



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
BOX 110100
BARSTOW, CALIFORNIA 92311-0100

IN REPLY REFER TO:
5090
B520
05 OCT 2018

BASE ORDER 5090.2B

From: Commanding Officer, Marine Corps Logistics Base Barstow
To: Distribution List

Subj: ENVIRONMENTAL PLANNING AND REVIEW

Ref: (a) 32 Code of Federal Regulations (CFR) 775 (NOTAL)
(b) Marine Corps Order (MCO) 5090.2 Volume 12
(c) Head Quarters Marine Corps (HQMC) National Environmental Policy Act Manual
(d) CEQ Memo - Establishing, Applying, and Revising Categorical Exclusions under the National Environmental Policy Act
(e) 40 CFR 1500-1508
(f) 42 United States Code (U.S.C.) 4321-4347
(g) DoD Instruction 4710.02, 14 September 2006
(h) CMC Policy Memo 5090 LFL/RO, 27 July 2009
(i) Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions."

Encl: (1) Categorical Exclusion Documentation Process
(2) Definitions
(3) Sample Request for Environmental Impact Review (REIR)
(4) Sample Decision Memorandum (DM)
(5) Sample Letter of Acknowledgement (LOA)
(6) Sample Memorandum for the Record for Non-CATEX

1. Situation. The National Environmental Policy Act (NEPA), reference (a), is a procedural law that requires decision-makers to evaluate, consider, and document the potential impacts of proposed actions on the human environment, and reasonable alternatives, prior to making a decision to implement the action. References (b), (c), and (d) provide detailed technical instruction guidance for the implementation of NEPA and documentation of environmental evaluations. This Order establishes policies to ensure compliance with environmental planning and review procedural requirements for proposed actions aboard Marine Corps Logistics Base (MCLB) Barstow, as directed by references (a) and (b).

2. Cancellation. BO 5090.2

3. Mission. This Order provides policies, procedures, and responsibilities for the Environmental Planning and Review process for activities and individuals at MCLB Barstow. The Environmental Planning and Review process ensures that the NEPA, other Environmental statutes, and Executive Order (EO) processes are followed and to assist MCLB Barstow personnel in making informed decisions that consider the environmental consequences of an applicable action before making the decision to take the action.

4. Execution.

a. Commander’s Intent and Concept of Operations

(1) Commander’s Intent. Department directors; Commanding Officer, Headquarters Company; special staff offices; heads of tenant activities; and contractors operating and training within the boundaries of MCLB Barstow shall comply with the provisions of this Order.

(2) Concept of Operations

(a) For the purposes of this Order, the term “proposed action” applies to any action, project or contract that has the potential to impact the environment.

(b) An environmental evaluation is the documented assessment of a proposed action’s impact on the human environment. The three types of documented environmental evaluations are classified as Categorical Exclusions (CATEX), Environmental Assessments (EA), and Environmental Impact Statements (EIS). See enclosure (1) for the Categorical Exclusion Review and Documentation Process.

(c) For the purpose of this Order, the terms “NEPA review and documentation” and “NEPA process” include both the NEPA and reference (h) documentation and processes.

(d) Definitions and terms used throughout this Order are contained in enclosure (2).

(e) Documentation processes are outlined in enclosure (1).

(f) Installation Environmental Impact Review Board (EIRB). Membership shall be composed of the following:

Base Executive Officer	Chairperson
Director, Facilities	Member
Director, Environmental Division	Member
Director, Security and Emergency Services	Member
Comptroller	Member
Operations Officer	Member
Director, Logistics	Member
Commanding Officer, Headquarters Company	Member
Public Works Officer	Member
Facilities Engineering & Acquisition Division (FEAD) Officer	Member
Director, Marine Corps Community Services	Member
Director, Communications Strategy and Operations	Member
Office of General Counsel	Member
NEPA Coordinator	Member

b. Subordinate Element Missions

(1) Base Executive Officer shall:

(a) Administer and manage MCLB Barstow's NEPA program and ensure the program remains compliant with references (a) and (b).

(b) Serve as the Point of Contact (POC) for Action Proponents/Sponsors initiating proposed actions for the construction, repair, and maintenance of facilities or issuance of real estate licenses to ensure the documentation of environmental consideration.

(c) Ensure that adequate funding and personnel are available for environmental review and that appropriate orders include the requirements of planning and funding environmental documents. This includes ensuring cost estimates for funds required on NEPA review and documentation are reflected on Military Construction Project Data (DD 1391) for M1, R1, M2, R2, and military construction (MILCON) projects.

(d) Coordinate the review and evaluation of environmental impacts with Environmental for the development of construction, renovation, repairs, and maintenance projects conducted by MCLB Barstow, tenant activities, and licensed activities.

(e) Assign an Action Proponent to ensure enclosure (3) is completed on all proposed actions and forwarded to the NEPA Coordinator via NEPA Process Automation and Management Support Module (PAMS) with sufficient time for review and concurrence.

(f) Provide validated geographic information system environmental and natural resources overlay to tenant activities.

(g) Ensure NEPA documentation is included in all proposed actions forwarded to the Facilities Engineering & Acquisition Division (FEAD) Officer.

(h) Provide environmental planning guidance and regulatory consultation for environmental documentation developed through the NEPA process as requested by the Action Proponent/Sponsor and lead agent.

(i) Participate in the review and evaluation of environmental documents and impacts at initial planning stages and at each subsequent procedural step or decision milestone.

(j) Provide comments and recommendations regarding sensitive resources and environmental concerns to the Action Proponent/Sponsor and lead agent.

(k) Appoint an individual, in writing, to serve as the NEPA Coordinator.

(l) Determine appropriate application of a CATEX from the list provided in reference (a) and (b) and recommend preparation of an EA or an EIS or an alternative to the proposed action.

(m) Initiate enclosure (4) when a CATEX applies to the proposed action and a memorandum of decision is required.

(n) Conduct quarterly inspections of planning documentation and proposed actions during implementation to ensure compliance with NEPA requirements.

(o) Ensure completion of enclosure (5) for proposed actions requiring NEPA documentation.

(p) Ensure completion of enclosure (6) for Non-CATEX proposed actions that do not meet the definition of a major action and do not require the preparation of a CATEX or other NEPA documentation.

(q) Ensure that the administrative record supporting the NEPA process for the proposed action is assembled and maintained. Retain all decision records, decision memoranda, NEPA execution forms, EAs, EISs, finding of no significant impact (FONSI), Notices of Availability (NOA), Notices of Intent (NOI), Records of Decision (ROD), and minutes taken during EIRB meetings for a period of not less than 10 years from completion of the proposed action and provide a copy to the Commanding General, Marine Corps Installations West (MCIWEST), and the Commandant of the Marine Corps (CMC)(LF), as appropriate.

(r) Brief and make recommendations to the Base Commanding Officer and the Executive Steering Committee on NEPA issues regarding environmental compliance.

(s) Ensure proposed actions undergo appropriate staff review, achieve compliance with all legal and procedural requirements, and forward recommended revisions and approvals to the EIRB, as appropriate.

(t) Promptly notify the CMC (LF)/MCICOM (GF) when a decision to prepare an EA that meets conditions in paragraph 030204.B of reference (b), or a Draft Environmental Impact Statement (DEIS) has been made.

(u) Decide whether a FONSI is appropriate when the proposed action does not involve any of the circumstances listed at paragraph 030204.A of reference (b), recommend preparation of an EIS, or recommend that the action not proceed. The decision shall be based on the Installation/Command EIRB's recommendation. Installation FONSI signature authority may not be delegated. Major commands (e.g., MARFORRES) may delegate FONSI signature authority in writing to the Deputy Commander or Chief of Staff.

(v) Ensure that analyses are conducted for the environmental effects of current and proposed actions in accordance with DoD regulations, Reference (b), and other applicable statutes

and regulations. Ensure that all documents are reviewed by Installation/Command legal counsel for legal sufficiency.

