

## 5 Other NEPA Considerations

This section addresses additional considerations required by NEPA, including consistency and compliance with federal, state, and local plans, policies, and regulations; unavoidable adverse impacts to environmental resources; the relationship between short term use of the environment and maintenance and enhancement of long term productivity; and irreversible and irretrievable commitment of resources.

### 5.1 Consistency and Compliance with Federal, State, and Local Plans, Policies and Regulations

The Proposed Action and action alternatives have been assessed to determine their consistency and compliance with applicable environmental regulations and other plans, policies, and controls. This analysis indicates that the Proposed Action and action alternatives would not conflict with the objectives of applicable plans, policies, and regulations. A summary of applicable environmental regulations and regulatory compliance is provided in Table 5-1.

5. Other NEPA Considerations

<b>Table 5-1 Summary of Compliance with Plans, Policies, and Regulations</b>		
<b>Plans, Policies, and Regulations</b>	<b>Responsible Agency(ies)</b>	<b>Status of Compliance</b>
<b>National Environmental Policy Act (NEPA) and Public Review</b>		
NEPA of 1969, as amended (42 U.S.C. § 4321-4370h)	United States Marine Corps (USMC)	This DEIS has been prepared in accordance with CEQ regulations implementing NEPA and DON and USMC NEPA procedures. The preparation of this DEIS and the provision for public review are being conducted in compliance with NEPA.
Council on Environmental Quality (CEQ) implementing regulations (40 CFR Parts 1500-1508)		
Department of the Navy (DON) Procedures for Implementing NEPA (Office of the Secretary of the Navy Instruction [OPNAVINST] 5090.1C)		
USMC Environmental Compliance and Protection Manual (Marine Corps Order [MCO] P5090.2A, change 2)		
Executive Order (EO) 12372 (Intergovernmental Review of Federal Programs)	USMC	The USMC is in the process of consulting with and soliciting comments from state and local officials whose jurisdictions would be affected by the Proposed Action, consistent with this directive.
<b>Land Use</b>		
Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. § 1451)	National Oceanic and Atmospheric Administration (NOAA) Office of Coastal and Resource Management (OCRM) Georgia Department of Natural Resources (GA DNR)	The Proposed Action would comply with the CZMA through consultation with the GA DNR and upon receipt of a Coastal Consistency Determination (CCD).
Farmland Protection Policy Act (FPPA) (7 U.S.C. § 4201)	U.S. Department of Agriculture (USDA) National Resources Conservation Service (NRCS)	Elements of the Proposed Action affecting lands designated as "prime farmland" under the FPPA would be coordinated with the NRCS.
Sikes Act Improvement Act (SAIA), as amended (16 U.S.C. §§ 670a-670o)	U.S. Fish and Wildlife Service (USFWS) USMC GA DNR	Land acquired as part of the Proposed Action would be managed by an approved Integrated Natural Resources Management Plan (INRMP) and in compliance with the provisions of the SAIA.
Joint County/City Comprehensive Plan for McIntosh County and the City of Darien	Georgia Department of Community Affairs (GA DCA)	The Proposed Action would be consistent with this plan.
Long County Comprehensive Plan	GA DCA	The Proposed Action would be consistent with this plan.
McIntosh County Partial Comprehensive Plan Update	GA DCA	The Proposed Action would be consistent with this plan.
City of Darien Comprehensive Plan Partial Update	GA DCA	The Proposed Action would be consistent with this plan.
City of Ludowici Comprehensive Plan	GA DCA	The Proposed Action would be consistent with this plan.

