RECORD OF DECISION

As the Deputy Assistant Chief of Staff for Installation Management, I have reviewed the *Final Environmental Impact Statement (EIS) for BRAC 2005 Disposal and Reuse of Fort McPherson, Georgia*, which is incorporated by reference. The EIS adequately assesses the environmental impacts of implementing Base Closure and Realignment (BRAC) disposal and reuse alternatives at Fort McPherson. As indicated in this Record of Decision (ROD), the Army will proceed with the early transfer alternative.

1. Background

Fort McPherson serves primarily as an administrative, strategic planning, and command center. Fort McPherson is a 487-acre property that serves as the headquarters for US Army Forces Command (FORSCOM), Third US Army/US Army Central (Third Army), and the US Army Reserve Command (USARC). Fort McPherson also houses a number of additional tenant organizations. The installation is located 4 miles southwest of downtown Atlanta and 7 miles northwest of Hartsfield-Jackson Atlanta International Airport. Closure of Fort McPherson is included in the recommendations of the 2005 Defense Base Closure and Realignment Commission (the BRAC Commission) made on 8 September 2005, in conformity with the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, as amended (hereinafter, Base Closure Act).

In the absence of Congressional disapproval, the BRAC Commission's recommendations became binding on 9 November 2005. In its 2005 report to the President, the BRAC Commission recommended the following specific actions related to Fort McPherson:

- Close Fort McPherson, GA;
- Relocate FORSCOM and USARC to Pope Air Force Base (AFB), NC
- Relocate Third Army to Shaw AFB, SC;
- Relocate Installation Management Command (IMCOM) Southeast Region Headquarters (renamed IMCOM South East) and the US Network Enterprise Technology Command Southeast Region Headquarters to Fort Eustis, VA; and
- Relocate the Army Contracting Command Southern Region Headquarters to Fort Sam Houston, TX.

The Base Closure Act requires that the closure action be completed no later than 15 September 2011. Following the relocations and closure, the Army will dispose of its real property interests at Fort McPherson and transfer the property to new owners.

Pursuant to the National Environmental Policy Act of 1969 (NEPA) and its implementing regulations, the Army has prepared an EIS to evaluate the environmental and socioeconomic impacts resulting from disposing of the property and the reasonable reuse of the Fort McPherson property. NEPA does not apply to the 2005 BRAC Commission's deliberation and decision process or the need for closing or realigning an installation. Accordingly, the EIS does not address the need for closure.

The Base Closure Act specifies that NEPA is applicable to base closures during the process of property disposal. The EIS prepared by the Army applies to disposal as an Army action and reuse of the property as a secondary action resulting from disposal. Disposal and reuse of approximately 487 acres of property is the proposed federal action evaluated in the EIS. The EIS also considers the cumulative impacts of potential reuses of the property.

The Final EIS was prepared following a public meeting and the receipt of comments on the Draft EIS. A Notice of Availability was published in the Federal Register and local newspapers notifying the public of the availability of the Final EIS.

2. Proposed Action

The Army's proposed action is to implement the BRAC Commission's recommendation to relocate assigned units and close Fort McPherson, with disposal and reuse of the surplus property as a secondary action.

The McPherson Planning Local Redevelopment Authority's (MPLRA) reuse plan (Reuse Plan) provides the basis for the development of reasonable and foreseeable reuse scenarios evaluated in the EIS. The McPherson Implementing Local Redevelopment Authority (MILRA), as the successor to the MPLRA, is the implementation authority for the redevelopment of Fort McPherson and will implement the Reuse Plan. The range of reuse alternatives evaluated in the EIS encompasses reasonably foreseeable variations of the Reuse Plan, and the results of this analysis were used by the Army in its decision regarding disposition of the property.

3. Purpose and Need for the Proposed Action

The purpose of the action is to carry out the BRAC Commission's recommendations and to comply with the Base Closure Act. The proposed action is needed in order to fulfill the Army's obligations under the Base Closure Act and to transfer excess property to new owners for continued stewardship of cultural and natural resources, conservation, recreation, and sustainable economic development in keeping with the planning goals established in the Reuse Plan.

4. Alternatives for the Proposed Action

The EIS evaluates four alternatives in detail: the early transfer alternative (which is the Army's Preferred Alternative), the traditional disposal alternative, the caretaker status alternative, and the No Action Alternative.

Under the early transfer alternative, the Army can transfer and dispose of surplus federal property to other entities for redevelopment before environmental remedial actions have been completed. This method of early disposal, allowable under the provision of Section 120 (h)(3)(C) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) would be to defer the CERCLA covenant requirement to complete all necessary environmental cleanup prior to the transfer of the property. In this way, parcels could become available for redevelopment and reuse sooner and job creation and economic growth associated with reuse can begin more immediately than under any other disposal alternative. Georgia's governor must concur with the deferral request and the determination that the intended use is consistent with the protection of human health and the environment

Under the traditional disposal alternative, the Army would transfer or dispose of property once environmental remediation is complete for individual parcels of the installation. Under traditional disposal, if a particular long-term environmental remedy is deemed to be operating properly and successfully, the Army may transfer the land while continuing obligations for limited environmental actions, such as continued monitoring, five-year review, and continued operation of remediation systems.