(w) As appropriate under References (a) and (d), encourage public participation in environmental evaluations of projects or programs. To the extent practical, post environmental planning documents and decision documents on a public website.

(x) Ensure that environmental analysis and the NEPA or E.O. 12114 (reference (i)), process are included at the initial planning stages and at each following procedural step or decision milestone in the development of a project or program.

(y) Per NEPA analyses, in accordance with Reference (g), ensure that all agency consultations and coordination, excluding permits (e.g., wetland or stormwater permits), are completed prior to signing FONSI and prior to forwarding final EISs to CMC (LF)/MCICOM (GF).

(z) Identify and submit to CMC (LF)/MCICOM (GF) project documentation and funding requests for NEPA and E.O. 12114 (reference (i)), related actions that are required to maintain compliance with applicable existing and emerging regulations and permits. Program and budget for personnel, equipment, materials, training, and monitoring required for compliance with NEPA and E.O. 12114 (reference (i)), requirements. Pay appropriate federal, state, and local fees. Ensure that P2 alternatives are evaluated and life-cycle cost impacts are assessed in evaluating and selecting projects that address compliance requirements.

(aa) Ensure that impacts to installation resources are mitigated, as specified in decision documents and pursuant to applicable environmental statutes, and that the effectiveness of mitigation measures is monitored in accordance with SECNAV Policy. "Policy Guidance for Environmental Planning Mitigation Composition, Monitoring and Tracking," May 31, 2007 and CMC (I&L) Policy, "Policy Guidance for Environmental Planning Mitigation Composition, Monitoring and Tracking," April 28, 2008.

(ab) Ensure that permit conditions and commitments are met.

(ac) Refer controversial application of CATEXs and disposition disputes to the EIRB for consideration and resolution.

(ad) Provide continual review of the NEPA process to ensure compliance with the spirit and intent of the Act.

(2) NEPA Coordinator shall:

(a) Implement the environmental planning and review process. The NEPA Coordinator has the responsibility of determining from the information provided, if an EA or EIS needs to be prepared per enclosure (3). Actions that could trigger the EA or EIS requirement include:

1. An Extraordinary Circumstances (references (a) and (b)) that cannot be resolved and therefore a CATEX cannot be used.
2. Any action that could directly alter or affect current land use such as construction of new facilities, changing landscaping, or altering drainage features.
3. Equipment or process changes that could alter effluent discharges, air emissions, or in some other way have some potential effect on human health or the environment.
4. Any significant change in facility use that could have environmental impacts, such as significant increase in size of forces at, or frequency of use of, training ranges.
5. Any new operation with potential environmental impacts such as opening a new area to military use, recreational use such as hunting, or allowing hiking and camping on a different part of the installation.

(b) Provide guidance to the Action Proponent/Sponsor in implementing this Order.

(c) Provide specific installation guidance related to references (a) or (e). This includes updating this Base Order and any applicable Environmental Standard Operating Procedures (ESOPs) or other outreach communication.

(d) Review Request for Environmental Impact Review (REIR) and NEPA documents submitted through NEPA-PAMS and provide technical guidance.

(e) Negotiate (in coordination with Action Proponent/Sponsor) mitigation requirements with applicable regulatory agencies.

(f) Monitor and track mitigation implementation and adjust as necessary to ensure success. Should there be a substantial failure of the mitigation, in implementation or effectiveness, work with the Action Proponent/Sponsor and appropriate regulatory authority (if any) to implement appropriate remedies.

(g) Retain proposed actions and NEPA documentation for a period of not less than 10 years from completion of the proposed action.

(h) Ensure REIR review average timelines are being met as follows:

1. Standard 60 – 90 days and additional time to complete additional environmental requirements.

2. Projects that require consultation with the State Historic Preservation Office (SHPO) or Native American Tribes, when actions may impact cultural resources or historic properties may require 120 days or more to complete the consultation process.

3. Projects that require consultation or permitting from other State Regulatory Agencies may be completed in 6 months to 1 year (e.g. U.S. Fish and Wildlife Service, Arm Corps of Engineers (ACOE), etc.).

(3) Natural and Cultural Resource Program Manager shall:

(a) Serve as the primary POC for all formal or informal consultation with the appropriate regulatory agencies when actions may impact natural resources (e.g., threatened or endangered species, critical habitat, wetlands).

(b) Serve as the primary POC for all consultations with State Historic Preservation Offices (SHPOs), Native American tribes, and when actions may impact cultural resources.

(4) Commanding Officer, Headquarters Company shall ensure units training aboard MCLB Barstow comply with the environmental requirements of references (a) and (b) and this Base Order.

(5) Action Proponent is the commander, commanding officer, or civilian director of a unit, activity, or organization who initiates a proposal for action, as defined in section 23, part 1508 of reference (f) and shall:

(a) Notify the NEPA Coordinator of all proposed actions that have the potential to impact the human environment through submission of a REIR, using NEPA-PAMS as early as possible in project planning stages, and before contract award, work or event commencing.

(b) Provide funds for NEPA reviews and documentation and all related ancillary studies, mitigation, and monitoring costs. NEPA funding is not centrally managed; funds must come from Action Proponents or from installation operation and maintenance (O&M) budgets. Action Proponents must program funds for NEPA compliance. Funds for mitigation measures should be identified as part of MILCON funding requests (separate line item of Form 1391). For non-MILCON projects, funds for mitigation must be programmed as part of the project funding request.

(c) Analyze and document, with assistance from Environmental division, the environmental impact for all proposed actions per the provisions of this Order.

(d) Prepare consultations, supporting studies, permits, and required NEPA documents to ensure no irretrievable, irreversible commitment of resources is taken prior to completion of the NEPA process.

(e) Coordinate with the appropriate lead agent or NEPA Coordinator to determine the level of NEPA review and documentation required for the proposed action. Environmental staff will consult with counsel and/or the EIRB when the level of NEPA review and documentation may be subject to legal or other qualifying interpretations.

(f) Prepare and submit required descriptions for proposed actions and review and submit regular, recurring, and like actions for consideration as a programmatic or group environmental document.

(g) Sign a Letter of Acknowledgement (LOA), if required, for an action that has been CATEX'd with conditions to be met before, during, and following completion of the proposed action. The Action Proponents are to maintain the original documentation. Copies of the REIR and/or Decision Memorandum must be made available to the CMC (LF) upon request.

(h) Fund development of environmental documentation to include EAs and EISs (as appropriate for actions not identified on the list of CATEXs), related scientific studies and surveys, construction permits, and mitigation requirements.

(i) Fund for the publication of the FONSI, NOI, or ROD, as appropriate, in local newspapers.

(j) Ensure funds are available and programmed to fund implementation of mitigation commitment(s) and satisfy established success criteria. If funding is not available for mitigation specified in a FONSI, the action may not go forward until:

1. Funding is provided and mitigation is implemented;
2. The project design can be modified to minimize or avoid the anticipated impact;
3. An EIS is prepared to document that a significant impact will occur due to lack of funding for mitigation.

(k) Ensure that all mitigation measures identified in the FONSI or ROD are implemented in a timely fashion, and should work with the installation environmental planning staff to monitor the effectiveness of mitigation measures and adaptively manage mitigation if monitoring shows measures to be ineffective.

(l) Ensure NEPA documentation is included in all proposed actions forwarded to the FEAD office.

(m) Ensure the contract award addresses the specific action required to comply with environmental laws and regulations. These actions shall be included in either the contract specification sections or the contract solicitation.

(n) Fund and implement necessary corrective action resulting from failure to comply with the provisions of this Order.

(o) If an Action Proponent proposes an action that has the potential to impact property outside the physical boundary of MCLB Barstow (e.g., a training exercise on Bureau of Land Management property), the Action Proponent shall be responsible for establishing an EIRB,

performing a NEPA analysis, signing all findings and record documents, and maintaining compliance with all requirements set forth in reference (a).