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<b>Socioeconomics</b>		
EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), 59 <i>Federal Register (FR)</i> 7629	USMC	There would be no disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. The Proposed Action and action alternatives would be in compliance with this directive.
EO 13045 (Protection of Children from Environmental Health Risks and Safety Risks), 62 <i>FR</i> 19885	USMC	The Proposed Action would not disproportionately expose children to environmental health risks or safety risks and would be in compliance with this directive.
<b>Recreation</b>		
SAIA, as amended (16 U.S.C. §§ 670a-670o)	USFWS USMC GA DNR	Land acquired as part of the Proposed Action would be managed by an approved INRMP and in compliance with the provisions of the SAIA.
MCO P5090.2A, Environmental Compliance and Protection Manual  Air Station Order (ASO) 1700.2E, Hunting, Fishing, and Boating Regulations	USMC	The hunting program associated with the Proposed Action would comply with the provisions of MCO P5090.2A and ASO 1700.2E.
Georgia Statewide Comprehensive Outdoor Recreation Plan (SCORP)	GA DNR	The Proposed Action would support the SCORP to the maximum extent practicable.
<b>Wetlands</b>		
Clean Water Act (CWA), (33 U.S.C. §§ 1251 to 1387)	U.S. Environmental Protection Agency (USEPA) U.S. Army Corps of Engineers (USACE) USMC	The Proposed Action would be implemented in accordance with the CWA. The USMC completed a Preliminary Jurisdictional Determination (PJD) of waters of the U.S. and will continue to coordinate with the USACE regarding this action.
EO 11990 (Protection of Wetlands), 42 <i>FR</i> 26961	USACE USMC	The Proposed Action would adversely affect wetland communities. The USMC completed a PJD of waters of the U.S. and will continue to coordinate with the USACE regarding this action.
<b>Water Resources</b>		
Safe Drinking Water Act of 1974 (42 U.S.C. §§ 300f-300j-26)	USEPA USACE USMC	The Proposed Action would be implemented in accordance with this Act.
CWA (33 U.S.C. §§ 1251 to 1387)	USEPA USACE USMC	The Proposed Action would be implemented in accordance with this Act.
EO 11988 (Floodplain Management)	USMC	The Proposed Action would be implemented in accordance with this directive.

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Georgia Groundwater Use Act of 1972 (O.C.G.A. 12-5-90 through 12-5-107)	Georgia Environmental Protection Division (GA EPD)	The Proposed Action would be implemented in accordance with this statute.
<b>Operations and Airspace</b>		
14 CFR., Volume 2, Parts 60-139 of Chapter I, Subchapter E (Airspace), and Subchapter F (Air Traffic and General Operating Rules)	Federal Aviation Administration (FAA)	The FAA has exclusive authority to safely and efficiently manage all national airspace within the continental United States. The air operations associated with TBR airspace modification would be in accordance with this regulation.
FAA Order JO 7400.2, Procedures for Handling Airspace Matters	FAA	The Proposed Action would include the modification of Special Use Airspace (SUA). The FAA has decision-making authority in the establishment, designation, and modification of SUA.
Construction or Alteration (Affecting Navigable Airspace) Requiring Notice, 14 CFR 77.13(1)(5)(iii)	FAA	Construction of any new range infrastructure (i.e., towers) would be in accordance with this rule. Contractors would consult the Unified Facilities Criteria manual and file the appropriate FAA Form 7460-1, Notice of Proposed Construction or Alteration.
FAA Order JO 7610.4P, Special Operations, Chapter 9, Military Operations Requirements	FAA	The military operations associated with TBR airspace would be in accordance with this order.
Military Munitions Rule, 62 FR 6621	USMC Georgia Air National Guard (GA ANG)	The expanded support operations at TBR associated with explosives ordnance disposal (EOD) actions would be implemented in accordance with this rule.
Range Operating Instruction (ROI) 13-4, Fire Procedures; ROI 13-8, Security Procedures; and ROI 13-3, Emergency Procedures for Crash/Rescue/MedeVac	USMC GA ANG	The expanded range operations at TBR would be implemented in accordance with these instructions.
Combat Readiness Training Center Instruction 13-212 (CRTCI 13-212V1), Townsend Weapons Range	GA ANG	The expanded range training operations at TBR would be in accordance with this instruction.
MCO 3550.11, Range Air Installations Compatible Use Zone Program	USMC	The expanded range training operations at TBR would be in accordance with this instruction.
MCO 3500.46, Aviation Training and Readiness Manual	USMC	The expanded range training operations at TBR would be in accordance with this instruction.
<b>Noise</b>		
Noise Control Act of 1972 and Quiet Communities Act of 1978; USEPA, Subchapter G-Noise Abatement Programs (40 CFR 201-211)	USMC	This DEIS provides due consideration to noise impacts, consistent with these Acts.
Housing and Urban Development (HUD) Guidelines (24 CFR 51 Subpart B)	USMC	This DEIS provides due consideration to noise impacts, consistent with these guidelines.
Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia, and reaffirmed with the Zoning Procedures Law, O.C.G.A. § 36-66-1 (2009)	GA DCA	The minimum local noise building codes and noise assessment requirements in this law are based on HUD Guidelines. Thus, this DEIS provides due consideration to noise impacts, consistent with this law.

