

**DEPARTMENT OF DEFENSE****Department of the Army****Environmental Impact Statement for the Relocation of the U.S. Army Chemical School and the U.S. Army Military Police School to Fort Leonard Wood, Missouri—Record of Decision**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of record of decision.

**Table of Contents**

1. Decision
2. Proposed Action
3. Alternatives
4. Selection of the Army's Preferred Alternative
5. Impacts and Mitigation Commitments
6. Conclusion

**1. Decision**

In my capacity as the Assistant Secretary of the Army for Installations, Logistics and Environment, and based on the analysis contained in the Final Environmental Impact Statement (FEIS) for the Relocation of the U.S. Army Chemical School and the U.S. Army Military Police School and their associated units and support elements to Fort Leonard Wood (FLW), Missouri, I have determined the FEIS adequately assesses the impacts of the proposed action and related alternatives on the biological, physical, and cultural environment. Therefore, in accordance with the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, the Army will proceed with construction of facilities at FLW to support the relocation of the Chemical School and Military Police School and shall relocate the schools, their associated units and support elements, and associated personnel to FLW in accordance with the Army's Preferred Alternative and the general implementation schedules described in the FEIS.

The Defense Base Closure and Realignment Act of 1990 (1990 Base Closure Act), Public Law 101-510, requires the closing of Fort McClellan (FMC), Alabama, and the relocation of the Chemical School and Military Police School to FLW. In addition, the 1990 Base Closure Act requires the Chemical Defense Training Facility (CDTF) to continue to operate at FMC until the capability to operate a replacement facility at FLW has been achieved.

The 1990 Base Closure Act also exempts the Commission's decision-making process from provisions of the National Environmental Policy Act (NEPA). The law also relieves the Department of Defense (DoD) from the NEPA requirement to consider the need

for closing, realigning or transferring functions, and from looking at alternative installations to close or realign. However, the Department of the Army must evaluate the environmental impact of implementing actions that are necessary to relocate specified missions and operations. The environmental and socioeconomic impacts of facility construction and future training and operations must be analyzed and documented. Therefore, my decision to approve implementation was based on consideration of whether or not the Army has adequately considered the environmental effects of implementing the relocation decision. In addition, my review considered whether the Army has developed and considered an alternative to avoid or minimize environmental impacts and has or will comply with all environmental laws and regulations during the implementation. The Army will conduct fog oil training within the constraints of the existing Missouri Department of Natural Resources Air Quality Permit #0695-010, or other permits in existence at the time the training takes place, until such time a permit is issued that will accommodate the full implementation of the preferred alternative.

My decision considered: the mitigation commitments outlined in the FEIS; transcripts of the scoping meeting; the public hearing on the Draft EIS; all written comments received during the public comment and the 30-day post-filing periods; and the National Academy of Sciences Committee report (see paragraph 5.14). In addition, I have considered the results of continued coordination with interested federal, state and local agencies and public interest groups in making my decision.

I have reviewed the FEIS for the Relocation of the U.S. Army Chemical and the U.S. Army Military Police Schools to Fort Leonard Wood, Missouri, and associated correspondence received in response to coordination of this document, and have decided that the plan as recommended in the FEIS should be executed and that the construction associated with the proposed action should proceed. I find the plan outlined in the Executive Summary of the FEIS to be technically sound, environmentally sustainable, socially and economically acceptable, and in agreement with the 1990 Base Closure Act. Any new or additional missions will be evaluated in compliance with NEPA and all other federal, state, and local laws and regulations prior to deciding to implement at FLW.

**2. Proposed Action**

The proposed action is described in the FIS in the context of three primary elements including: (1) Training missions to be relocated to FLW; (2) facilities required to support the relocated missions; and (3) the population to be relocated to FLW as a result of the action. The Military Police School and the Chemical School have the mission to provide education and training of selected U.S. military, foreign military and civilian personnel. Chemical School students are trained to detect and identify Nuclear, Biological and Chemical (NBC) agents; protect themselves and others from harm caused by NBC agents; employ smoke and other obscurants to increase soldier combat effectiveness and survivability; and construct and detonate flame field expedient deterrents to protect our troops in battle. Military Police School students are trained in traditional police functions as well as specialized military operations such as battlefield circulation, area security, and prisoner-of-war handling.

The action also includes relocation of units and missions to FLW that are required to support the Chemical School and Military Police School. All activities evaluated in the FEIS are considered "directed relocations" which are specifically identified by, or required to implement, the 1990 Base Closure Act requirements. Additional facilities (buildings, specialized training facilities, and designated training land areas) are required at FLW to meet the needs of the Chemical School and Military Police School. Implementation of the action results in completion of approximately \$200 million in military construction projects, and an increase of approximately 9,000 persons, including permanent party military personnel and dependent family members, military and civilian student trainees, and civilian employees.

**3. Alternatives**

In accordance with NEPA and Council for Environmental Quality (CEQ) regulations, the Army developed and evaluated a reasonable range of alternatives for implementing the mandated BRAC at FLW. Alternatives were developed for each of the primary elements of the action including relocation of training missions, provisions of required support facilities, and relocation of related personnel. A summary of alternatives considered in the FEIS is provided below.

### 3.1 Training Alternatives

The FEIS alternatives formulation process was initiated with a review of over 70 Programs of Instruction (POIs) that define training activities of the Chemical School and Military Police School. Training activities were grouped into 11 categories, which included a total of 43 specific training goals. The EIS team then identified and considered a total of 204 training method alternatives for accomplishing these training goals at FLW. Volume IV of the FEIS provides information regarding alternative training methods considered, and the rationale that led to selection of those methods to be analyzed in detail in the FEIS. This alternative formulation process resulted in further consideration of a No Action Alternative, and three training goal implementation alternatives. The training implementation alternatives included the: 1) Relocate Current Practice (RCP) Alternative; 2) Optimum Training Method (OPTM) Alternative; and 3) Environmentally Preferred Training Method (EPTM) Alternative.