(6) Action Sponsor is the POC for a proposed action, and shall:

(a) In accordance with supporting relationships to commands, tenants, and other agencies, assist Action Proponents as a liaison through the installation's environmental planning and review process.

(b) Coordinate with the appropriate Action Proponent and the NEPA Coordinator during a proposed action's initial planning stage to determine the level of NEPA review and documentation required for the proposed action.

(c) Ensure preparation and submission of all required descriptions for proposed actions in accordance with enclosures (1) through (6).

(d) Represent actions during the review process; attend EIRB meetings as proposed actions are considered; describe proposed actions, environmental analysis, and mitigation commitments.

(e) Ensure compliance with the conditions of the Decision Memorandum, FONSI, or ROD; and fund and implement necessary corrective action resulting from failure to comply with the provisions of this Order.

(f) Ensure Action Proponent funds and implements appropriate mitigation and monitoring costs.

(g) Sign and return LOA to the NEPA Coordinator in order to ensure that the Action Proponent has reviewed and agrees to the restrictions, requirements, and limitations that qualify the project for a CATEX.

(7) Installation Environmental Impact Review Board (EIRB) shall:

(a) Ensure that all NEPA documents fully comply with all legal and procedural requirements through a review for technical sufficiency, including, but not limited to:

1. Complete analysis of alternatives and their associated impacts;
2. Appropriateness of alternatives analyzed; and
3. Appropriateness of proposal as required to coexist with other actions on the installation.

(b) Meet, as required, to consider EAs, EISs, and other issues referred by Environmental Division. When possible, review by the EIRB may be conducted by staffing electronic NEPA documents to board members for review and concurrence.

(c) Ensure proposed actions undergo appropriate staff review and that NEPA documents comply with all legal and procedural requirements.

(d) Assist the Action Proponent/Sponsor in determining whether the proposed action requires the preparation of an EA or EIS.

(e) Ensure revisions to EAs and EISs are implemented prior to submission to the Base Commanding Officer.

(f) Review completed EAs, and make recommendations to the Base Commanding Officer for a FONSI, a DEIS, or no action. The EIRB will draft the proposed FONSI and forward both the EA and FNSI to the Base Commanding Officer for signature.

(g) Installation/Command CG/CO shall, upon consideration of the EA and Installation/Command EIRB recommendation, take one of the following three actions:

1. Finalize, approve, and issue a FONSI and initiate a course of action for proceeding with the selected action. All required consultations for the proposed action shall be completed prior to signature of the FONSI. This requirement does not mean that every permit associated with the proposed action shall be issued by the time a FONSI is signed or a FEIS is published.

2. For proposed actions that fall within one of the categories set forth in paragraph 030205.C reference (b), forward the proposed FONSI, EA, and a recommended course of action to CMC (LF)/MCICOM (GF) for review and approval before the Installation/Command CG/CO signs the FONSI.

3. If there would be potentially significant impacts from the proposed action that cannot be avoided or mitigated to less than "significant," direct the preparation of an EIS if the action proponent/sponsor intends to proceed with the proposed action as analyzed.

(h) Draft NOI, DEIS, EIS, and ROD and, following the same procedures noted above for EAs, forward these documents to the Base Commanding Officer for approval. A letter from the Base Commanding Officer stating the results of the Installation EIRB and certifying that the document(s) have been found legally sufficient by the installation Office of General Counsel shall be included with the documentation provided to the HQEIRB.

(i) Retain on file, for no less than 10 years, copies of all decision documents, completed EAs and EISs, published FONSI statements, RODs, and minutes taken during EIRB meetings.

(j) The EIRB will include the Base Commanding Officer or his/her designated representative, Office of General Counsel, the heads of facilities, environmental, operations/training, comptroller, public affairs, community plans and liaison departments, as appropriate, and any others as determined to have an interest in the proposed action by the Base Commanding Officer.

(k) Provide continual review of the NEPA process to ensure compliance with the spirit and intent of the Act.

(8) Heads of tenant activities shall:

- (a) Act as the Action Proponent for proposed actions to be conducted.
- (b) Prepare and submit required documentation to Public Works Division.
- (c) Participate in EIRB meetings as proposed actions are considered.
- (d) Take appropriate mitigating action to ensure compliance with the conditions of the DM, FONSI, or ROD.
- (e) Ensure completion of enclosure (3) through NEPA-PAMS for proposed actions requiring NEPA documentation and forward via NEPA-PAMS to the NEPA Coordinator.
- (f) Fund and implement necessary corrective action resulting from failure to comply with the provisions of this Order.

(9) Facilities Engineering and Acquisition Division (FEAD) shall:

- (a) Award only contracts with completed NEPA reviews and documentation. This documentation shall include enclosure (5) with the environmental staff review/comments and one of the following:
 - 1. DM for CATEX.
 - 2. EA and FONSI.
 - 3. EIS and ROD.
- (b) Ensure NEPA documentation and environmental requirements are included in Section 1 of the contract.
- (c) If the project does not require a NEPA review, include only enclosure (6).

(10) Office of General Counsel shall:

(a) Provide continual review of the NEPA process to ensure compliance with the spirit and intent of the Act.

(b) Review NEPA decision-making for compliance with applicable laws and regulations and advise the Base Commanding Officer and staff of appropriate subsequent action.

(c) Coordinate with the Western Area Counsel Office as required.

c. Coordinating Instructions

(1) The NEPA of 1969 is the basic national charter for the protection of the environment. NEPA requires federal agencies to consider environmental impacts of proposed actions in the decision-making process. Reference (b) provides procedures for compliance with NEPA and related regulations.

(2) NEPA is a procedural law that requires full public disclosure of environmental impacts, alternatives, and mitigation measures expected from proposed actions. Actions subject to NEPA include all new and continuing activities. In reviewing an action for environmental consideration, the Action Sponsor and decision-maker will determine applicability and requirements of such laws as the Clean Air Act, Clean Water Act, and Endangered Species Act and factor those requirements into the overall decision to conduct an action. Actions will include projects and programs entirely or partly funded, assisted, conducted, regulated, or approved by a federal agency which have the potential to impact the human environment. Typical actions may include implementation or approval of specific projects, such as construction or management activities located at MCLB Barstow (e.g., MILCON projects, public or private venture projects, special projects, and land acquisition).

(3) References (a) and (b) require MCLB Barstow to consider environmental consequences of proposed actions early in the planning process. The required review, documentation, and mitigation for a proposed action may vary significantly, but are generally dependent on the anticipated degree of environmental impact. The systematic decision-making and documentation process is described in enclosure (1).

(4) Specific categories of actions found by a federal agency to have no significant effect on the human environment, individually or cumulatively, may be categorically excluded from further environmental consideration. References (a) and (b) required that an EA be prepared for all actions subject to NEPA, except actions covered by a CATEX; actions sufficiently covered by an earlier environmental document; or actions for which a decision has been made to prepare an EIS. An EIS is required for actions that are likely to have a significant impact on the quality of the human environment or have potentially controversial environmental impact.

(5) To achieve essential mission and functional requirements while ensuring protection of our natural resources, the planning, review, and documentation required by references (a) and (b), and related mitigation, must be a concerted, multidisciplinary effort among Action Sponsors, trainers,

facility planners, and environmental planners. In addition to the environmental impacts, federal decisions may also consider economic, technical, legal, and policy factors.

(6) This Order assigns responsibility and action to the Action Proponent, the Action Sponsor, the EIRB, and Environmental. As described herein, the Action Proponents prepares and funds the NEPA documentation. The NEPA Coordinator and Environmental staff provide guidance in the documentation review, and determination of significance; approves specified categories of actions; and advises the Base Commanding Officer of environmental impacts and recommended actions. The Action Proponent, Action Sponsor, or execution agent, certifies that during the execution of the action those provisions, as outlined in the NEPA documentation, will be strictly adhered to.

