

(e) *Environmental Impact Statement (EIS)*. (See § 651.30 for actions normally requiring an EIS.)

(1) If it is determined that the action is covered adequately in a previously filed FEIS, the REC must so state, citing the applicable FEIS by name and date. The REC is then attached to the proponent's record copy of that FEIS. As a general rule, a FEIS older than 3 years cannot be used in this manner, but must be supplemented.

(2) If the proposed action is within the scope of an existing FEIS, but was not covered in that document or not covered adequately, then the proponent must prepare supplemental documentation to that FEIS.

(3) If the proposed action is not within the scope of any existing EIS, then the proponent must begin the preparation of a new EIS.

§ 651.10 Determining appropriate environmental documentation.

(a) The flowchart shown in Figure 1 summarizes the process for determining documentation requirements.

(b) The proponent of a proposed action may adopt appropriate environmental documents (EAs or EISs) prepared by another agency (40 CFR 1500.4(n) and 1506.3). In such cases, the proponent will retain its own record keeping for RECs and RODs. (See 40 CFR 1506.3 for procedures to follow when adopting other documents.)

(c) When an existing adequate EA or EIS is used in lieu of preparation of a new document, the REC should state the document title, date, and where it may be reviewed.

§ 651.11 Classified actions.

(a) For public dissemination of environmental documents containing classified information, AR 380-5 will be followed.

(b) Classified facts will be separated from unclassified facts and conclusions related to the proposed action. Unclassified portions of the action may then be processed routinely in accordance with this regulation. Classified portions will be kept separate for reviewers and decisionmakers with need-to-know as defined in AR 380-5 and (c) of this section.

(c) Classification does not relieve a proponent of the necessity to assess and document the environmental effects of the proposed action. The HQDA proponent, in coordination with the Army Environmental Office and the Deputy Chief of Staff for Intelligence, Security Division (DAMI-CIS), may select a review team. The team may be drawn from the Army agency or office not connected with the proponent agency, or from agencies outside the Army. The review team's purpose is to provide an external review of classified environmental documents.

§ 651.12 Integration with Army planning.

(a) *Early integration.* The Army goal to integrate environmental reviews concurrently with other Army planning and decisionmaking actions avoids delays in mission accomplishments. To achieve this goal, proponents should provide complete environmental documents for early inclusion with any recommendation or report to decisionmakers (Master Plan, Natural Resource Management Plan, Remedial Investigation, FS, etc.). The same documents will be forwarded to the planners, designers, and/or implementers so that recommendations and mitigations on which the decision was based may be carried out.

(b) *Time limits.* The timing of the preparation, circulation, submission, and public availability of environmental documents is of great importance in ensuring that environmental values are integrated in the planning and decision processes. It is important to remember that next to the project itself, a properly prepared EIS may require the longest time to complete.

(1) *Categorical exclusions (CX).* When a proposed action is categorically excluded from further environmental review (subpart D and appendix A), the proponent may proceed immediately with that action.

(2) *Findings of no significant impact (FNSI).*

(i) If the proposed action is one of national concern, is unprecedented, or normally requires an EIS, the proponent will make the EA and FNSI available for public review 30 or more days prior to making a final decision.