Analysis of the No Action Alternatives as it relates to the training element of the FEIS considered the impact of not implementing individual training goals associated with the Chemical School and Military Police School missions. Failing to implement any of the 43 training goals identified and considered in the FEIS was not reasonable because training in each of these goals is essential to meeting mission requirements. Therefore, the No Action Alternative is not evaluated in detail in the FEIS. However, the No Action Alternative (the continuation of ongoing and planned (pre-BRAC) activities at FLW) is used as the environmental baseline against which the impacts of each training implementation alternative were evaluated.

The RCP Alternative evaluates relocating all training methods to FLW as they are currently (at the time of the BRAC decision) conducted at FMC. The training methods defined in the RCP create a baseline against which the alternative methods were evaluated. The OPTM Alternative was formulated to identify and evaluate the impact of implementing training methods which best met a combination of initial environmental and training/operating efficiency screening criteria as documented in Volume IV of the FEIS. The EPTM Alternative was formulated to evaluate the impact of implementing the combination of training methods which received the highest score based

solely on consideration of environmental screening criteria.

### 3.2 Supporting Facility Alternatives

Implementation of the planned BRAC action at FLW will require facilities to support the training requirements of the relocated schools and to support the housing, administrative and support requirements of increased personnel. The Army's analysis for this action included a detailed review of facility requirements for all activities. This process resulted in identification of Chemical School and Military Police School facility requirements in excess of 1.6 million square feet of space and numerous range and training area requirements. Detailed analysis of existing facilities at FLW resulted in identification of approximately 800,000 square feet of existing facility space that could be used to meet approximately half of the relocation requirements. This left a shortfall of an additional 800,000 square feet of facility space that must be met through new construction.

The FEIS documents the rationale for consideration of a No Action Alternative and three facility implementation alternatives. Each of the implementation alternatives included a unique BRAC Land Use and Facility Plan (LU&FP) which identified modifications to FLW's existing approved land use plan required to meet needs of the relocated schools, and a facility construction program which identified the type, extent, and location of facility development associated with each alternative.

Under the No Action Alternative for this study element, FLW would continue to implement its pre-BRAC land use and facility development plan, but no new facilities would be provided in response to BRAC actions. The analyses documented in the FEIS, demonstrates that FLW can support approximately 50 percent of the identified requirements, and that opportunities to lease space off-post are very limited. None of the specialized training facilities such as the Chemical Defense Training Facility, radiation laboratory, crime scenes and other unique facilities for the two schools are available. Therefore, since BRAC legislation directs the relocation, the No Action Alternative is not reasonable, and, therefore, is not analyzed in further detail in the FEIS, other than to serve as an environmental baseline against which the impacts of each facilities implementation alternative are evaluated.

The "Army's Proposed LU&FP (Combined Headquarters and Instruction) Alternative" locates the

headquarters for the three schools (existing Engineer School at FLW, and the Military Police School and Chemical School to be relocated) in Hoge Hall, Lincoln Hall and a new General Instruction Facility (GIF) complex. The "Alternative 1 LU&FP (Combined Headquarters)" is based on the concept of collocating the headquarters for each of the three schools (existing Engineer School at FLW and both schools to be relocated) in Hoge Hall and Lincoln Hall. However, three separate "school houses" would be provided, thereby allowing the individual specialty branches to retain more autonomy. The "Alternative 2 LU&FP (Separate Headquarters)" would locate the headquarters for the Chemical School and the Military Police School in separate buildings, but would consolidate general instruction and library facilities in the "800-area" of the FLW post. The Engineer School would remain in Hoge, Lincoln and Clark halls.

### 3.3 Population Relocation Alternatives

The third and final element of the alternative formulation process involved consideration of the population to be relocated to FLW as a result of the proposed action. The action is expected to result in a total population increase of approximately 9000 persons to the FLW area, including permanent party military personnel and their dependent family members, military and civilian student trainees, and civilian employees. The FEIS considered a No Action Alternative and three implementation alternatives for this element including a: (1) Total Early Move Alternative; (2) Total Late Move Alternative; and (3) Phased Move Alternative.

The FEIS concludes the No Action Alternative, as it applies to relocation of personnel, is not reasonable. However, the No Action Alternative was used to compare population conditions and related impacts at the current (pre-BRAC) level at FLW, to those expected to occur under each of the BRAC action implementation scenarios. Regarding the three implementation alternatives, the FEIS concludes the Total Early Move and Total Late Move alternatives were not reasonable because they resulted in facility utilization problems and disruption of ongoing training programs. Accordingly, all implementation scenarios considered in detail in the FEIS are based on the Phased Move Alternative. The Phased Move Alternative would involve relocation of personnel (and related missions and equipment) on a phased schedule. This phrasing is expected to occur over a period of approximately 9

months, tied to the availability of renovated or new facilities and completion of training classes at FMC, and startup of the relocated classes at FLW.

#### 4. Selection of the Army's Preferred Alternative

In accordance with CEQ regulations (40 CFR 1505.2), the FEIS and this ROD identify the Army's Preferred Alternative which includes implementation of (1) the Optimum Training Method (OPTM) Alternative; (2) the Army's Proposed LU&FP (Combined Headquarters and Instruction) Alternative; and (3) the Phased Move Alternative. As stated above, the Army determined that the only reasonable method for relocating the personnel associated with the Chemical School and the Military Police School was as described under the Phased Move Alternative. Therefore, that element is part of the Army's preferred method for implementing the total action. The rationale for the selection of the Army's Preferred Alternative relative to the training missions to be relocated and required support facilities is summarized below, and further documented in the FEIS.

##### 34.1 Training Element Decision

For the training element of the proposed action, the FEIS impact analysis documents that the RCP Alternative would result in substantially higher adverse environmental impacts (taken as a whole) than either the OPTM Alternative or the EPTM Alternative, and that the RCP Alternative would result in a lower level of training effectiveness than the OPTM Alternative. Therefore, the RCP Alternative was dropped from further consideration prior to completion of the cumulative impact analysis section of the FEIS. This focused the decision on how to conduct training at FLW between the OPTM and EPTM alternatives.