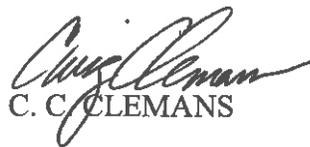
(7) MCLB Barstow will ensure conduct of the mission to provide national defense will occur in a manner consistent with federal environmental policies. In doing so, MCLB Barstow recognizes that the NEPA process includes the systematic examination of the environmental consequences of implementing a proposed action. To be an effective decision-making tool, this process shall be integrated with project planning at the earliest possible opportunity. This ensures avoidance of conflicts and delays while incorporating environmental values in planning and decision-making.

(8) Unit personnel must identify any projects or operational changes that may have an environmental impact, to the Environmental NEPA Coordinator. The NEPA Coordinator has the responsibility under the Base Commanding Officer for evaluating potential environmental impacts and providing guidance to unit personnel with meeting environmental review and evaluations documentation requirements as outlined in reference (a).

5. Administration and Logistics. Directives issued by this Headquarters are published and distributed electronically. Electronic versions of the Base directives can be found online on the environmental portal.

6. Command and Signal

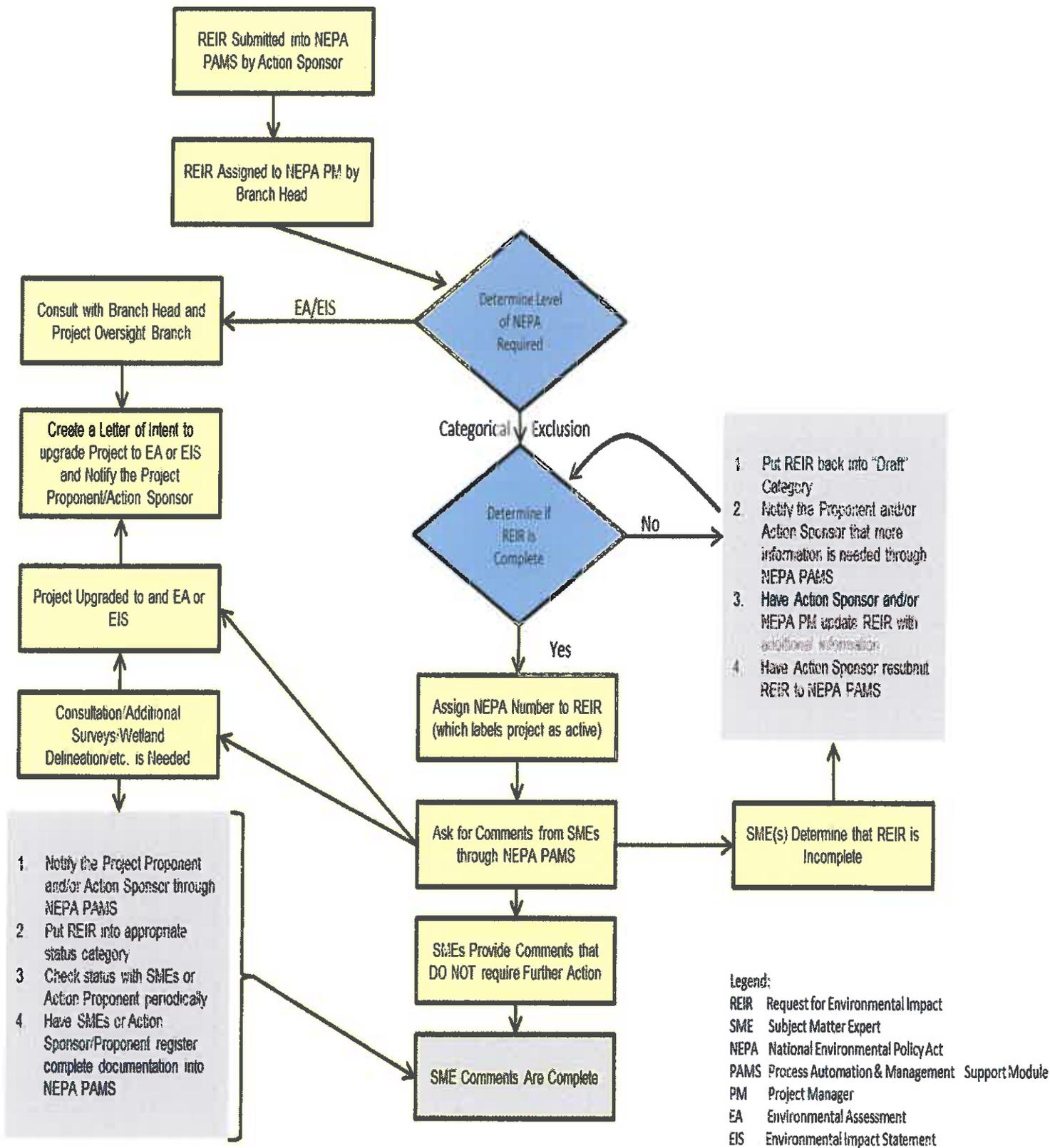
- a. Command. This Order may be applicable to MCLB Barstow and its tenant activities.
- b. Signal. This Order is effective the date signed.


C. C. CLEMANS

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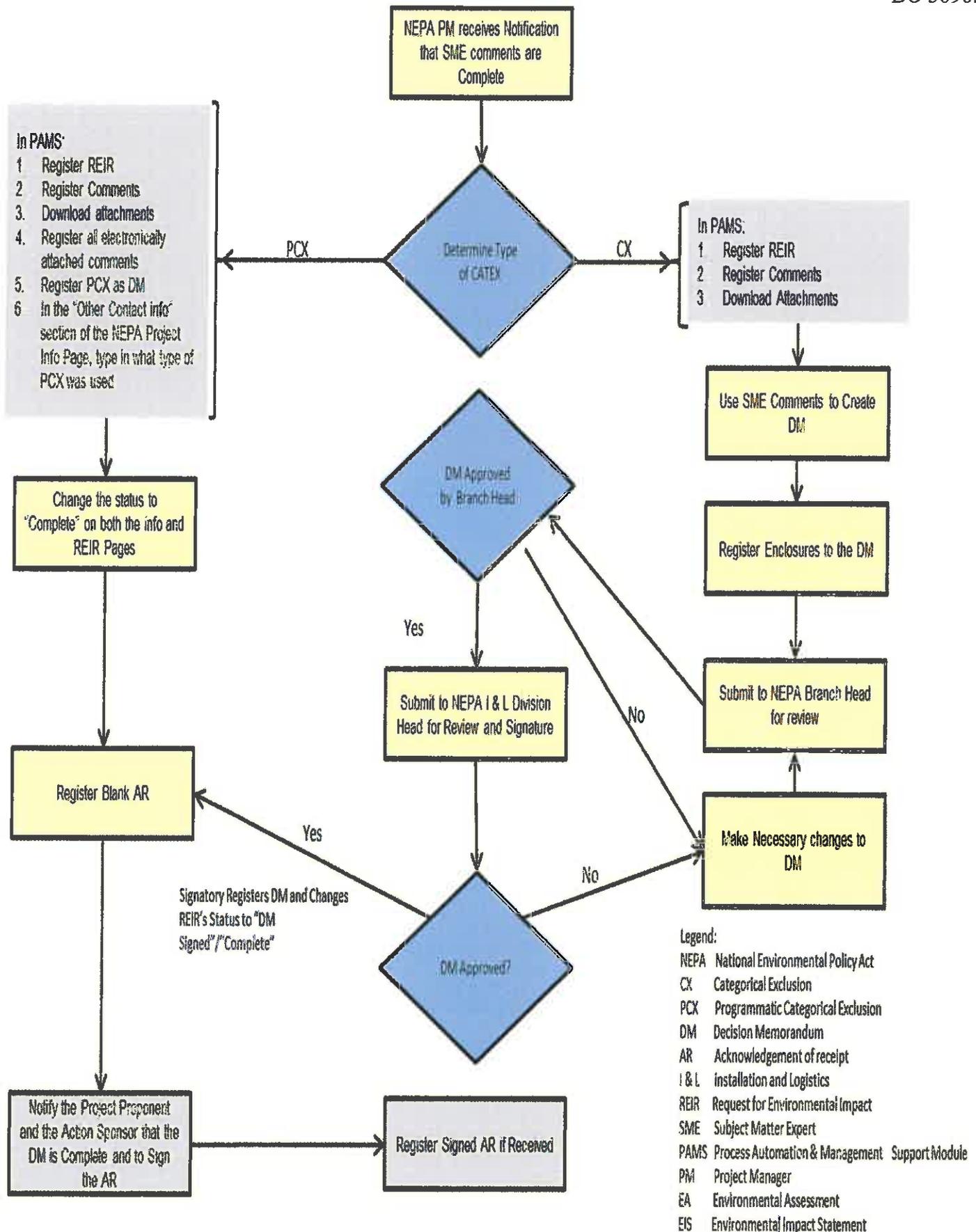
Categorical Exclusion Review and Documentation Process
Part 1: REIR Submittal and SME review

