



DEPARTMENT OF THE NAVY  
THE ASSISTANT SECRETARY OF THE NAVY  
(INSTALLATIONS AND ENVIRONMENT)  
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11 May 1999

MEMORANDUM FOR VICE CHIEF OF NAVAL OPERATIONS  
ASSISTANT COMMANDANT OF THE MARINE CORPS

Subj: DEPARTMENT OF THE NAVY ENVIRONMENTAL POLICY MEMORANDUM  
99-01; REQUIREMENTS FOR ENVIRONMENTAL CONSIDERATIONS IN  
TEST SITE SELECTION

Encl: (1) Flow Chart

Background. The development, design and acquisition of new weapons systems or modifications to existing systems include activities involving physical tests of equipment or systems. At times these activities require consideration and documentation under the National Environmental Policy Act (NEPA) (for major federal actions within the United States and its territories) or Executive Order (E.O.) 12114 (for major federal actions abroad) because of their potential to significantly affect the environment. In order to comply with NEPA and E.O. 12114 requirements, such consideration and documentation must occur before the decision(s) that could affect the environment are made. This consideration and documentation is not limited to major range and test facility bases.

Testing activities may require consideration and documentation under NEPA or E.O. 12114, including those in support of:

- (a) Acquisition Programs, regardless of Acquisition Category (ACAT) level;
- (b) Non-acquisition programs;
- (c) Science and Technology programs; and
- (d) Other Research and Development programs.

Requirement. Awareness of and planning for compliance with NEPA or E.O. 12114 shall be a part of the overall acquisition planning process. Acquisition environmental planning documents include the Programmatic Environmental, Safety and Health Evaluation (PESHE) and its supporting documentation, and any related documents such as the Test and Evaluation Master Plan (TEMP) or Single Acquisition Management Plan (SAMP). (These documents, which delineate the Program Manager's approach, are critical to Navy environmental compliance, but do not by themselves, meet the requirements for review under NEPA or E.O. 12114.)

Consistent with the standards set out below, any testing program may rely upon NEPA or E.O. 12114 documentation prepared for operation of an established range or other test site which includes consideration of the effects of the kind of test activity proposed. This NEPA documentation may be an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). E.O. 12114 documentation may be an overseas environmental assessment, an overseas environmental impact statement, an overseas environmental study, or an overseas environmental review. In all cases, the responsibility for ensuring that existing range documentation satisfies the program needs rests with the action proponent. The action proponent shall be any program, major claimant, or subordinate command responsible for proposing and executing an action. Action proponents should seek expert advice in unclear or questioned cases. Range managers in conjunction with the test facility environmental office are responsible for ensuring that the proposed type/tempo of testing authorized falls within existing NEPA or E.O. 12114 documentation and for tracking each type/number of tests allowed on the range, including tracking cumulative impact. Enclosure (1) outlines in flow chart format the guidance set out below.

(a) Action proponents planning test activities outside of established ranges or at ranges without sufficient NEPA or E.O. 12114 documentation, must support the selection among sites with test specific NEPA or E.O. 12114 documentation covering the proposed test. Test-specific is defined as either an individual test or a series of related or similar tests.

(b) Where only one available range is fully capable of conducting tests without improvements to facilities<sup>1</sup>, and the action proponent is satisfied that the current range NEPA or E.O. 12114 documentation applies to the planned testing, no further NEPA or E.O. 12114 review is required. A Memorandum for Record (MFR) shall be prepared to document the decision unless that decision has already been documented in other program documentation. The MFR need not be lengthy. The MFR should, at a minimum, identify the NEPA documents relied upon and confirm that they were reviewed to ensure that they apply to the proposed testing.

(c) Where more than one range is physically capable of conducting the tests, but the requirements of the testing program are covered by NEPA/E.O. 12114 documentation of only one range, the action proponent may elect to proceed at that range for business

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<sup>1</sup> 'Improvements' are defined as major, permanent additions to a range that support an expansion of type and/or tempo of operations.

reasons. In such a case, the action proponent shall record in an MFR the possible alternative courses of action that were considered and the reasons for the decision to proceed. One such reason may be that the projected delay for completion of documents for a more inclusive set of alternative ranges/sites is unacceptable to the program deadlines and milestones.

(d) Where more than one range is fully capable of conducting the tests without improvements, and the proposed testing activity has been included in the current NEPA documents of each capable range, the action proponent may select one of the test sites after review of the existing documentation for each candidate range. The action proponent must prepare a MFR reflecting the selection decision. The MFR should, at a minimum, identify the NEPA documents relied upon, the fact of review, any mitigation of environmental effects that are to be adopted by the action proponent and any other program-related considerations that are part of the basis for the final decision.

