

MD # 5100
ENVIRONMENTAL PLANNING PROGRAM MANUAL PART 1 –
SUPPLEMENTAL PROCEDURES AND DELEGATION OF
AUTHORITY



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DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE CHIEF ADMINISTRATIVE SERVICES

DHS ENVIRONMENTAL PLANNING PROGRAM MANUAL PART 1

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REQUIREMENTS FOR SUPPLEMENTAL PROCEDURES AND TO OBTAIN A DELEGATION OF AUTHORITY UNDER MD 5100.1, ENVIRONMENTAL PLANNING PROGRAM

The purpose of this document is to provide further interpretive guidance and a minimum level of substantive guidance on the requirements to obtain a delegation of authority and to develop component supplemental procedures under MD 51001, Environmental Planning Program. Nothing in this guidance manual is intended to substantively alter any of the direction in Management Directive (MD) 5100.1.

The Chief Administrative Services Officer (CASO) will process a request for delegation of authority under paragraph V.C.7 of MD 5100.1, Environmental Planning Program, based on recommendations from the Director, Office of Safety and Environmental Programs (DOSEP). Paragraph V.D.9 of MD 5100.1 contains requirements for delegations of authority. The request must explain the manner in which the Component will meet the criteria in V.D.9 of MD 5100.1. In addition, DOSEP will not recommend approval of a delegation of authority to a Component pursuant to paragraph V.D.9 of MD 5100.1 without a respective set of supplemental procedures. Supplemental procedures and a delegation of authority may be approved concurrently.

1. Requirements For Supplemental Procedures

- A. Supplemental procedures must be consistent with MD 5100.1, Environmental Planning Program.
- B. Supplemental procedures are to be primarily of an administrative nature; describing the manner in which MD 5100.1 is to be implemented within the Component.
- C. Supplemental procedures must designate an appropriate office in the Component as the Environmental Planning Program Manager (EPPM) to act as a single point of contact for coordination with DOSEP on all environmental planning matters (in accordance with paragraphs V.F and G of MD 5100.1). In designating the EPPM, Components should consider whether the office is in an appropriate position and contains sufficient authority to fulfill the responsibilities. The position of the EPPM in the organization is important with regard to the opportunities to be aware of the planning and development of programs and activities that may involve environmental impact evaluation. The position will need to be at a level that can maintain sufficient organizational awareness of proposals and activities and have sufficient authority to guide, assist, and approve environmental impact evaluations across the range of the component's programs. It is also important to recognize that this function starts with program planning and the "ground work" for the successful performance of this function is provided in activity planning and developmental efforts; although it may continue

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through implementation activities. For Components with a substantial level of environmental planning workload, further consideration should be given to the request by the Council on Environmental Quality (CEQ) for an individual point of contact for listing on their web site. In those Components, either the chief of the office designated as the EPPM or an appropriate staff member from that office should be the point of contact for CEQ.

D. Supplemental procedures must describe the appropriate internal processing requirements for the preparation and approval of environmental planning related documents within the Component. These internal processing requirements must include a means to record the acknowledgement of environmental planning documents by activity proponents (frequently accomplished by a signature block) to demonstrate that the proponent has considered the potential for the activity to impact the quality of the human environment (in accordance with paragraphs V.G and H of MD 5100.1). The activity proponent is normally in the operational line of authority, as defined in the Glossary in MD 5100.1, and advocates the reason why the proposal is being developed (the purpose and need). The internal processing requirements may provide for a redelegation of approval authority to various programs and regional offices.

E. When supplemental procedures redelegate approval authority for environmental planning documents to a Component's field organization, the procedures must contain requirements for the identification of those environmental planning activities that would require the attention and approval of higher levels of the Component's organization, including the Component's headquarters.

F. Supplemental procedures must contain the guidance in [Attachment A](#) that provides the criteria to identify environmental planning documents that require DOSEP approval (in accordance with paragraph V.F.12 of MD 5100.1).

G. Components may not propose new categorical exclusions nor propose deletion of existing categorical exclusions in a request to CAS for delegation of authority. Proposals to establish new or delete existing categorical exclusions within the department will be processed separately by CAS due to the public notification requirements.

H. Supplemental procedures must support departmental information management and decision support systems through such things as use of common guidance and handbooks, department-wide accessibility of appropriate environmental planning information, and sharing of best practices throughout the department.

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- I. Supplemental procedures must support departmental performance management and reporting requirements, including scorecards, for the environmental planning and historic preservation lines of business.

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ATTACHMENT A: ENVIRONMENTAL PLANNING EFFORTS THAT REQUIRE REVIEW BY DOSEP

As a further elaboration on paragraph V.F.12 of MD 5100.1, Environmental Planning Program, Components must coordinate environmental activities with DOSEP that meet any of the following criteria:

1. Actions with national policy implications relating to the DHS mission,
2. Legislation, regulations, and program proposals having national impact on DHS's mission,
3. Actions with significant media or Congressional interest; and
4. Any environmental impact evaluation activity from a Component headquarters that requires publication of notice or other documentation in the Federal Register. This includes activities for compliance with requirements other than the National Environmental Policy Act (NEPA).

DOSEP may require approval of any other environmental impact evaluation activity within a Component of a similar level of interest as that described by the preceding criteria. In addition, Components may, through their Senior Administrative Services Officer, request DOSEP approval of their respective environmental impact evaluation activities.

DOSEP requires a minimum of two (2) calendar weeks of review time. More complex or controversial actions may require additional time for review. During this time, DOSEP may involve the Office of the General Counsel. Components may facilitate DOSEP review through preliminary informal coordination with staff. In all cases, legal sufficiency is the minimum threshold of acceptance.