BO 5090.2B



Categorical Exclusion Review and Documentation Process
 Part 2: REIR Submittal and SME review

BO 5090.2B



DEFINITIONS

1. Action. Broadly interpreted as any proposal initiated by the Marine Corps, including:

a. New activities or projects entirely or partly funded, assisted conducted, regulated, or approved by the Marine Corps.

b. Substantive changes in continuing actions, such as major changes in operation tempo, areas of use, or in methodology/ equipment, where these changes have the potential for significant impact.

c. Specific projects, such as construction or management activities located in a defined geographic area (e.g., MILCON projects, public/private venture projects, special projects, land acquisition, natural resources management projects, and locally funded projects).

2. Action Proponent. The commander, commanding officer, or civilian director of a unit, activity, or organization who initiates a proposal for action, as defined in section 23, part 1508 of reference (f), and who has command and control authority over the action once it is authorized. For some actions, the Action Proponent will also serve as the decision-making authority for that action. In specific circumstances, the Action Proponent and decision-maker may be identified in Department of the Navy regulations, other SECNAV Instructions, operational instructions and orders, acquisition instructions, and other sources which set out authority and responsibility within the Department of the Navy (DON). For Acquisition Program actions, the Acquisition Program Manager is the Action Proponent.

3. Action Sponsor. The individual who is the POC for the proposed action. Commanders or Staff of MCLB Barstow, who have a functional supporting/supported relationship with an Action Proponent and have staff cognizance over the proposed action. At times, the Action Proponent and Action Sponsor may be the same entity. Action Sponsors assist Action Proponents through the NEPA process. For example, Assistant Chief of Staff (AC/S) G-3/5 would serve as the Action Sponsor for U.S. Marine Corps units proposing new training exercises.

4. Administrative Record. The administrative record is a critical component of the NEPA process and consists of all documents and materials (including intra-office emails), directly or indirectly, considered by the decision maker. Should a decision be challenged, a reviewing court will review the decision primarily (if not solely) based on the administrative record. The decision-maker is responsible for assembling and maintaining the administrative record. To this end, commanders/supervisors/officers-in-charge must ensure that all administrative record documents and materials are properly maintained and readily retrievable upon request.

5. Categorical Exclusion (CATEX) (section 4, part 1508 of reference (f)). Actions that the DON has determined that do not have a significant effect, individually or cumulatively, on the human environment under normal circumstances and for which neither an EA nor an EIS is required. DON CATEXs are provided in section 6, paragraph f of reference (g).

6. Decision Memorandum. A Decision Memorandum is the decision document for a CATEX. Generally, the Decision Memorandum includes a description of the proposed action and the reason for categorically excluding it.

7. Cooperating Agency (section 5, part 1502 of reference (f)). Any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or any reasonable alternative) for legislation or other major federal action significantly affecting the quality of the human environment. A state or local agency of similar qualifications or, when the effects are on a reservation, a Native American tribe may, by agreement with the lead agency, become a cooperating agency.

8. Environmental Assessment (EA) (section 9, part 1508 of reference (f)). An EA is a concise document prepared according to regulatory requirements that briefly provides sufficient evidence and analysis for determining whether to prepare an EIS. An EA aids compliance with NEPA when no EIS is necessary and facilitates preparation of an EIS when it is necessary, that:

a. Briefly provides sufficient evidence and analysis for determining whether to prepare an EIS or FNSI.

b. Aids Marine Corps compliance with reference (g) 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 FNSI 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.

9. Environmental Impact Statement (EIS) (part 1502 of reference (f)). A NEPA document that provides full and fair discussion of potentially significant environmental impacts of major federal actions and 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. It is used by federal officials, in conjunction with other relevant materials, to plan actions and make decisions.

a. Draft Environmental Impact Statement (DEIS). A document normally prepared for actions potentially having a significant impact on the quality of the human environment or having potentially controversial environmental effects. DEISs are filed with the Environmental Protection Agency (EPA) and distributed to cognizant federal, state, local, and private agencies, organizations, and individuals for review and comment before preparation of a FEIS.

b. Final Environmental Impact Statement (FEIS). A completed statement, normally a separate and additional document from the DEIS, incorporating all pertinent comments and information provided during public and agency review of the DEIS. Responses to all substantive review comments will be contained in the FEIS. The FEIS is filed with the EPA.

- c. Supplemental Environmental Impact Statement (SEIS) (section 9, part 1502 of reference (f)). A document evaluating changes to either a DEIS or an FEIS necessitated by substantial modifications to the proposed action or significant new circumstances or information that would result in different environmental impacts than those evaluated in the original document. An SEIS may be prepared at any time after the preparation and filing of a DEIS or FEIS; it is filed with the EPA and distributed to recipients of the DEIS and FEIS.
10. Environmental Impact Review Board (EIRB). A selected group of subject matter experts appointed by the Base Commanding Officer within which the proposed action will be implemented. The board reviews environmental documentation to determine if the potential for environmental degradation or public controversy exists and the recommended level of NEPA review and documentation. The composition of the installation EIRB will include a cross section of the command, and where appropriate, other Marine Corps commands/units and tenants. Members of the board should include the counsel or staff judge advocate; the heads of facilities, environmental, and operations/training; the comptroller; public affairs; community plans and liaison office; and any others as determined by the Base Commanding Officer. The EIRB will ensure that the documentation is in compliance with reference (e) or (g).
11. Environmental Impact Review Board (EIRB) Chairperson. Base Executive Officer.
12. Finding of No Significant Impact (FNSI) (section 13, part 1508 of reference (f)). 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 FNSI may be one result of the review of an EA. Any mitigation measures required to reduce the impacts of the proposed action to less than significant must be recorded in the FNSI (e.g., mitigated FNSI).
13. Headquarters Environmental Impact Review Board (HQEIRB). A selected group of subject matter experts established at the CMC (LF) to review and assess the content of submitted EISs and selected EAs.
14. Human Environment (section 14, part 1508 of reference (f)). The natural and physical environment and the relationship of people with that environment.
15. Impacts (sections 7 and 8, part 1508 of reference (f)). Impacts are synonymous with effects and include direct, indirect, and cumulative impacts.
- a. Direct Effect. Effect caused by an action that occurs at the same time and place as the action.
 - b. Indirect Effect. Effect also caused by an action and which occurs later in time or farther removed in distance from the action. Indirect impacts include:
 - (1) Growth-inducing effects.
 - (2) Effects related to induced changes in the pattern of land use, population density, or growth rate.

(3) Related effects on the human environment, including the natural and physical environment.

c. Cumulative Effects (section 7, part 1502 of reference (f)). Impacts that result from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) undertakes such actions. Cumulative effects may result from individually minor but collectively significant actions taking place over time.

16. Lead Agency (section 16, part 1502 of reference (f)). The agency or agencies preparing or having taken primary responsibility for preparing an EIS.

17. Memorandum of Agreement (MOA). Form to be signed and completed by the action proponent/sponsor acknowledging and agreeing to requirements and conditions within the Decision Memorandum.

