include repairs to monitoring (leak detection) systems and gauges?
6. Does the project involve boiler or heating plant repairs significant enough to involve disturbance or repairs to UST/ASTs?
7. Will any piping connections to ASTs or USTs be changed or disturbed?
8. Does the project involve or contemplate the installation of USTs? Air Station policy is to replace all USTs with double-walled ASTs with high level alarm, interstitial monitor, and spill/overflow protection.

Solid Waste:

1. Will there be an increase of solid waste (temporarily or permanently) caused by implementing the project/action?

Installation Restoration Program: (contact EAD to determine if the project is located on or near a suspected or identified Environmental Area of Concern. If yes, special instructions apply.)

ENCLOSURE (2)

22 May 02

1. Have you consulted the base master plan to ensure that the project is consistent with the current environmental land use controls?
2. Will the project require temporary or permanent wells, including monitoring wells, supply wells, anodes, probes etc.?
3. Will the project require well points for dewatering during construction?
4. Will any monitoring wells be disturbed or destroyed? Regulations require proper abandonment of monitoring wells.
5. Is there any evidence of soil contamination in the project site (dead grass, stained soil, etc)?
6. Is there any history of soil or groundwater contamination underlying any part of the proposed project? If yes, does the project involve excavation?
7. Are there any suspected or identified sources of petroleum or chemical contamination at the site (i.e. fuel pipelines, industrial/maintenance facilities, old disposal sites etc.)?
8. Does the project impact any facility which plays a role in environmental compliance/remediation? Such as fences around contaminated areas; secondary containment structures; monitoring or water supply wells; IWTP, DWTP or water plant; decontamination pads; oil/water separators; sewers; or leak detection or overfill alarms.

ENCLOSURE (2)

AirStaO 5090.11
22 May 02

Drinking Water Program:

1. Does the project involve construction or repair of the drinking water system infrastructure?
2. Will there be water outages for the project?
3. Will the project install new piping or involve maintenance and repair of existing appurtenances?
4. Will the project require either temporary or permanent water taps?
5. Will the project require any water and sewer utility crossings?

General Considerations:

1. What alternative sites were considered for the proposed action? (describe below or attach a map)
2. Are alternative procedures, practices, or technologies available to minimize environmental impact or utility use
3. Are there likely effects on the human environment that are highly uncertain; involve unique risks or the potential for unknown risks; or are scientifically controversial?
4. Would the proposed action adversely affect public health or safety?
5. Does the proposed action establish a precedent or make decisions in principle for future actions with significant effects?

DEFINITIONS

1. Action Sponsor. The installation or tenant principal staff having cognizance over the proposed action. The most frequent designations as action sponsors include, but are not limited to, the following departments within the Facilities and Operations Directorates, Marine Corps Community Services (MCCS), Naval Aviation Depot (NADEP), and 2d Marine Aircraft Wing (MAW).
2. Cat Ex(s). Actions that the DON has determined do not have a significant effect, individually or cumulatively, on the human environment under normal circumstances and for which neither an EA or an EIS is required. These actions are listed in section 12104.3.b. (1) - (33) of reference (c).
3. Command EIRB. A selected group of SME appointed by the CG. The board reviews environmental documentation to determine if the potential for environmental degradation or public Controversy exists. The EIRB will ensure that the analysis and documentation complies with NEPA.
4. DM. A one-page document prepared by/for the action sponsor for an action that is identified under the listed Cat Ex's. Generally, the DM includes a description of the proposed action and the reasons for categorically excluding it. The action sponsor must co-sign the DM with the CG or his designee.
5. EA. An EA is a concise document.
 - a. Briefly provides sufficient evidence and analysis for determining whether a FONSI is appropriate.
 - b. Aids Marine Corps compliance with NEPA when no EIS is necessary.
 - c. Facilitates preparation of an EIS when one is necessary (i.e., when the contemplated actions are considered to have a potential for significant environmental impact or environmental controversy, and therefore a FONSI is not appropriate).
 - d. Includes brief discussions of the need for the proposal, reasonable alternatives to the proposed action, environmental impacts of the proposed action, and a list of the agencies and persons consulted.

ENCLOSURE (3)

AirStaO 5090.11

22 May 02

6. EIS. A NEPA document that provides full and fair discussion on significant environmental impacts of major Federal actions. The EIS informs decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. Federal officials use the EIS, in conjunction with other relevant materials, to plan actions and make decisions. The EIS is prepared for major actions that may significantly impact the quality of the human environment or include controversial environmental effects.

7. FONSI. A document in which the Marine Corps briefly presents reasons why an action, not otherwise categorically excluded, will not have a significant effect on the human environment and for which an EIS will not be prepared. A FONSI may be one result of the review of an EA.

8. Mitigation 40 CFR 1508.20. Activities that would lessen or modify the adverse impacts associated with a proposed action. Mitigation includes the following.

a. Avoiding the impact altogether by not taking a certain action or parts of an action. This mitigation measure is preferred.

b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

c. Rectifying the impact by repairing, rehabilitating or restoring the affected environment.

d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and

e. Compensating for the impact by replacing or providing substitute resources or environments.

9. Project Originator. The organizational element proposing the action.

ENCLOSURE (3)

AirStaO 5090.11
22 May 02

10. Proposed Action

a. Projects, programs, exercises, construction, equipment testing, maintenance, and associated activities.

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

ENCLOSURE (3)