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MCO 3550.11, Range Air Installations Compatible Use Zone Program	USMC	The expanded range training operations at TBR would be in accordance with the recommended noise zone compatibility in this instruction.
<b>Biological Resources</b>		
Endangered Species Act (ESA) of 1973 (U.S.C. § 1531 <i>et seq.</i> )	USFWS USMC	The Proposed Action may affect, but is not likely to adversely affect, some threatened and endangered species. The USMC has consulted with the USFWS regarding this action.
Migratory Bird Treaty Act (MBTA) of 1918 (U.S.C. 703-712)	USFWS USMC	The Proposed Action would not likely have a measureable adverse effect on migratory bird populations and would be in compliance with this Act.
EO 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds), 66 FR 3853	USMC	The Proposed Action would not likely have a measureable adverse effect on migratory bird populations and would be in compliance with this directive.
Conservation Programs on Federal Lands (Sikes Act), §§ 670a-670o	USMC	The USMC currently complies with and implements the Sikes Act through its cooperative programs with state, federal, and local resource agencies to manage natural resources, including sensitive vegetative, fish, and wildlife resources. The USMC would continue to comply with this program with implementation of the Proposed Action and any of the action alternatives.
<b>Cultural Resources</b>		
National Historic Preservation Act (NHPA) of 1966, as amended in 1980 (16 U.S.C. 470 <i>et al.</i> )	USMC	The Proposed Action would be implemented in accordance with Sections 106 and 110 of this Act. The USMC consulted with the Georgia State Historic Preservation Officer (GA SHPO) and other consulting parties regarding this action.
Advisory Council on Historic Preservation's (ACHP's) Regulations for the Protection of Historic Properties (36 CFR Part 800)	USMC	The Proposed Action would be implemented in accordance with these regulations. The USMC consulted with the GA SHPO and other consulting parties regarding this action.
<b>Air Quality</b>		
Clean Air Act (CAA), as amended (42 U.S.C. § 7401 <i>et seq.</i> )	USEPA	The Proposed Action would be implemented in accordance with this Act. The USMC is coordinating with the GA EPD regarding this action.
Georgia's Basic Smoke Management Plan (GA DNR 2008) / Burning Permits	Georgia Forestry Commission (GFC)	Prescribed burning is conducted in accordance with guidance established by the GFC.
Stationary Source Permits	GA EPD	As required, permits will be obtained for stationary equipment subject to permitting requirements.

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<b>Transportation</b>		
N/A		
<b>Topography, Geology, and Soils</b>		
Georgia Erosion and Sedimentation Act of 1975 (O.C.G.A. 12-7-1 through 12-7-22)	McIntosh County Long County GA EPD	The Proposed Action would be implemented in accordance with this statute.
<b>Utilities and Infrastructure</b>		
Safe Drinking Water Act of 1974 (42 U.S.C. §§ 300f-300j-26)	USEPA USACE USMC	The Proposed Action would be implemented in accordance with this Act.
Federal Facilities Compliance Act (FFCA; October 6, 1992, Public Law 102-386)	USEPA	Implementation of the Proposed Action would comply with the FFCA provisions for solid waste management.
Resource Conservation and Recovery Act (RCRA) of 1976 (42 U.S.C. §§ 6901 to 6992k)	USEPA GA EPD	Implementation of the Proposed Action would comply with the RCRA provisions for hazardous waste handling, transport, storage, and disposal.
EO 13514 (Federal Leadership in Environmental, Energy, and Economic Performance)	USMC	Implementation of the Proposed Action would be consistent with the purpose and intent of this order.
<b>Hazardous Materials and Waste</b>		
RCRA of 1976 (42 U.S.C. §§ 6901 to 6992k)	USEPA GA EPD	The Proposed Action would be implemented in accordance with this Act.
Comprehensive Environmental Response, Compensations, and Liability Act (CERCLA) of 1980 (42 U.S.C. §§ 9601 to 9675)	USMC	The Proposed Action would be implemented in accordance with this Act.
Georgia Hazardous Waste Management Act, Title 12, Chapter 8, Article 3, Part 1, O.C.G.A.	GA EPD	The Proposed Action would be implemented in accordance with this Act.
Georgia State Minimum Standard Code	GA DCA	The Proposed Action would be implemented in accordance with this code.
Pollution Prevention Act of 1990 (42 U.S.C. §§ 13101-13109)	USMC	The USMC currently implements procedures to comply with this Act and would continue to do so with implementation of any of the action alternatives.
EO 13148 (Greening the Government through Leadership in Environmental Management)	USMC	The Proposed Action would be implemented in accordance with this order.
EO 12088 (Federal Compliance with Pollution Control Standards)	USMC	The Proposed Action would be implemented in accordance with this order.
Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 (42 U.S.C. §§ 11001 to 11050)	USMC	The USMC would inform Local Emergency Planning Committees of the action as required to assist them in developing plans to prepare for and respond to chemical emergencies.