18. Memorandum for the Record for Non-CATEX. A decision document for a Non-CATEX action that does not meet the definition of a major action and does not require the preparation of a CATEX or other NEPA review or documentation. Generally, the Memorandum for Non-CATEX includes a description of the proposed action that and the reason it does not require any further NEPA review or documentation.

19. Mitigation (section 20, part 1508 of reference (f)). Activities that would lessen or modify the adverse impacts associated with a proposed action. The Marine Corps further defines mitigation as those actions required under the terms of a permit or other requirement identified in the FNSI or ROD, not to include Best Management Practices or standard Conservation Measures specified in the Integrated Natural Resources Management Plan. Mitigation includes:

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.

e. Compensating for the impact by replacing or providing substitute resources or environments. Tracking for implementation of mitigation measures is accomplished through an annual data call and through the Environmental Compliance Evaluation audit process.

20. Monitoring. Supervising and regulating the implementation of approved actions, including mitigation and other environmental protection measures required by the Environmental Division, EIRB, or Headquarters Marine Corps (HQMC).

21. National Environmental Policy Act (NEPA) Process Automation and Management Support Module (PAMS). Provides web-based automation and an administrative record of evaluation of actions under NEPA. Supports online requests for environmental review, document review and commenting, decision documentation, and compliance tracking.
22. Notice of Availability. An article published for three consecutive days in the Public Notice section of the local newspaper that gives notice that an EA and FNSI were prepared for a proposed action and is available upon request.
23. Notice of Intent. A document prepared that announces the installation's intent to prepare an EIS.
24. Proposal (section 23, part 1508 of reference (f)). A "proposal" exists at that stage in the development of an action when the Action Proponent has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal and the effects can be meaningfully evaluated. A proposal may exist in fact as well as by agency declaration that one exists.
25. Proposed Action. Projects, programs, exercises, construction, equipment testing, maintenance, and associated activities. The promulgation of policies, regulations, instructions, manuals, or major policy statements which, when implemented, could potentially impact the human environment.
26. Record of Decision (ROD). A concise public document providing a rationale for the alternative selected for implementation as presented in an FEIS. The document, as proposed by the activity/ Action Proponent, will be finalized by the CMC (LF) on behalf of the HQEIRB and will state the decision, identify the alternatives considered (including those that were environmentally preferable), and discuss all factors, including non-environmental considerations, that influenced the decision. The ROD will commit the Action Proponent to the appropriate mitigation, if applicable, to minimize environmental harm, and to identify those measures that were considered, but not selected, for implementation. Additionally, any monitoring program associated with selected mitigation measures will be addressed.
27. Request for Environmental Impact Review (REIR). A standard form prescribed by the Installation Commander to document the need for environmental analysis, submitted by the Action Proponent via NEPA PAMS.
28. Regional Environmental Impact Review Board (EIRB). A selected group of subject matter experts appointed by the CG of the Region (e.g., MCIEAST, MCIWEST, MCIPacific). The board reviews environmental documentation to determine if the potential for environmental degradation or public controversy exists and the recommended level of NEPA documentation. The composition of this EIRB will include a cross section of the regional command. Members of the board should include the counsel or staff judge advocate; the heads of facilities, environment, and operations/training; the comptroller; public affairs; community plans and liaison office; and any others as determined by the CG of the Region. The EIRB will ensure that the documentation is in compliance with reference (e) prior to forwarding it to CMC (LF) for review.

29. Scope (section 7, part 1501 of reference (f)). “Scope” consists of the range of actions, alternatives, and impacts to be considered in an EA or an EIS. The scope of an individual EA or EIS may depend on its relationships to other EAs or EISs. To determine the scope of an EA or an EIS, Action Proponents must consider three types of actions, three types of alternatives, and three types of impacts. They include:

a. Actions (other than unconnected single actions) that may be:

(1) Connected actions, which means that they are closely related and therefore should be discussed in the same impact statement. Actions are “connected” if they:

(a) Automatically trigger other actions that may require EISs.

(b) Cannot or will not proceed unless other actions are taken previously or simultaneously.

(c) Are interdependent parts of a larger action and depend on the larger action for their justification.

(2) Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement.

(3) Similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography. An Action Proponent may wish to analyze these actions in the same EA or EIS. It should do so when the best way to assess adequately the combined impacts of similar actions is to treat them in a single EA or EIS.

b. Alternatives, which include:

(1) No action alternative.

(2) Other reasonable courses of action.

(3) Mitigation measures (not in the proposed action).

c. Impacts, which may be:

(1) Direct.

(2) Indirect.

(3) Cumulative.

30. Scoping (section 7, part 1501 of reference (f)). An early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.

31. Significantly (section 27, part 1508 of reference (f)). "Significantly," as used in NEPA, requires consideration of both context and intensity:

a. Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

b. Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that on balance the effect will be beneficial.

(2) The degree to which the proposed action affects public health or safety.

(3) Unique characteristics of the geographic area such as proximity to cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

(7) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

(8) The degree to which the action may adversely affect districts, sites, landscapes, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under reference (h).

(10) Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

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REQUEST FOR ENVIRONMENTAL IMPACT REVIEW

SECTION I - PROPONENT INFORMATION

Project Title:

Description of Action (Short Plain English):

Project ID:

Start By Date:

End By Date:

Activity Sponsor (Unit/Command):

Activity Sponsor POC:

Phone/Fax:

Base Location:

Project Required To:

Action Will Be Performed By:

Project will result in permanent site improvement?:

New or Modified Real Estate License Will Be Issued By Base?:

Descriptive Information

Purpose and Need of Action:

Scope of Preferred Alternative:

Identify Other Alternatives Considered:

Information concerning avoidance, specific best management practices, or mitigation necessary to complete the project:

Preferred and Alternative Sites

Preferred Site Description:

Action Sponsor:

Title:

SECTION II - PRELIMINARY ENVIRONMENTAL SURVEY

The project or action will:

- a. potentially affect the human environment, involve unique or unknown risks, or be scientifically controversial?:
- b. set a precedent, have significant future effects?:
- c. result in change to traffic flow patterns on - or off-base?:
- d. Increase demand on local or state governments for support services?:
- e. cause an increase or decrease in the on- or off-site base population?:
- f. require construction of government facilities and/or private housing?:

The project is within 500 feet of:

-
- a. wetland area, water body or the 100-year floodplain?:
 - b. threatened or endangered species?:
 - c. habitat of threatened or endangered species?:
 - d. an archeological site?:
 - e. culturally or historically significant sites/buildings?:

The project will:

-
- a. introduce increased air emissions (e.g. new equipment or increase in operational hours)?:
 - b. introduce new, relocated or increased hazardous material use or hazardous waste?:
 - c. result in new or increased vehicle fueling or maintenance?:
 - d. introduce new or increased aircraft flight operations?:
 - e. occur within the 'coastal zone' (within one mile of the coast)?:
 - f. involve groundwater dewatering operations?:
 - g. result in increased vehicle traffic?:

The project is within:

-
- a. 1500 feet of an installation restoration (IR) site?:
 - b. 1500 feet of an underground storage tank (UST) site?:
 - c. 500 feet of a potable or non-potable well?:
 - d. 500 feet of a hazardous waste or material storage site?:

The project will require:

-
- a. digging or grading?:
 - b. clearing or grubbing of existing vegetation?:
 - c. use of pesticides, herbicides, fungicides, rodenticide during/to maintain the installation?:
 - d. new or enlarged firebreaks (mowed, disked, or graded)?:
 - e. laydown area?:
 - d. demolition?:

The project will:

-
- a. increase water demand?:
 - b. introduce new or increased sewage or solid waste?:
 - c. result in increased gas demand?:
 - d. result in increased electrical demand?:

End of form



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
BOX 110100
BARSTOW, CALIFORNIA 92311-0100