The analysis indicates selection of the EPTM Alternative would reduce the annual quantity of fog oil used, thereby reducing the extent of impacts on the environment (including some reduction in the degree of impact to air quality and threatened and endangered species). However, significant adverse impacts to both air quality and threatened and endangered species may still occur under both the OPTM and EPTM alternatives, and the nature and extent of mitigation required under the OPTM and EPTM alternatives are very similar. Furthermore, implementation of the EPTM Alternative would reduce the overall training effectiveness relative to

the OPTM Alternative in six of 43 training goals as discussed in the FEIS. The most significant reduction in training effectiveness under the EPTM Alternative would be associated with Training Goal 7.4 (Fog Oil Training Field Proficiency Test), where the reduced levels of fog oil usage would result in soldiers that are not as highly trained under realistic field conditions as the OPTM Alternative provides. Proficiency in deployment and maintenance of smoke screen cover over specified areas under battlefield conditions is critically important to the successful performance of certain military missions, and to protect our troops and defend our national interests and those of our allies. In consideration of these factors, and all other information provided by the FEIS analysis, I selected the OPTM Alternative as the preferred method of implementing training activities to be conducted by the Chemical School and the Military Police School at FLW.

##### 4.2 Supporting Facility Element Decision

The FEIS analysis revealed the environmental impacts of the Alternative 2 LU&FP (Separate Headquarters) were clearly more adverse than either the Army's Proposed LU&FP (Combined Headquarters and Instruction) or the Alternative 1 LU&FP (Combined Headquarters). Furthermore, the Alternative 2 LU&FP did not provide any significant operational advantages over the other two alternatives. Therefore, the Alternative 2 LU&FP was dropped from further consideration prior to completion of the cumulative impact analysis section of the FEIS. The analysis also showed that the Army's Proposed LU&FP (Combined Headquarters and Instruction) has less overall adverse environmental impacts than the Alternative 1 LU&FP. In addition, the FEIS analysis documents that the Army's Proposed LU&FP (Combined Headquarters and Instruction): (1) is the most effective plan with regard to utilization of existing available facilities at FLW to meet requirements; (2) has the lowest construction cost of any of the implementation alternatives; (3) provides the highest degree of collocation of similar facilities; (4) provides the greatest long-term operational cost savings; and (5) provides the highest potential for synergistic training activities at FLW. In consideration of these factors, and all information provided by the FEIS analysis, I selected the Army's Proposed LU&FP (Combined Headquarters and Instruction) as the preferred method for

providing facilities required to support the relocation of the Chemical School and the Military Police School to FLW.

#### 5. Impacts and Mitigation Commitments

Fifteen natural, cultural, sociological, and economic resource categories, plus a category to consider the operational efficiency of planned actions, were established to provide a framework for identifying baseline conditions and determining the impact of alternatives in the FEIS. A summary of the type and extent of impacts anticipated as a result of implementing the Army's Preferred alternative at FLW is provided below for each analysis category. Impacts discussed represent the cumulative impact of implementing all elements of the Army's Preferred Alternative, in association with past, present, and reasonably foreseeable future actions as discussed in detail in the FEIS. Where appropriate, this subsection of the ROD identifies mitigation measures that will be taken by the Army to avoid or minimize adverse environmental impacts.

Several of the following impact discussions will refer to Volume III, Appendix K (Summary of Monitoring Programs) which documents the intent of monitoring programs that will be implemented by FLW to ensure impacts associated with the Army's Preferred Alternative are consistent with those predicted in the FEIS and in full compliance with applicable laws, regulations and permit conditions. Specifically, Appendix K describes monitoring program elements, associated adaptive management strategies, and compliance schedules for six distinct monitoring programs including: (1) Air Quality; (2) Soils and Vegetation; (3) Human Health; (4) Endangered Species; (5) Biological Indicators; and (6) Water Quality.

##### 5.1 Land Use and Training Areas

The FEIS concludes implementation of the Army's Preferred Alternative will not require change in the previously approved land use pattern for the non-cantonment training areas at FLW. Existing non-cantonment training areas will remain in use for training, and no additional areas will be converted to this land use, although the type of training conducted at several of the training areas will change. All such changes are compatible with adjacent training activities. Implementation will result in some adjustments to the existing land use plan within the FLW cantonment area. However, these changes are minimal in relation to the total land area involved, and each of

these changes will result in improved functional relationships and efficiency of post operations. The action will also modify existing off-post land use patterns associated with development of additional civilian residential and commercial activities in areas surrounding FLW.

#### *Land Use and Training Area Impact Mitigation Commitments*

None of the land use or training area impacts identified in the FEIS are significant, and no mitigation is required. The Army will construct BRAC related facilities and conduct related training and support operations in full compliance with the existing installation Master Plan, and those modifications to the Master Plan described as part of the Army's Preferred Alternative.

#### *5.2 Air Quality*

Recognizing that environmental agencies and members of the public are concerned about impacts of proposed fog oil obscurant training on the air quality within and around FLW, the Army conducted an in-depth evaluation of this issue and has fully documented the results in the FEIS. The FEIS air quality analysis was modified, in response to comments received on the Draft EIS, to clarify several issues and to provide additional details concerning impacts on air quality. This additional information is presented in subsections 5.2.2.3 and 5.5.5 of the FEIS, Appendix J (Air Permit #0695-010) to Volume III of the FEIS, and in a separate "Air Quality Technical Reference Document: Relocation of the US Army Chemical School and US Army Military Police School to Fort Leonard Wood, Missouri," which was included in each of the 11 public repositories identified in the FEIS.

Due to the quantity of air emissions associated with the planned fog oil obscurant training activities, the action is subject to permit review in compliance with 40 CFR Part 51 and Missouri State Rule 10 CSR 10-6.060. Full implementation of the Army's Preferred Alternative for fog oil obscurant training requires the use of up to 84,500 gallons of fog oil per year and up to 1,200 gallons per day. Review of subsection 5.5.3.3.2 (and other air quality subsections of the FEIS) indicate that, based on conservative assumptions for modeling, full implementation of the action would result in exceeding the National Ambient Air Quality Standards (NAAQS) for 24-hour PM-10 (see subsection 5.5.3.3.2 for details). Mitigation is thus required to comply with the NAAQS and the terms of the

existing Missouri Department of Natural Resources (MDNR) Air Quality Permit #0695-010 for fog oil training at FLW. Fog oil training will be constrained to the level allowed by the permits in existence at the time the training occurs. Procedures to be used to ensure the general public is not exposed to air which does not meet the National Ambient Air Quality Standards because of fog oil training are described in subsection 5.2.2.15.B of Volume I of the FEIS and Appendix K of the FEIS.

