

CHAPTER 17**ENVIRONMENTAL EFFECTS ABROAD****17-1 SCOPE**

This Chapter implements DOD policy and guidance concerning the assessment of environmental impacts of major federal actions in Japan. These standards explain, but do not enlarge, the obligations set out in Executive Order 12114 and DOD Directive 6050.7. Actions which potentially affect only the environment of geographical areas outside the jurisdiction of Japan are beyond the scope of this Chapter.

17-2 DEFINITIONS

17-2.1 **Categorical Exclusion.** A class of actions, defined and approved in accordance with Executive Order 12114 and DOD Directive 6050.7, that normally do not, individually or cumulatively, significantly harm the environment. See Table 17-1.

17-2.2 **Environment.** The natural and physical environment, excluding the socioeconomic environments.

17-2.3 **Environmental Review.** An analysis of the likely environmental consequences of the action that will be considered by DOD activities in the decision making process. It includes a review of the affected environment, actions taken to avoid environmental harm or otherwise to better the environment, and environmental considerations and actions by the other participating nations, bodies or organizations. Environmental reviews will be prepared either unilaterally by DOD or in conjunction with another U.S. agency, but do not include foreign government participation.

17-2.4 **Environmental Study.** An analysis of the likely environmental consequences of the action that will be considered by DOD activities in the decision making process. It includes a review of the affected environment, actions taken to avoid environmental harm or otherwise to better the environment, and environmental considerations and actions by the other participating nations, bodies or organizations. Environmental studies will be prepared by the United States in conjunction with one or more foreign nations, or by an international body or organization in which the U.S. is a member or participant.

17-2.5 **Exemption.** The following DOD actions for which final environmental analysis is not required:

- a. Actions taken by the President of the United States;
- b. Actions taken by or pursuant to the direction of the President or Cabinet Officer when the national security or interest is involved or when the action occurs in the course of an armed conflict;
- c. Intelligence activities and arms transfers;
- d. Actions relating to nuclear activities, except actions providing to a foreign nation a nuclear production or utilization facility as defined in the Atomic Energy Act of 1954, or a nuclear waste management facility; and
- e. Disaster and emergency relief action.

17-2.6 **Federal Action.** An action that is implemented or funded directly by the U.S. Government. This includes both operational and installation (e.g., construction) activities including actions which are for R&D projects, policies, programs, test and evaluation, procurement, etc. It does not include actions:

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- a. In which the U.S. participates in an advisory, information gathering, representational, or diplomatic capacity;
- b. Taken by Japan when the U.S. is a beneficiary of the action; or
- c. In which Japan uses funds indirectly derived from the U.S.

17-2.7 Major Action. An action involving substantial expenditures of time, money, and resources, that affects the environment on a large geographic scale or has substantial environmental effects on a more limited geographic area, and that is substantially different or a significant departure from other actions, previously analyzed with respect to environmental considerations and approved, with which the action under consideration may be associated. A deployment of ships, aircraft, or mobile military equipment to include routine training, that does not involve significant changes to the physical environment and that does not require additional support facilities that would significantly change the physical environment, is not a major action for purposes of these criteria. An actions is major if it threatens a violation of federal, host nation, local or DOD law, policy or requirements imposed for the protection of the environment.

17-2.8 Negative Decision. A written record of decision not to prepare an environmental review or an environmental study.

17-2.9 Protected Global Resource. A natural or ecological resource of global importance designated for protection by the President, or in the case of such a resource protected by international agreement binding on the U.S., designated for protection by the Secretary of State, such as the Convention for the Prevention of Pollution from Ships (MARPOL), the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter(the London Dumping Convention),the Marine Protection Research and Sanctuaries Act(MPRSA),the Convention on International Trade of Endangered Species (CITES ACT),the Migratory Bird Treaty Act,and the United Nations Convention on the Law of the Sea (LOS).

17-3 CRITERIA

17-3.1 Activities and installations in Japan will analyze proposed federal actions in accordance with Table 17-1.