BO 5090.2B

IN REPLY REFER TO:
5090
B500

MEMORANDUM

From: Director, Environmental Division, Marine Corps Logistics Base Barstow
To: Commanding Officer, Marine Corps Logistics Base Barstow

Subj: DECISION MEMORANDUM CATEGORICAL EXCLUSION FOR BAXXXXXX PROJECT
TITLE NEBO AND YERMO MARINE CORPS LOGISTICS BASE BARSTOW
CALIFORNIA

Ref: (a) 32 CFR 775.6(e)
(b) MCO 5090.2
(c) Base Order 5090.2B

Encl: (1) Request for Environmental Impact Review: Project Title/Name/Short Title
(2) Acknowledgement of Environmental Conditions and Requirements

1. The purpose of this Decision Memorandum is to document compliance with the categorical exclusion (CATEX) requirements of the National Environmental Policy Act (NEPA) and reference (b).
2. In accordance with reference (b), Marine Corps Logistics Base (MCLB) Barstow conducted a comprehensive review of the matters within the enclosures and similar guidance. We have found the proposed action will have no significant effect on the environment. Therefore, the action is covered by CATEX requirements of reference (b). In addition, none of the extraordinary circumstances listed in reference (a) apply.
3. Per reference (b), paragraph 030403.A, table 3-1 (35), the proposed action qualified for categorical exclusion under NEPA: (35) "Demolition, disposal, or improvements involving buildings or structures when done in accordance with applicable regulations including those regulations applying to removal of asbestos, Polychlorinated biphenyls, and other Hazardous Materials."
4. The intent of this action is to replace the existing playground and equipment at the child development center building 372. The scope of work includes demolishing and removing the existing play structure; re-grading the base; installing and compacting the class II aggregate sub-base; installing poured-in-place rubberized resilient surfacing; and providing new trike path and play structure, including a new shade structure covering the play area. Only the locations in the enclosures are covered by this CATEX.
5. The Action Proponent or their designated representative must notify the Plans and Conservation Branch by phone or email a minimum of two weeks prior to the start of actual construction activities.

ENCLOSURE (4)

Subj: DECISION MEMORANDUM CATEGORICAL EXCLUSION FOR BAXXXXXX PROJECT
TITLE NEBO AND YERMO MARINE CORPS LOGISTICS BASE BARSTOW
CALIFORNIA

6. This CATEX shall become void and further environmental review will be required to determine the appropriate NEPA documentation if:

- a. The subject action (ground-breaking, demolition, other physical activity) is not initiated within one year of the date of this document
- b. The scope of the action changes from the description provided in the submittal
- c. All conditions of this document are not complied with.

7. Should a Dig Permit be required, the request must be routed through the Environmental Division per Base Order 11010.1B. The analysis conducted in support of this Decision Memorandum may be applied by the Environmental Division to the approval of an associated Dig Permit, so long as the Memorandum remains valid in accordance with paragraph 6 above.

X. X. XXXXX

COMMANDING OFFICER DECISION:

_____ Approved

_____ Disapproved

_____ Other



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
BOX 110100
BARSTOW, CALIFORNIA 92311-0100

BO 5090.2B

IN REPLY REFER TO:
5090
B540

MEMORANDUM

From: Public Works Officer, Marine Corps Logistics Base Barstow
To: Environmental Division Director, Marine Corps Logistics Base Barstow

Subj: ACKNOWLEDGEMENT OF ENVIRONMENTAL CONDITIONS AND
REQUIREMENTS NEBO AND YERMO MARINE CORPS LOGISTICS BASE
BARSTOW CALIFORNIA

Ref: (a) 32 CFR 775.6(e)
(b) MCO 5090.2
(c) Base Order 5090.2B
(d) Decision Memorandum, Categorical Exclusion for: BAXXXXXX

1. The purpose of this Memorandum is to document compliance with the Categorical Exclusion (CATEX) requirements of the National Environmental Policy Act (NEPA), references (a), (b) and (c). The applicable environmental conditions and requirements have been defined for this project and must be implemented to meet the requirements of reference (d).

2. I have reviewed the information contained within reference (d). I acknowledge and agree to such requirements and conditions within the Decision Memorandum and its attached correspondence to include any Base Plans, Environmental Compliance and Protection Standard Operating Procedures (ECPSOPs), Environmental Standard Operating Procedures (ESOPs), etc. I agree to communicate conditions (including the incorporation of conditions into contracting documents) to personnel carrying out the proposed action. I also agree to track that the conditions are appropriately being implemented. Should the project footprint (area in which work will occur) change, project description change, conservation measures found to be unfeasible, or other related issue I, or a designated representative, shall contact the Environmental Division for further guidance.

XXXXXXXX
Project Number

(Project Title/Name/Short Title)
Project Title

Printed Name and Title

Signature

Date

ENCLOSURE (5)

APPLICABLE ENVIRONMENTAL CONDITIONS AND REQUIREMENTS

The following section summarizes the conservation measures and best management practices (BMPs) that would be incorporated into the project scope of work and contract requirements for (Project Title) at Marine Corps Logistics Base (MCLB) Barstow, California. The project work areas are limited to the sites specified in Enclosure (1). Parking, driving, and project staging of vehicles/equipment are restricted to parking lots and existing roads. All posted speed limits along paved roads shall be followed. If travel must occur on non-paved roads, vehicle speeds shall not exceed 20 miles per hour (mph).

The primary phone number to report emergencies, desert tortoise, or other wildlife sightings within MCLB Barstow boundaries is 760-577-6666 (Base Dispatch).

Conservation Measures

- (1) **Environmental Awareness Training:** Base Resources and Environmental Awareness Training is required for all personnel. The action proponent shall coordinate a time and date with MCLB Barstow Environmental Division to obtain Base Resources and Environmental Awareness Training for all personnel. Federally listed species conservation measures and cultural resources protection briefings are part of the Environmental Awareness Training.
- (2) **Migratory Bird Treaty Act:** As a federal agency, MCLB Barstow must comply with the Migratory Bird Treaty Act, which protects migrating and resident bird's active nests (i.e., nests with eggs or chicks) year-round. Generally, Migratory Bird Treaty Act regulations are more applicable during spring migration when there is an increase in bird populations. Project related activities that will cause disturbance or removal of an active nest, or that will cause a breeding bird to leave the nest for prolonged lengths of time are prohibited.
 - a. If a nest is found in the project footprint/staging area please contact MCLB Environmental Division Office at 760-577-6784 or 760-577-6161 so a Base Wildlife Biologist can determine the status of the nest activity and provide guidance on how to proceed.
 - b. Litter shall be picked up daily to prevent attracting or creating a wildlife nuisance problem. All trash and food items or other "attractive nuisances" shall be promptly contained within closed containers to prevent scavenging by birds, rodents, and canids (e.g., dog, fox, and coyote).
- (3) **Endangered Species Act:** As a federal agency, MCLB Barstow must comply with the Endangered Species Act. MCLB Barstow has suitable and designated habitat for the federally threatened desert tortoise (*Gopherus agassizii*) at the range complex. If a desert tortoise is found, personnel shall immediately contact MCLB Barstow Dispatch at 760-577-6666.

a. Personnel shall exercise care while driving and shall stop vehicles should a desert tortoise be found on the road. Personnel shall not attempt to drive around or off-road to avoid the tortoise.

b. Handling, harming, or harassing federally listed species without specific authorization of the Endangered Species Act is prohibited. Unauthorized personnel shall not handle, move, or touch any desert tortoises. Report all violations to MCLB Barstow Dispatch at 760-577-6666.