The cumulative impact analysis included in the FEIS quantifies the level of mitigation (through reductions in the quantity of fog oil to be used) necessary to reduce PM-10 air quality impacts to acceptable levels. The FEIS demonstrates that implementation of the Army's Preferred Alternative, with fog oil training reduced to conditions and use limits established by the current MDNR Air Permit #0695-010 (as included in Appendix J, Volume III of the FEIS), will comply with the National Ambient Air Quality Standards for PM-10.

Because the implementation of fog oil training at the mitigated (existing MDNR Air Quality Permit #0695-010) level does not provide the level of training considered optimum by the U.S. Army Chemical School, the FEIS states that FLW intends to pursue a new or revised air permit with MDNR after evaluating the assumptions used for the air dispersion model in conjunction with site-specific (within and immediately adjacent to FLW) meteorological data that is currently being collected. The revised permit application may request consideration to use fog oil quantities up to the maximum levels specified under full implementation (non-mitigated) of the Army's Preferred Alternative (up to 84,500 gallons per year and up to 1,200 gallons per day). Any such permit renewal process will be subject to full disclosure and comment per the conditions and procedures established by MDNR. Additional details regarding the cumulative impact analysis and other factors relating to the air permitting process are fully documented in subsection fog 5.5.3.3.3 of the FEIS, and in the separate air quality technical reference document as referenced above.

#### *Air Quality Impact Mitigation Commitments*

Until a new or revised air permit is issued by Missouri Department of Natural Resources, the Army will comply with and adhere to annual and daily fog oil use levels specified in the existing MDNR Air Quality Permit #0695-010 (65,000 gallons per year and

approximately 481 gallons per day) and comply with all terms and conditions established in the existing MDNR Air Quality Permit #0695-010 including air monitoring. The air quality monitoring plan includes three types of monitoring activities: (1) Ambient air quality monitoring of PM-10 and ozone; (2) meteorological monitoring; and (3) smoke movement monitoring.

Ambient air quality and meteorological monitoring will be conducted using a network of nine monitoring stations located on and near FLW. This network include four previously established stations that are only used to collect meteorological data. In addition, five meteorological and ambient air monitoring stations have been added at FLW (one at each of the four fog oil obscurant training areas, and a fifth at Forney Army Airfield). Meteorological and air quality monitoring will be conducted for at least 2 years prior to initiation of fog oil training at FLW to establish baseline conditions, and will continue for at least 2 years after fog oil training is initiated at FLW. Smoke movement monitoring will be conducted during mobile and field fog oil training exercises to ensure that training will comply with the National Ambient Air Quality Standards for PM-10. Additional details regarding the air quality monitoring plan and related adaptive management response is provided in Appendix K (subsection K.4.1, Volume III) of the FEIS.

Fort Leonard Wood will develop and implement a Public Awareness Program (as defined in Appendix L, Volume III of the FEIS) to inform the general public of potential health risks associated with exposures to fog oil. FLW will continue to adhere to established policies and procedures that are designed to ensure that the general public does not enter active training ranges, including those lands to be used to support future smoke training activities. Procedures to be used to ensure that the general public does not enter active smoke training ranges are described in subsection 5.2.2.15.A of the FEIS and include: (1) establishment of appropriate safety zones adjacent to smoke training areas; (2) daily patrols of all closed or restricted training areas and related safety zones to ensure that no unauthorized persons enter these areas; and (3) appropriate signs along with physical barriers (such as gates or cables) on roads leading into training areas.

#### *5.3 Noise*

Elements of the Army's Preferred Alternative that result in direct and indirect effects to noise include: (1) Expansion of the amount of exterior

training activities, including the amount of ammunition, grenades and explosives to be used; (2) expansion of aircraft operations in and near Forney Army Airfield; and (3) noise associated with the construction of BRAC related construction projects. The FEIS concludes that the impacts of these activities, in association with other past, present and reasonably foreseeable future actions that could influence noise levels, are not expected to exceed significance criteria.

#### *Noise Impact Mitigation Commitments*

No mitigation is required. However, continued coordination between the installation and the Regional Commerce and Growth Association in Pulaski County and adjacent cities will help to ensure that noise sensitive land uses are avoided in those limited off-post areas that have previously been (as a result of current, baseline operations at FLW) and are expected to continue to be exposed to adverse noise levels.

#### *5.4 Water Resources*

Under this evaluation category, the FEIS considers the potential for impacts to regulatory flood plains, surface water and groundwater resources. The FEIS concludes that implementation of the Army's Preferred Alternative will not result in any adverse impact to regulatory flood plains within or beyond the FLW boundaries. The FEIS notes that the action may result in minor adverse cumulative impacts to surface water quality within FLW boundaries; and that minor, adverse impacts may occur as a result of sediment-laden surface water flowing into karst features (sinkhole and related rock fractures and openings that allow for rapid groundwater movement) that occur within installation boundaries. However, implementation of numerous specific surface water/sediment control projects (including the construction of an impermeable liner under the proposed flame training range and construction of several sediment retention basins) and adherence to Best Management Practices (BMPs) that are defined as part of the proposed action will ensure that these impacts do not reach significant levels.