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Uniform Fire Code (International Fire Code Institute 1997)	USMC	The USMC would require construction contractors to conform to Uniform Fire Code guidelines for appropriate construction materials to reduce fire hazards.
Military Munitions Rule, 62 FR 6621	USMC	The Proposed Action would be implemented in accordance with this rule.

Key:

CFR = Code of Federal Regulations.

O.C.G.A. = Official Code of Georgia Annotated.

U.S.C. = United States Code.

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**5. Other NEPA Considerations****5.2 Unavoidable Adverse Impacts**

Avoidance, minimization, or mitigation of adverse effects to natural, cultural, socioeconomic, or other environmental resources were integrated into the Proposed Action (and consequently into the four action alternatives) to the greatest extent practicable; however, all impacts may not be completely avoided and/or mitigated. As presented in Section 3, the action alternatives could result in the following unavoidable adverse impacts (depending on the action alternative selected) related to land use (due to relocation of residences, and the conversion of forestland into grasslands), socioeconomics (due to the displacement of residences, loss of tax revenue, and loss of forest product revenue), wetlands (due to the loss of wetland communities), water resources (due to permanent conversion, relocation, or diversion of surface waters and floodplains, and increased use of groundwater), biological resources (due to conversion of natural ecological communities to herbaceous cover, loss of vegetation, habitat fragmentation), cultural resources (due to demolition and/or destruction of historic properties [NRHP-eligible resources] within the proposed target areas or other direct impact areas and indirect impacts to built resources located outside the target areas), topography, geology, and soils (due to compaction of soils, increased potential for soil erosion, removal of prime farmland and farmland of statewide importance from agricultural uses), and utilities and infrastructure (due to increased water use and creation of wastewater, creation of solid waste, increased electrical/power use, new infrastructure). Summaries of these unavoidable adverse impacts are provided in the respective resource discussions in Section 3 of this DEIS.

**5.3 Relationship Between Short-Term Use of the Environment and Maintenance and Enhancement of Long-Term Productivity**

NEPA requires consideration of the relationship between short-term use of the environment and the impacts that use could have on the maintenance and enhancement of long-term productivity of the affected environment. Impacts that narrow the range of beneficial uses of the environment are of particular concern. Such impacts include the possibility that choosing one alternative could reduce future flexibility to pursue other alternatives or that choosing a certain use could eliminate the possibility of other uses at the site.

Implementation of the Proposed Action would result in both short- and long-term environmental impacts. The only impacts determined to affect the long-term productivity of the proposed acquisition area are those to forestland. The proposed expansion of TBR would remove land from commercial timber production. Although timber would still be harvested, as discussed in Section 3.1.4.2.2, the rotation age would be increased and, therefore, the amount of timber harvested from the proposed acquisition area would decrease. This decrease in the current level of productivity would last the life of the range, plus the 30 years necessary to plant and grow the trees to harvest age. The other impacts discussed in this DEIS would not be expected to reduce environmental productivity, permanently narrow the range of future uses of the environment, or pose long-term risks to health, safety, or the general welfare of the public.



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**5. Other NEPA Considerations****5.4 Irreversible and Irretrievable Commitment of Resources**

NEPA requires discussion of any irreversible and irretrievable commitments of resources that would be involved in the implementation of the Proposed Action. Irreversible and irretrievable resource commitments are related to the use of non-renewable resources and the effects that the use of those resources have on future generations. Implementation of the Proposed Action would involve irreversible and irretrievable commitments of resources. The level of commitment would be relatively the same regardless of the action alternative selected.

Implementation of the Proposed Action would involve the consumption of materials such as fuel, oil, and lubricants for training and range operation and maintenance activities. The energy consumed during these activities represents a permanent and nonrenewable commitment of these resources. However, relatively small quantities of these types of resources would be required. Minor amounts of construction materials (wood, metal, concrete, and asphalt) would be required for various construction activities associated with the Proposed Action, and would represent a commitment of these non-renewable resources. Irretrievable commitments of resources would also involve the capital and labor hours required to implement the Proposed Action. Through compliance with applicable federal, state, and local plans, policies, and regulations as well as the implementation of BMPs and mitigation measures, the effects to renewable and non-renewable resources would be minimized.

**Irreversible commitments of resources** are those that result from the permanent use or destruction of a specific resource, such as energy, that cannot be replaced within a reasonable timeframe.

**Irretrievable resource commitments** involve the loss in value of an affected resource that cannot be restored as a result of the Proposed Action, such as disturbance of a cultural site or extinction of a protected species.

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