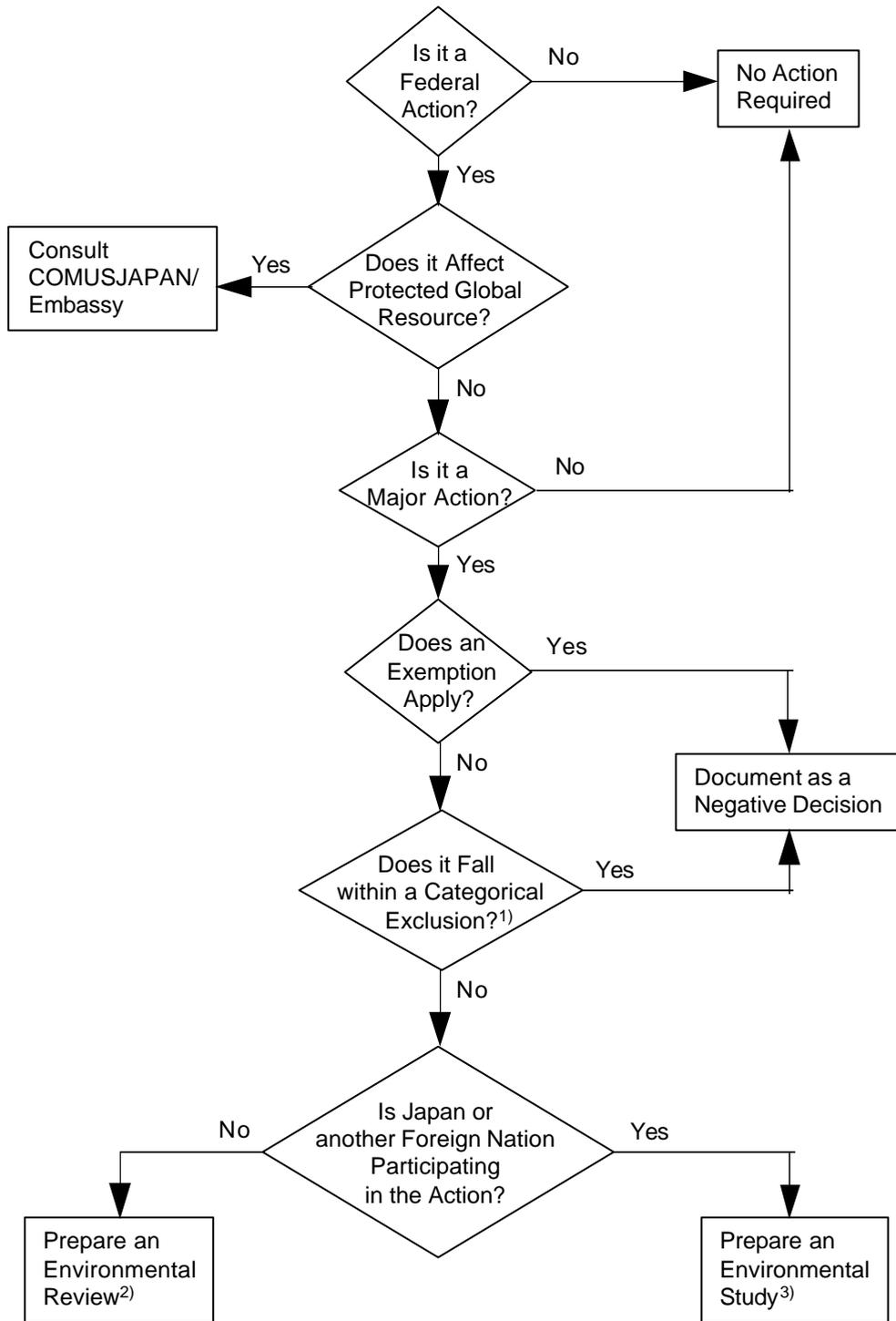
17-3.2 Lead Agency. For proposed federal actions that involve more than one DOD activity or installation, the parties concerned shall designate a lead agency. The lead agency shall then analyze the proposed federal action in accordance with Table 17-1, and complete any required environmental documentation with the assistance of the other parties.

17-4 EXCLUSION

17-4.1 Categorical Exclusions (CATEX). CATEXs apply to those classes of actions that do not individually or cumulatively have potential for significant effect on the environment and do not, therefore, require further environmental analysis (See Table 17-1, Note 1).

17-4.2 Japanese Facilities Improvement Program (JFIP). JFIP actions is **not a federal actions** subject to analysis under Table 17-1, but may still be considered as a **major action as** defined in Chapters 12 and 13 of this JEGS.

**TABLE 17-1
DECISION-MAKING PROCESS FOR PROPOSED ENVIRONMENTAL ACTION**



Notes:

1. List of Categorical Exclusions:

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For those actions which do not individually or cumulatively have a significant effect on the human environment and for which, therefore, neither an environmental assessment nor an environmental impact statement is required. Categorical exclusions will help DOD components avoid unnecessary effort and concentrate resources on significant environmental issues.

- (a) Preparation of regulations, directives, manuals, or other guidance documents that implement, without substantial change, the regulations, directives, manuals, or other guidance documents from higher headquarters or another Federal agency.
- (b) Preparation of regulations, directives, manuals, and other guidance documents related to actions that qualify for categorical exclusion.
- (c) Routine installation maintenance and grounds-keeping activities.
- (d) Minor construction conducted in accordance with an approved installation master plan that does not significantly alter land use, provided that the operation of the completed project would not of itself have a significant environmental impact.
- (e) Studies that involve no commitment of resources other than manpower and funding.
- (f) Proposed actions that, based on sound judgment of environmental professionals, are such an environmentally insignificant nature as clearly not to meet the threshold for requiring an environmental review or environmental study.
- (g) Other categories as identified by DOD Components in their regulations implementing this part.