#### *Water Quality Impact Mitigation Commitments*

In addition to continuation of existing (pre-BRAC) water quality monitoring at FLW (as defined in Volume III, Appendix H of the FEIS), the Army will implement a BRAC Water Quality Monitoring Plan to ensure compliance with the revised National Pollution Discharge Elimination System (NPDES)

Missouri State Operating Permit MO-117251; the Missouri Clean Water Law, the Federal Water Pollution Control Act and all other applicable laws, regulations and permits. Subsection K.4.6 of Appendix K, Volume III of the FEIS describes all substantive elements of the water quality monitoring program to be implemented at FLW. The Army will also ensure BRAC construction projects are completed in accordance with specified erosion and surface water control features. This includes construction of berms around the flame training range, construction of water retention ponds to collect water runoff from the flame range, and construction of an impervious liner to control groundwater flows beneath the flame training range. FLW will implement management controls on training in order to avoid potential impacts associated with in-stream vehicle crossings including: (1) Limiting high mobility multipurpose wheeled vehicle (HMMWV) stream crossing training to specifically designated training area with an obstacle designed to replicate a stream crossing; and (2) limit other instream crossings associated with maneuver operations and mobile and field smoke training to areas which have been improved to minimize adverse impacts. Finally, the Army will continue to conduct all accordance with approved operating procedures, and use the FLW Installation Spill Prevention and Response Plan to minimize adverse impact of any spill that may occur in or near water resources.

#### *5.5 Geology and Soils*

The FEIS concludes that implementation of the Army's Preferred Alternative will result in minor adverse impacts to soils and geologic resources within FLW boundaries. These impacts include impacts to soils as a result of erosion on lands disturbed for construction and training activities, and the potential for impacts as a result of accumulation of hydrocarbons released at the planned flame training range.

#### *Geology and Soil Impact Mitigation Commitments*

The rate of soil erosion will be reduced through the implementation of BMPs during construction and continued implementation of the FLW Integrated Training Area Management Plan. Planned construction has been sited to avoid sensitive geologic areas. As stated above, the Army will also continue to conduct all training in accordance with approved operating procedures and use the FLW Installation Spill Prevention and Response Plan to

minimize the adverse impact of any spill that may occur.

In accordance with Special Conditions 25 through 30 of the existing MDNR Air Quality Permit #0695-010, the Army will also develop and implement a Soils and Vegetation Monitoring Plan to monitor if there is fog oil residue (total petroleum hydrocarbons or TPHs) remaining on soil and vegetation. Additional information regarding this monitoring requirement are provided in subsection K.4.2 of Appendix K, Volume III of the FEIS.

#### *5.6 Infrastructure*

The FEIS documents that an increase in traffic volume and delays is anticipated as a result of the BRAC action; however, the degree of this traffic impact is not considered to be significant. The proposed action includes planned improvements relating to utility system distribution and collection systems. In consideration of these improvements, and the fact that existing treatment and plant facilities have adequate capacity to serve all current and reasonably foreseeable future needs, no significant adverse impacts are expected to occur to on-post utility systems. Energy, communication systems, and solid waste disposal provided by outside sources will be adjusted by the suppliers in accordance with all applicable laws and regulations concerning these operations, and no significant adverse impacts to these systems were identified by the EIS process. Energy consumption at FLW will increase, but energy efficient facility construction, existing facility renovations, and continued expansion of the natural gas system at FLW will help to reduce energy usage, and no significant adverse impacts are anticipated.

#### *Infrastructure Impact Mitigation Commitments*

The degree of traffic congestion problems will be reduced due to improvements included as part of the proposed action construction projects for the Combined Headquarters and Instruction facility plan (e.g., improvements planned for the intersections of Nebraska Avenue and First Street and Gate Street at Missouri Avenue). Realignment of Nebraska Avenue and improving Gate Street will also help offset the increased traffic volume expected to occur near the new consolidated Headquarters area. FLW will ensure utility distribution and collection systems are upgraded as required to accommodate the new facilities as part of the BRAC

construction program. All new buildings will meet applicable energy conservation guidelines and standards.

### 5.7 Hazardous and Toxic Materials

The addition of BRAC activities to FLW will increase the volume of hazardous materials used, handled, stored and transported on FLW over current levels. This increase in hazardous materials will also result in an increase in the amount of hazardous and special wastes being removed from FLW for disposal through properly licensed and monitored contract operations. The FEIS documents that all hazardous and toxic materials, low-level radioactive materials, regulated medical wastes, fuels, and special wastes will be handled, stored, transported and disposed of in a manner which protects the environment and human health, and in compliance with Army regulations and federal and state laws and regulations.

The FEIS was expanded to include additional information regarding the chemical characterization of liquid wastes generated by the Chemical Defense Training Facility (CDTF), and to further quantify the potential risks associated with the transportation of decontaminated special waste by-products associated with the CDTF to off-post disposal facilities. Information from that analysis is presented in subsection 5.2.2.8.5 (Volume I) and Appendix I (Volume III) of the FEIS.

### Hazardous and Toxic Materials Impact Mitigation Commitments

No significant adverse impacts are anticipated, and no mitigation is required. The Army will continue existing environmental management programs that are designed to ensure that all such materials are managed properly. These ongoing management programs and plans include the FLW Hazardous Waste Minimization Program, Pollution Prevention Plan, Hazardous Waste Management Plan and the Installation Spill Prevention and Response Plan. In addition, the Army commits to the disposal of wastes generated by the CDTF in compliance with guidelines and criteria included in subsection 5.2.2.8.5.2, Volume I of the FEIS.

### 5.8 Munitions

Implementation of the Army's Preferred Alternative at FLW will result in an increase in the type and quantity of live munitions, obscurants and signals used at the post. The FEIS concludes that no direct or indirect impacts on munitions storage or operational controls are expected to

occur as a result of this increase. The impacts of additional munitions usage on the environment (such as impacts to threatened and endangered species, human health, etc.) were evaluated under the appropriate resource categories.

### Munitions Impact Mitigation Commitments

Because there are no adverse impacts, no mitigation actions are required under this evaluation category.

### 5.9 Permits and Regulatory Authority

The FEIS concludes that implementation of the Army's Preferred Alternative will result in an increase in the number of permit applications required to conduct training and a directly related increase in the type and extent of compliance monitoring. This increase in permit activity will require programming of additional fiscal resources to prepare and manage all required permits. Compliance with all permit terms and conditions will ensure that significant adverse impacts to the environment do not occur.