(4) Stormwater Management: Routine repairs and maintenance activities are not considered a construction activity under the General Permit for Discharges of Stormwater Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ) from the State Water Resources Control Board (SWRCB). Stormwater Best Management Practices (BMPs) shall be implemented where applicable to prevent inadvertent runoff of contaminants, such as petroleum products and hazardous materials, from entering stormwater drains or canals. Implementation of BMPs ensure that stormwater discharges are in compliance with discharge prohibitions, effluent limitations, and receiving water limitations specified in the State Water Resources Control Board (SWRCB) Water Quality Order No. 97-03-DWQ, NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities (General Permit). The contractor will be required to implement all appropriate BMPs for erosion and sedimentation control.

a. Stormwater BMP measures to reduce transport of pollutants requires all equipment and materials to be elevated a minimum of 2-inches above ground and be adequately covered to prevent or minimize direct contact with rain/stormwater and surface water flows to reduce pollutants (e.g., oil and fluids) from entering the Base's stormwater conveyance system (e.g., channels, canals, and discharge points).

b. On-site disposal of potable water to the ground surface would potentially occur during the flushing of valves and water main fittings. This release of potable water into the stormwater conveyance system for water system flushing and testing is an allowable discharge under the Industrial General Permit. The contractor will coordinate with the Base utility manager during the flushing of valves and water main fittings.

(5) Excess Material Disposal:

a. All construction and demolition debris generated by the project shall be appropriately identified, handled, and disposed of in accordance with federal, state, and local regulations.

b. At least 50 percent of the construction and demolition debris generated from the project shall be diverted from the landfill through recycling or reuse to comply with Executive Order (EO) 13514 and Department of Defense (DoD) Strategic Sustainability Performance Plan (SSPP) Sub-Goals 5.2 and 5.3. All recyclable materials shall be turned into the MCLB Recycling Facility.

c. Any dirt temporarily removed shall remain within the project footprint.

(6) Hazardous Materials:

a. The removal, disposal, and use of hazardous materials shall conform to all federal, state, and local agency regulations. The action proponent, or their contractor, is responsible for their own hazardous material accidents in accordance with federal, state, and local regulations including clean up and associated costs. If a spill occurs, the contractor shall immediately contact MCLB Barstow Dispatch at 760-577-6666. Within 24 hours, the contractor shall remove the spillage and restore the area to the condition that existed prior to the spill.

(7) Utilities:

a. The contractor shall dig with caution. A dig permit shall be obtained as appropriate for the project, which will provide the location of existing utility lines in relation to the location of the routine repair or maintenance activity. In the event a water or electrical line is ruptured, the contractor shall immediately contact MCLB Barstow Dispatch at 760-577-6666.

(8) Air Quality: Equipment use and activities proposed as part of the project shall comply with all federal, state, and local air quality regulations. This includes, but is not limited to: Mojave Desert Air Quality Management District permitting requirements; Airborne Toxic Control Measure (ATCM) requirements for fleet equipment; and anti-idling requirements for diesel vehicles/equipment.

a. Engines shall not be left idling more than 5 minutes.

b. Generators shall meet ATCM Section 93115, Title 17, California Code of Regulations requirements.

c. Generators or equipment used on-site that require permits, shall have permits displayed.

d. If a generator or any equipment with an internal combustion engine is to be used without a permit, it shall not be greater than 49 brake horsepower (BHP) (36.5 kilowatt [kW]). Any equipment exceeding that threshold shall require a permit.

e. The contractor shall comply with Mojave Desert Air Quality Management District Rule 403.2, Fugitive Dust Control for the Mojave Desert Planning Area.

f. All paints, adhesives, and coatings must comply with the Mojave Desert Air Quality Management District Rules 1113 and 1114 for Volatile Organic Compounds (VOC). VOC content must not exceed 250 grams/liter. Paint Material Data Safety Sheets (MSDS) shall be provided to MCLB Barstow Environmental Division for review and approval prior to purchase.

g. All contemplated activities will not either individually or cumulatively exceed those permitted by applicable state or federal permits.

(9) Cultural Resources: As a federal agency, MCLB Barstow must comply with the National Historic Preservation Act. The project would be considered an undertaking as defined by the National Historic Preservation Act (36 Code of Federal Regulations [CFR] 800.16[y]). No ground disturbing activities outside existing utility corridors are authorized as part of the project. Because ground disturbance will be strictly limited to disturbed soils within existing utility corridors and building repairs/maintenance activities will be conducted in accordance with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings, there is little potential to cause effects on historic properties.

a. In the event cultural resources are inadvertently discovered during ground disturbing activities, work shall stop in the immediate vicinity of the discovery and the area shall be protected from further disturbance. The contractor shall immediately contact MCLB Barstow Dispatch at 760-577-6666.

b. All activities shall be conducted in accordance with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings (codified in 36 CFR Section 67), ensuring repairs to buildings or structures shall be done with appropriate designs, materials, and methods of construction.

- i. All roofs and gutters shall be repaired with the same material that matches the existing material, color, and form (i.e., "in-kind" replacement).
- ii. Synthetic materials shall not be used if original material types are available.
- iii. No new gutters shall be installed.
- iv. The original architectural characteristics of the building or structure shall be maintained.

(10) Environmental Management System (EMS)/Sustainability: Construction activities shall be performed in accordance with DOD and United States Marine Corps (USMC) sustainability policies, MCLB Barstow Environmental Management Programs, the MCLB Barstow Environmental Management System (EMS), and shall conform to federal, state, and local environmental regulations. All construction personnel shall be aware of their responsibilities as identified by the MCLB Barstow EMS.

(11) General Best Management Practices:

a. All equipment and vehicles shall be kept in good condition and properly maintained to ensure there are no leaks. If a leak occurs, the contractor shall immediately contact MCLB Barstow Dispatch at 760-577-6666. In the event leaks are detected, spill kits shall be used immediately for clean up. Any waste shall be disposed of at an authorized disposal point.

b. To prevent drippage and contamination of soils and water all vehicles/equipment used must be inspected daily and properly maintained to ensure that they do not leak or discharge on to the ground. Vehicles/equipment that are found to have leaks shall have an appropriately anchored and sized drip pan or collection system placed under them to collect the spillage.

c. Oil or fluids from vehicles and/or equipment shall not be emptied onto the ground or into any stormwater conveyance system or ditch. Oils or fluids shall be contained and removed from the site and properly disposed of at an authorized disposal point.

d. Equipment repairs shall be performed in such a manner to minimize spills or excess accumulation of materials that could be discharged into any ditch, onto the ground, or into a stormwater conveyance system.

e. Parking will be staged in parking lots or existing paved areas.

f. Fueling and equipment maintenance shall occur within existing paved areas.

g. All activities shall be conducted to minimize interference with or disturbance of wildlife species and their habitat. Killing of wildlife or removal of plants without authorization is not allowed.

h. Environmentally safe chemicals and substances shall be used to the extent feasible.



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
BOX 110100
BARSTOW, CALIFORNIA 92311-0100

IN REPLY REFER TO:
5090
B520

MEMORANDUM

Subj: NONCATEGORICAL EXCLUSION PROJECT TITLE NEBO AND YERMO
MARINE CORPS LOGISTICS BASE BARSTOW CALIFORNIA

1. On day Month Year, a Request for Environmental Impact Review (REIR) was submitted into NEPA PAMS.
2. The following was placed into the REIR: Below is an Example
 - a. The exit doors of the warehouse need to be illuminated so that personal working or in the warehouse can find the exits in a normal or emergency situations.
 - b. OSHA requires that "each exit route be adequately lighted so that an employee with normal vision can see along the exit route". 1910.37(b)(1)
 - c. OSHA also requires that "each exit must be clearly visible and marked by a sign reading "EXIT". 1910.37(b)(2)
3. It was determined that as long as there is no digging or structural changes to occur, this does not appear to be major federal action under NEPA (40 CFR 1508.18). No CATEX would be required. IF they need to dig or alter the structure, which might require regulation, then we'll need to discuss further. Public Works was also advised to be aware of any hazardous materials. Any changes to project scope, then Environmental Operations NEPA Coordinator would need to see update project.
4. Public Works was advised to proceed with project, and that the project would be left in NEPA PAMS as reference.
5. The Point of Contract for this Memorandum is the undersigned at 760-577-6318.

X. X. XXXXX

Copy to:
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ENCLOSURE (6)