

Department of the Army, DoD

§ 651.34

same way as draft and final EISs. Scoping is not required for an SEIS.

**§651.33 Existing EISs.**

A newly proposed action must be the subject of a separate EIS. The proponent may extract and revise the existing environmental documents in such a way as to bring them completely up to date, in light of the new proposals. Such a revised EIS will be prepared and processed entirely under the provisions of this regulation. If an EIS of another agency is adopted, it must be processed in accordance with 40 CFR 1506.3.

**§651.34 Major Army command (MACOM) processing of an EIS.**

In certain cases where the scope of the EIS is limited, the HQDA proponent may authorize a MACOM to process an EIS.

(a) *NOI*. When the NOI is forwarded to the HQDA proponent (§651.32(a)(2)), the proponent may determine that the MACOM should accomplish EIS processing. The HQDA proponent will consult with the Army Environmental Office, who will gain approval from DESOH. Proponent will return the NOI with any comments and a letter authorizing the MACOM to process the EIS in accordance with the guidance in this chapter. The MACOM is responsible for preparing the NOI, proposed news release, and a transmittal letter as described in Figure 5, and for forwarding that material to the Army Environmental Office. After a review to ensure acceptability of the document, the OASA (I&L) will forward the NOI to the FR.

(b) *PDEIS*. When the PDEIS is staffed at the unit Headquarters, copies will be provided for concurrent review to the following HQDA elements to ensure that HQDA interposes no objection: JALS-RL, OGC, OCPA, OCLL, DASG-PSP-E, the Army Environmental Office, and the HQDA proponent.

(c) *Filing the EIS*. The unclassified portions of the DEIS and FEIS will be filed with the EPA Federal Activities Office by forwarding five copies with a transmittal letter as described in Figure 7. An additional five copies will be sent to the applicable EPA regional office for its review of the proposed action. One copy will be forwarded to Office of the Secretary of Defense (OSD) (Figure 8). Distribution of HQDA EIS copies will follow that of the PDEIS list. (See paragraph (b) of this section.) Copies will be coordinated for Congressional delegations and committees with the HQDA (OCLL) to meet Congressional notification procedures. Remaining distribution is for interested governors, Federal agency headquarters, national environmental organizations, regional, State and local agencies and organizations, and interested private citizens. The proponent is responsible for developing the distribution list; advice is available from the Army Environmental Office. A NOA may be published in the FR by forwarding the notice, a proposed news release, and a transmittal letter by the same method used for the NOI (See paragraph (a) of this section.)

(d) *ROD*. At the time of decision, a ROD will be prepared. (40 CFR 1505.2 and 1505.3.) A copy of the ROD will be provided to the Army Environmental Office.

Director  
Office of Federal Activities  
U.S. Environmental Protection Agency  
Room 2119, West Tower  
Waterside Mall  
Washington, DC 20460

Dear Sir:

Enclosed are five copies of the Draft Environmental Impact Statement (DEIS), Proposal to Construct Barracks at Fort Jefferson, California.

These copies are forwarded for filing in accordance with the Council on Environmental Quality regulations for implement the provisions of the National Environmental Policy Act (40 CFR part 1500-1508).

Lewis D. Walker  
*Deputy for Environment,*  
 Safety and Occupational Health  
*OASA (I&L)*

1 Enclosure (5 copies)

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DEISs and the accompanying NOA reaching EPA by noon Friday will be published in the FEDERAL REGISTER the following Friday. Failure to deliver documents to EPA by Friday noon will result in an additional 1 week delay.

**Figure 7. Sample letter of transmittal of draft Environmental Impact Statement (DEIS) to Environmental Protection Agency (EPA).**

MEMORANDUM FOR: Secretary of Defense, Production and Logistics (P&L), Washington, DC 20301

SUBJECT: Availability of Draft Environmental Impact Statement

In accordance with Department of Defense Directive 6050.1, Environmental Considerations in DOD Actions, attached is one (1) copy of the Draft Environmental Impact Statement (DEIS), Proposal to Construct Barracks at Fort Jefferson, California.

Lewis D. Walker  
*Deputy for Environment,*  
*Safety and Occupational Health*  
*OASA (I&L)*

1 Enclosure  
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**Figure 8. Sample letter of transmittal of draft Environmental Impact Statement (DEIS) to Office of the Secretary of Defense (OSD)**

**Subpart G—Public Involvement and the Scoping Process**

**§ 651.35 Public involvement.**

(a) The requirement (40 CFR 1506.6) for public involvement recognizes that all potentially affected parties will be involved, when practical, whenever developing environmental documentation. This requirement can be met at the very beginning of the environmental analysis and documentation process by developing a plan to include all affected parties. (See also AR 360–5.) The plan will include the following:

(1) Information disseminated to local and installation communities through such means as news releases to local media, announcements to local citizens groups, and Commander’s letters at each phase or milestone (more frequently if needed) of the project. Such information may be subject to Free-

dom of Information Act and operations security review.

(2) Each phase or milestone (more frequently if needed) of the project will be coordinated with representatives of local, State, and Federal Government agencies.

(3) Public comments will be invited and two-way communication channels will be kept open through various means as stated above.

(4) Public affairs officers at all levels will be kept informed.

(b) When an EIS is being prepared, public involvement is a requisite element of the scoping process (40 CFR 1501.7(a)(1)).

(c) Preparation of EAs will incorporate public involvement processes whenever appropriate (40 CFR 1506.6).

(d) Persons and agencies to be consulted include the following:

(1) Municipal, township, and county elected and appointed officials.