### Permits and Regulatory Authority Mitigation Commitments

The Army commits to the preparation and maintenance of all permits, current or revised, required to implement and maintain the actions included as part of the Army's Preferred Alternative (as well as all ongoing mission permit requirements). Specific permits and regulatory procedures identified in the FEIS (and summarized in subsection ES.7 of the FEIS—Volume I) include: (1) MDNR Air Quality Permit #0695-010 for fog oil operations; (2) compliance with Section 7 of the Endangered Species Act; (3) National Pollution Discharge Elimination System (NPDES) Permit; (4) Nuclear Regulatory Commission (NRC) Materials License; (5) Land Disturbance Storm Water Permit; and (6) Nationwide Permit (NWP) in accordance with Section 404 of the Clean Water Act (CWA).

### 5.10.a Biological Resources (Federally-Listed Threatened and Endangered (T&E) Species)

Federally listed Threatened and Endangered (T&E) species of concern at FLW include Indiana bats, gray bats, and bald eagles. The FEIS documents the results of studies conducted to evaluate impacts of implementing the proposed action at FLW on these species. The U.S. Fish & Wildlife Service (USFWS) issued a Biological Opinion (BO) on the Army's Preferred Alternative on February 4, 1997. The BO concluded that implementation of the

Army's Preferred Alternative is likely to adversely affect Indiana bats, gray bats and bald eagles. These adverse effects are associated with obscurant training and planned construction projects. The nature and extent of these effects are based on conservative assumptions that over estimates risks and are fully documented in subsection 5.5.3.11 of the FEIS (Volume I) and in the referenced Biological Assessment (BA) and BO. The USFWS determined these effects are not likely to jeopardize the continued existence of the Indiana bat, gray bat, or bald eagle. No critical habitat has been designated for these species in the action area, therefore, none will be affected by the action.

### Federally-Listed T&E Species Impact Mitigation Commitments

FLW will conserve T&E Species by: (1) Implementing all reasonable and prudent measures (RPMs) that have been specified by the USFWS to minimize take of Indiana bats, gray bats, and bald eagles; (2) adhering to "project design features" that are specified as part of the proposed action; (3) preparing and implementing an Endangered Species Management Plan; (4) developing and implementing a biomonitoring plan (as described in Appendix K, Volume III of the FEIS); (5) establishing bat management zones around Freeman Cave; and (6) establishing a Landscape-Scale Forest Management Policy for FLW. Compliance with RPMs will be documented as required by the terms and conditions specified in the BO.

### 5.10.b Biological Resources (Other Protected Species)

As defined in the FEIS for the proposed action, Other Protected Species (OPS) include statelisted birds, mammals, and amphibians as well as migratory birds including neotropical migrants (NTMs), raptors, and shorebirds. Studies conducted to evaluate impacts of the proposed action on representative species are described in subsection 5.2.2.11.B and other applicable sections of the FEIS. Coordination with the USFWS included consideration of NTMs. The FEIS concludes that implementation of the Army's Preferred Action at FLW is likely to result in minor adverse impacts to OPS. These impacts would be associated with direct mortality of OPS as a result of vehicle operations, training activities, and clearing associated with new construction. Impacts may also be caused by increased forest fragmentation, and increased disturbance to wildlife from training activities. Although these impacts are

identified in the FEIS as adverse, they are not considered to be significant as discussed in subsection 5.5.3.11.B.3 of the FEIS.

#### *Other Protected Species Impact Mitigation Commitments*

Although not required by regulation, FLW will prepare and implement a Biological Indicators Monitoring Plan as described in subsection K.4.5 of Appendix K, Volume IV of the FEIS to ensure significant adverse impacts do not occur to OPS as a result of the planned action. This Biological Indicators Monitoring Plan will be implemented at least 1 year prior to the commencement of smoke training at FLW and will be conducted for a minimum of 2 years. Monitoring results will be jointly reviewed with the regulatory agencies and the determination made if additional monitoring is necessary using the Adaptive Management Strategy as defined in Appendix K of the FEIS. FLW will also continue to coordinate implementation of the planned action concerning measures that can be implemented to minimize impacts to NTMs.

#### *5.10.c Biological Resources (Wetlands)*

Implementation of the Army's Preferred Action is expected to cause minor adverse impacts to wetlands within FLW boundaries as a result of physical degradation of wetland vegetation at specified stream crossings and impacts to 0.14 acres of jurisdictional wetlands at the CDTF construction site. However, these impacts are not considered to be significant as discussed in subsections 5.5.3.11.D and 5.5.3.11.E of the FEIS.

#### *Wetland Impact Mitigation Commitments*

FLW will continue to adhere to BMPs and other environmental controls designed to minimize soil erosion and protect surface waters, soils and aquatic resources and wetlands during training and construction (subsections 5.1.4 and 5.5.1.3 of the FEIS). In addition, the Army will comply with requirements of Section 404 of the Clean Water Act prior to initiation of the construction phase of the range road stream crossings and the proposed CDTF project.

#### *5.10.d Biological Resources (Other Aquatic and Terrestrial Resources)*

The FEIS concludes that implementation of the Army's Preferred Action may result in minor adverse impacts to other aquatic and terrestrial resources within FLW boundaries as a result of training and construction

activities. However, these impacts are not considered to be significant as discussed in (subsections 5.5.3.11.D and 5.5.3.11.E of the FEIS).

#### *Other Aquatic and Terrestrial Resource Impact Mitigation Commitments*

No significant impacts are expected to occur, and no specific mitigation actions are required. However, continued compliance with federal, state and local permits and regulations, including Missouri Clean Water Commission requirements will be maintained through the continued use of BMPs and other environmental controls as described in subsection 5.3.2.5.A of the FEIS. In addition, as previously stated in this ROD (section 5.5) the Army will also develop and implement a Soils and Vegetation Monitoring Plan to monitor if there is fog oil residue (total petroleum hydrocarbons or TPHs) remaining on soil and vegetation. Additional information regarding this monitoring requirement is provided in subsection K.4.2 of Appendix K, Volume III of the FEIS. This will provide added assurance that fog oil training does not result in any significant adverse impact to the general environment.