(e) Where no established range, at the time of the testing decision, is fully capable of supporting the tests, and improvements must be made at one such site, program specific NEPA or E.O. 12114 documentation covering range/site selection, proposed test(s), and the proposed improvements is required. An EA or EIS prepared for this purpose must fully comply with NEPA and applicable regulations. This approach not only supports the best testing decision, but also allows the Navy to make the best investment in additional facilities.

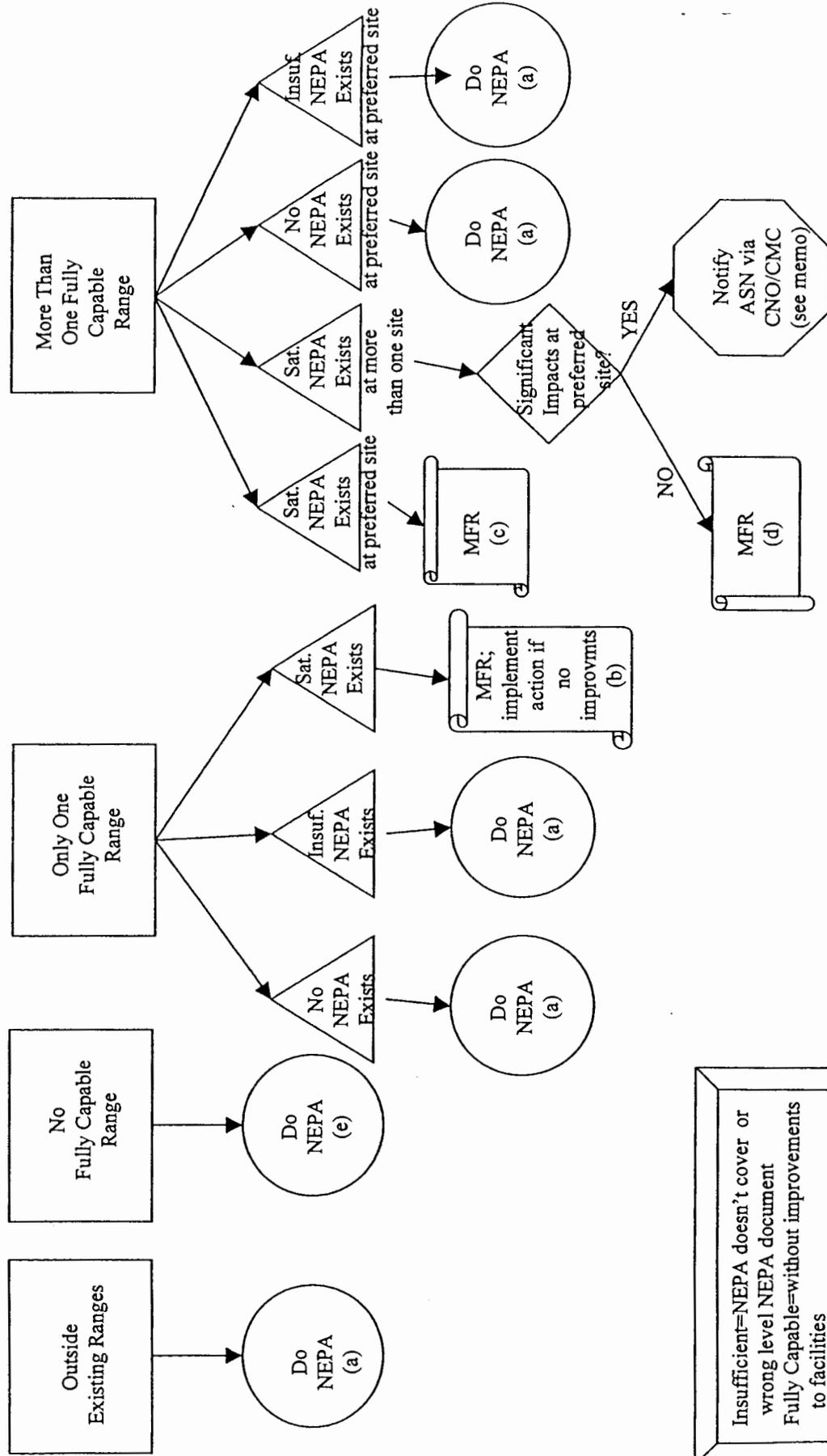
Where the proposed test(s) is covered by existing NEPA/EO12114 documentation at more than one site, where there will be significant impact from the test(s) at the site selected by the action proponent, and where impact at other documented sites would not be significant, the action proponent must inform ASN(RD&A) and ASN(I&E), via the office of CNO or CMC.



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Copy to:  
ASN(RD&A)

# Environmental Considerations in Test Site Selection\*



Insufficient=NEPA doesn't cover or wrong level NEPA document  
 Fully Capable=without improvements to facilities

\*This chart must be used in conjunction with DoN Policy Memo 99-01