AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

SUBCHAPTER K—ENVIRONMENTAL QUALITY

PART 651—ENVIRONMENTAL ANALYSIS OF ARMY ACTIONS (AR 200–2)

Subpart A—Introduction

Sec.
651.1 Purpose.
651.2 References.
651.3 Explanation of abbreviations and terms.
651.4 Responsibilities.
651.5 Army policies.
651.6 NEPA analysis staffing.
651.7 Delegation of authority for non-acquisition systems.
651.8 Disposition of final documents.

Subpart B—National Environmental Policy Act and the Decision Process

651.9 Introduction.
651.10 Actions requiring environmental analysis.
651.11 Environmental review categories.
651.12 Determining appropriate level of NEPA analysis.
651.13 Classified actions.
651.14 Integration with Army planning.
651.15 Mitigation and monitoring.
651.16 Cumulative impacts.
651.17 Environmental justice.

Subpart C—Records and Documents

651.18 Introduction.
651.19 Record of environmental consideration.
651.20 Environmental assessment.
651.21 Finding of no significant impact.
651.22 Notice of intent.
651.23 Environmental impact statement.
651.24 Supplemental EAs and supplemental EISs.
651.25 Notice of availability.
651.26 Record of decision.
651.27 Programmatic NEPA analyses.

Subpart D—Categorical Exclusions

651.28 Introduction.
651.29 Determining when to use a CX (screening criteria).
651.30 CX actions.
651.31 Modification of the CX list.

Subpart E—Environmental Assessment

651.32 Introduction.
651.33 Actions normally requiring an EA.
651.34 EA components.
651.35 Decision process.
651.36 Public involvement.
651.37 Public availability.
651.38 Existing environmental assessments.
651.39 Significance.

Subpart F—Environmental Impact Statement

651.40 Introduction.
651.41 Conditions requiring an EIS.
651.42 Actions normally requiring an EIS.
651.43 Format of the EIS.
651.44 Incomplete information.
651.45 Steps in preparing and processing an EIS.
651.46 Existing EISs.
FIGURES 4–8 TO SUBPART F OF PART 651

Subpart G—Public Involvement and the Scoping Process

651.47 Public involvement.
651.48 Scoping process.
651.49 Preliminary phase.
651.50 Public interaction phase.
651.51 The final phase.
651.52 Aids to information gathering.
651.53 Modifications of the scoping process.

Subpart H—Environmental Effects of Major Army Action Abroad

651.54 Introduction.
651.55 Categorical exclusions.
651.56 Responsibilities.
APPENDIX A TO PART 651—REFERENCES
APPENDIX B TO PART 651—CATEGORICAL EXCLUSIONS
APPENDIX C TO PART 651—MITIGATION AND MONITORING
APPENDIX D TO PART 651—PUBLIC PARTICIPATION PLAN
APPENDIX E TO PART 651—CONTENT OF THE ENVIRONMENTAL IMPACT STATEMENT
APPENDIX F TO PART 651—GLOSSARY

AUTHORITY: 42 U.S.C. 4321 *et seq.;* 40 CFR Parts 1500–1508; E.O. 12114, 44 FR 1957, 3 CFR, 1979 Comp., p. 356.

SOURCE: 67 FR 15291, Mar. 29, 2002, unless otherwise noted.

Subpart A—Introduction

§ 651.1 Purpose.

(a) This part implements the National Environmental Policy Act of 1969 (NEPA), setting forth the Army's policies and responsibilities for the early integration of environmental considerations into planning and decision-making.

(b) This part requires environmental analysis of Army actions affecting human health and the environment; providing criteria and guidance on actions normally requiring Environmental Assessments (EAs) or Environmental Impact Statements (EISs), and listing Army actions that are categorically excluded from such requirements, provided specific criteria are met.

(c) This part supplements the regulations of the Council on Environmental Quality (CEQ) in the Code of Federal Regulations (CFR) (40 CFR parts 1500–1508) for Army actions, and must be read in conjunction with them.

(d) All Army acquisition programs must use this part in conjunction with Department of Defense (DOD) 5000.2–R (Mandatory Procedures for Major Defense Acquisition Programs and Major Automated Information Systems).

(e) This part applies to actions of the Active Army and Army Reserve, to functions of the Army National Guard (ARNG) involving federal funding, and to functions for which the Army is the DOD executive agent. It does not apply to Civil Works functions of the US Army Corps of Engineers (USACE) or to combat or combat-related activities in a combat or hostile fire zone. Operations Other Than War (OOTW) or Stability and Support Operations (SASO) are subject to the provisions of this part as specified in subpart H of this part. This part applies to relevant actions within the United States, which is defined as all States; the District of Columbia; territories and possessions of the United States; and all waters and airspace subject to the territorial jurisdiction of the United States. The territories and possessions of the United States include the Virgin Islands, American Samoa, Wake Island, Midway Island, Guam, Palmyra Island, Johnston Atoll, Navassa Island, and Kingman Reef. This regulation also applies to actions in the Commonwealths of Puerto Rico and the Northern Marianas, the Republic of the Marshall Islands, and the Federated States of Micronesia and Palau (Republic of Belau). In addition, this part addresses the responsibility of the Army for the assessment and consideration of environmental effects for peacetime SASO operations worldwide. Throughout this part, emphasis is placed upon quality analysis of environmental effects, not the production of documents. Documentation is necessary to present and staff results of the analyses, but the objective of NEPA and Army NEPA policy is quality analysis in support of the Army decision maker. The term ''analysis'' also includes any required documentation to support the analysis, coordinate NEPA requirements, and inform the public and the decision maker.

§ 651.2 References.

Required and related publications and referenced forms are listed in Appendix A of this part.

§ 651.3 Explanation of abbreviations and terms.

Abbreviations and special terms used in this part are explained in the glossary in Appendix F of this part.

§ 651.4 Responsibilities.

(a) *The Assistant Secretary of the Army (Installations and Environment) (ASA(I&E))*. ASA(I&E) is designated by the Secretary of the Army (SA) as the Army's responsible official for NEPA policy, guidance, and oversight. In meeting these responsibilities, ASA(I&E) will:

(1) Maintain liaison with the Office of the Secretary of Defense (OSD), Office of Management and Budget (OMB), Council on Environmental Quality (CEQ), Environmental Protection Agency (EPA), Congressional oversight committees, and other federal, state, and local agencies on Army environmental policies.

(2) Review NEPA training at all levels of the Army, including curricula at Army, DOD, other service, other agency, and private institutions; and ensure adequacy of NEPA training of Army personnel at all levels.

(3) Establish an Army library for EAs and EISs, which will serve as:

(i) A means to ascertain adherence to the policies set forth in this part, as well as potential process improvements; and

(ii) A technical resource for proponents and preparers of NEPA documentation.