#### *5.11 Cultural Resources*

Phase I archaeological surveys have been conducted at locations where BRAC-related training and construction activities will occur on FLW. The FEIS documents that implementation of the Army's Preferred Alternative will not result in the alteration, renovation, or demolition of any historic buildings or structures, and activities will not impact any known significant (National Register eligible) cultural resources. Coordination with the Missouri State Historic Preservation Officer resulted in a finding of no effect for planned construction activities.

#### *Cultural Resources Impact Mitigation Commitments*

Training activities will continue to be conducted in accordance with FLW Regulation 210-14, and the FLW Historic Preservation Plan. Therefore, if archaeological materials are identified during any future construction or training activity, the Army commits to stopping the activity, and contacting the FLW cultural resource specialist to determine an appropriate course of action consistent with all applicable cultural resource laws and regulations.

#### *5.12 Sociological Environment*

The FEIS documents that the majority of direct sociological resource impacts will occur in Pulaski County, primarily

in the St. Robert/Waynesville area. Anticipated growth and the associated increase in demands placed on the public service delivery systems in the area can be adequately accommodated by existing community resources and proper planning and programming for expansion. Impacts on school enrollment will primarily occur within the Waynesville R-VI District, which has made, or is in the process of making, plans to address the expanded enrollment anticipated to occur as a result of the planned action.

#### *Sociological Environmental Impact Mitigation Commitments*

No significant adverse impacts are expected to occur under this evaluation category, and therefore, no Army mitigation actions are required. However, mitigation of minor adverse impacts will be partially accomplished through the phased implementation of the planned action. The construction program is scheduled to occur over a two year period, and the BRAC-related population will be relocated to FLW in phases over a 6-9 month period. In addition, the time between the announcement of the action to the public, and implementation of the initial phases of the action is sufficient to provide the opportunity for infrastructure and land use planning and programming. Planning assistance, in the form of grant funding under the auspices and assistance of the DoD Office of Economic Adjustment, will also be available to the local communities that are potentially impacted by the planned BRAC action at FLW.

#### *5.13 Economic Development*

The FEIS documents the significant beneficial economic impacts of implementing the Army's Preferred Alternative that will occur within the nine-county economic Region of Influence (ROI) surrounding FLW. Economic impacts described in the FEIS relate to increased income, employment and business volume. Other major indirect impacts include expected increases in the area's real property tax base and local tax revenues. The majority of the direct economic impacts are expected to occur locally in Pulaski County, primarily in the St. Robert/Waynesville area.

#### *Economic Development Impact Mitigation Commitments*

No adverse economic impacts are expected to occur, and therefore, no Army mitigation actions are required.

#### 5.14 Quality of Life/Human Health

Implementation of the Army's Preferred Alternative will result in an increase in the type and amount of military training activities to occur within the existing training range areas at FLW, which will result in increased use of those areas. These increased use levels are expected to result in an adverse impact by imposing additional limitations on the recreational use (e.g., hunting, fishing and other activities) of these areas while training occurs.

Elements of the Army action identified in the FEIS that may result in direct or indirect effects to human health include: (1) Fog oil obscurant training; (2) training with toxic agents at the CDTF; and (3) Flame Field Expedient training. The FEIS, and supporting documentation, provides extensive analysis and consideration of the potential effects of fog oil obscurant training on military trainers, students, and the general population within the FLW cantonment area and beyond the installation boundaries. Based on these analyses, the FEIS concludes that trainers and fog oil training students will not be adversely affected because they follow standard Army operating procedures while conducting training exercises, including the use of protective masks when exposed to relatively high concentrations of fog oil (in excess of 5 mg/m<sup>3</sup>). The FEIS concludes that human health effects are not anticipated for the general population within the cantonment area, or for those individuals beyond the facility boundary. This conclusion is based on consideration of maximum potential exposure of those populations as predicted by highly conservative fog oil dispersion modeling. Also, conditions in the MDNR issued Air Quality Permit #0695-010 for fog oil obscurant training are specifically designed to reduce the potential for exposure to the general public. In the unlikely event that the surrounding public is inadvertently exposed to fog oil, the exposures are anticipated to be infrequent and of short duration, thereby avoiding any potential for significant adverse impacts.

At the time the FEIS was published, the National Academy of Sciences (NAS) Subcommittee on Military Smokes and Oscurants of the Committee on Toxicology ("Committee") had not completed their evaluation of the human health effects of fog oil. The NAS Committee report was, however, released before the completion of this ROD. A careful review of the Committee report reveals that their conclusions regarding the health effects of fog oil

were very similar to those describe in the FEIS. The committee developed an 8 hours per day, 5 days per week, Permissible Exposure Guidance Level (PEGL) of 5 mg/m<sup>3</sup> for soldiers involved in training. The report noted that this level is often exceeded around the generators when soldiers train, and therefore recommended careful adherence to the Army's existing respiratory protection policy.

The Committee recommended a Permissible Public Exposure Guidance Level (PPEGL) of 0.5 mg/m<sup>3</sup> (exposure for 8 hours per day, 5 days per week), which is considered to be safe for sensitive individuals in the general public. Extensive air modeling using deconservative assumptions was completed during the preparation of the application for the air permit for fog oil training at FLW. Modeling results demonstrated that fog oil concentrations at the boundary of FLW and at the boundary of the cantonment area will not exceed short-term and long-term exposure standards developed by the Committee for the general public. Field and scientific studies document that of fog oil from smoke training onto vegetation is minute. As concluded in the FEIS, and supported by conclusions of the NAS Committee on toxicology, adverse health effects to the general public are not anticipated to occur to those living or working within the FLW cantonment area, or those living outside the FLW boundaries.

Adverse health impacts to the general public as a result of toxic agent training at the CDTF are not anticipated. As documented in the FEIS, this training activity is rigidly controlled to protect human health and safety of the instructors, soldiers that are trained, and the general public. The FEIS notes that this training activity has been accomplished for the last 10 years at Fort McClellan without an incident that threatened the health of any individual either inside or outside of the CDTF facility.

#### *Quality of Life/Human Health Impact Mitigation Commitments*

No significant adverse impacts are expected to occur under the "Quality of Life" evaluation category and therefore, no mitigation is required for the Quality of Life component of this evaluation category.

No significant adverse impacts are expected to occur to human health as a result of implementation of the Army's Preferred Alternative. However, in response to comments received from review agencies and the general public on the Draft EIS, the FEIS identifies a number of measures that will be

implemented by the Army to ensure that significant adverse impacts do not occur. The Army commits to constructing and operating the CDTF and flame field expedient training facilities in full compliance with the protective measures described as part of the Army's Preferred Alternative. An impervious liner will be constructed under the flame range area to ensure that groundwater supplies are not adversely impacted by this training activity.

With regard to fog oil obscurant training, the Army commits to the full development, coordination and implementation of the Human Health Monitoring Plan as summarized in subsection 5.2.2.15.A and 5.2.2.15.B of the FEIS. The Army commits to additional sampling, mutagenicity testing and chemical analysis of fog oil smoke to confirm that no significant chemical transformations occur. The methodology used for testing and analysis may be modified with concurrence of USEPA if it is determined that other methodologies are more suitable and will produce more accurate data. The referenced testing and analysis is not expected to further assist in making an informed choice among the training alternatives analyzed in the FEIS. However, the results of this additional testing will be used and evaluated in accordance with the adaptive management strategy procedure described as part of the Human Health Monitoring Plan (see reference above). As stated in subsection 5.2.2.15.B.1 of Volume 1 of the FEIS (top of Page 5-138) the Army commits to completing this additional testing and analysis prior to implementation of fog oil training at FLW.

If the results of the testing described above result in exceedance of any established health criteria, the Army commits to developing and implementing a supplemental air monitoring plan (beyond the requirements of the Air Monitoring Plan to be implemented in accordance with the MDNR Air Quality Permit #0695010 for fog oil training) for any chemical constituents of concern.

The Army will develop a Public Awareness Program to inform the public in the surrounding community and those living at, working at, or visiting FLW about fog oil obscurant training, and the potential health risks associated with exposures to fog oil. Appendix L has been included as part of Volume III of the FEIS to describe the intent and general scope of the Public Awareness Program. As stated in Appendix L, the Public Awareness Program will be implemented a minimum of three



months prior to the initiation of fog oil training at FLW.

#### 5.15 Installation Agreements

The FEIS concludes that implementation of the Army's Preferred Alternative will result in a requirement to develop new Intraservice and Interservice Support Agreements among the various components to conduct operations at FLW. No adverse impacts are anticipated, since these agreements are designed to ensure that all parties are aware of, and comply with all applicable procedures governing ongoing operations at FLW.

#### Installation Agreement Impact Mitigation Commitments

No adverse impacts are expected, and therefore, no mitigation is required.

#### 5.16 Operational Efficiency

The collocation and consolidation of the U.S. Army Engineer School (existing at FLW) with the relocated Chemical School and Military Police School as specified in the Army's Preferred Alternative provides for the maximum amount of interaction among the school staff and students. This increased positive interaction will substantially improve the synergism (operational efficiency and effectiveness) as described in applicable sections of the FEIS.

#### Operational Efficiency Impact Mitigation Commitments

No adverse impacts are expected, and therefore, no mitigation is required.

### 6. Conclusions

On behalf of the department of the Army, I have decided to proceed with actions required to relocate the U.S. Army Chemical School and the U.S. Army Military Police School to FLW. I have carefully considered the FEIS, supporting studies, all comments provided during formal comment and waiting periods throughout the EIS process, and the NAS Committee report. Based on this review, I have determined that the Army's Preferred Action (including implementation of the Optimum Training Method Alternative, the Army's Proposed Land Use and Facility Plan (Combined Headquarters and Instruction), and the Phased Move Alternative) strikes the proper balance between the necessary protection of the environment, and the national defense interest of maintaining the ability of the Chemical School and Military Police School to complete mission essential training activities. Furthermore, I have determined that the Army has identified and adopted all practicable means to

avoid or minimize harm to the environment that may be caused by implementation of the planned action.

Dated: May 15, 1997.

**Robert M. Walker,**

*Assistant Secretary of the Army (Installations, Logistics & Environment).*

[FR Doc. 97-13802 Filed 5-23-97; 8:45 am]

BILLING CODE 3710-08-M

### DEPARTMENT OF DEFENSE

#### Department of the Navy, DoD

#### Board of Visitors to the United States Naval Academy; Closed Meeting

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2), notice is hereby given that a special subcommittee of the Board of Visitors to the United States Naval Academy will meet on May 28 and 29, 1997, at the United States Naval Academy, Annapolis, MD, at 8:30 a.m. This meeting will be closed to the public.

The purpose of the meeting is to make such inquiry as the Board shall deem necessary into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Naval Academy. During this meeting inquiries will relate to the internal personnel rules and practices of the Academy, may involve on-going criminal investigations, and include discussions of personal information on the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Accordingly, the Secretary of the Navy has determined in writing that the special subcommittee meeting shall be closed to the public because they will be concerned with matters as outlined in section 552(b) (2), (5), (6), (7), and (9) of Title 5, United States Code.

#### FOR FURTHER INFORMATION CONCERNING

**THIS MEETING CONTACT:** Lieutenant Commander Adam S. Levitt, U.S. Navy, Secretary to the Board of Visitors, Office of the Superintendent, United States Naval Academy, Annapolis, MD 21402-5000, telephone number (410) 293-1503.

Dated: May 15, 1997.

**Donald E. Koenig, Jr.,**

*LCDR, JAGC, USN, Federal Register Liaison Officer.*

[FR Doc. 97-13788 Filed 5-23-97; 8:45 am]

BILLING CODE 3810-FF-P

### DEPARTMENT OF EDUCATION

#### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**ACTION:** Submission for OMB review; comment request.

**SUMMARY:** The Director, Information Resources Management Group, invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before June 26, 1997.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202-4651.

#### FOR FURTHER INFORMATION CONTACT:

Patrick J. Sherrill (202) 708-8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Management Group publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5)