The caretaker status alternative would arise in the event that the Army is unable to dispose of any or all portions of excess property within the period of initial maintenance. Once the time period for initial maintenance elapses, and if the Army has not yet disposed of its property, the Army would

then reduce maintenance to levels consistent with federal government standards for excess and surplus properties (i.e., 41 Code of Federal Regulations [CFR] 101–47.402 and 101–47.4913), Army Regulation 420–70 (*Buildings and Structures*), and with the Memorandum of Agreement (MOA) for the Closure and Disposal of Fort McPherson. This long-term maintenance, or 'caretaker status' condition, would no longer be focused on keeping the facilities in a state of repair to facilitate rapid reuse. Rather, maintenance during this period would consist of activities intended primarily to ensure security, health, and safety and to avoid physical deterioration.

Under the no action alternative, the Army would continue operations at Fort McPherson at levels similar to those occurring prior to the BRAC Commission's recommendation for closure. Implementation of this alternative, however, is not possible in light of the BRAC closure recommendation's having the force of law. Inclusion of the no action alternative is prescribed by the Council of Environmental Quality (CEQ) regulations implementing NEPA and serves as a benchmark against which federal actions can be evaluated. Accordingly, the no action alternative is evaluated in this EIS.

The caretaker status alternative is the environmentally preferred alternative in that it would produce the fewest adverse impacts, while also resulting in a number of beneficial impacts. The no action alternative, although it has no new impacts, would continue the emissions, traffic, noise and other impacts associated with the recent full Army use of Fort McPherson.

5. Environmental Consequences

The EIS identifies the direct, indirect, and cumulative impacts of implementing the selected action in the following resource areas: land use, aesthetics and visual resources, air quality, noise, geology and soils, water resources, biological resources, cultural resources, socioeconomics including environmental justice, transportation, utilities, and hazardous substances. These impacts are described below

Land Use. Long-term moderate to significant adverse and moderate beneficial effects, as well as short-term minor adverse effects, would be expected to occur. As a result of disposal, the installation would be underutilized for a short (e.g., 2-5 year) period of time prior to redevelopment, as military operations ceased prior to transfer. Disposal and redevelopment would result in a moderate to significant adverse effect on the intensity of land use relative to baseline conditions, resulting in a number of land use compatibility concerns (e.g., traffic, noise, aesthetics, and density changes). In addition, disposal and redevelopment may result in land use conflicts with surrounding communities (e.g., traffic, noise, and viewsheds). On the other hand, disposal would integrate the property into the surrounding neighborhoods, thereby providing some beneficial effects.

Aesthetics and Visual Resources. Long-term moderate beneficial and adverse effects and short-term minor adverse effects would be expected. Demolition and site-clearing activities would result in a short-term adverse visual impact for surrounding neighborhoods. Disposal will ultimately result in long-term moderate beneficial and adverse effects due to redevelopment of the property to higher intensity levels. In some respects, many aesthetic improvements will be visible from the upgrade and modernization of the area, such as removing old fences and structures.

Air Quality. Long-term significant adverse impacts and short-term minor adverse effects would be expected to occur. In the short term, limited redevelopment and reduction in military activity would initially be expected to result in only minor adverse effects to air quality. However, in the long term, emissions due to reuse would likely exceed the *de minimis* thresholds for annual emissions increases in a nonattainment area, thereby resulting in significant adverse effects to air quality.

The General Conformity Rule provides that actions proposed to occur within nonattainment areas must, unless otherwise exempt, be accompanied by a General Conformity Determination (GCD). Among the recognized exemptions are "transfers of ownership, interests, and titles in land, facilities, and real and personal properties, regardless of the form or method of the transfer" (40 CFR Part 51.853). Because the Army's proposed action will involve the sale or other title transfer of federal property, it has been determined that the action is exempt from the General Conformity Rule requirement to prepare a full GCD. Therefore, a Record of Non-Applicability was prepared. For the purposes of NEPA compliance, however, the EIS includes a detailed assessment of air emissions relative to *de minimis* thresholds resulting from redevelopment, as well as mitigation measures to reduce emissions.

Noise. Moderate short-term and long-term adverse effects would be expected. In the short term, non-federal ownership will result in increased potential for construction and demolition activities, which may result in minor adverse noise effects. In particular, adverse impacts from demolition and construction activities to residential areas located near Fort McPherson would occur. Disposal and redevelopment of the property would result in an increase in traffic to the property and a greater number of residents and visitors to the property, thus increasing noise levels in surrounding neighborhoods.

Geology and Soils. Short-term and long-term minor adverse effects would be expected. After federal stewardship ceases, geologic and soil resources would not benefit from the many federal policies and programs set forth to protect these resources. Furthermore, construction and demolition activities during soil excavation, grading, and removal could result in long-term minor adverse effects, including increased erosion.

Water Resources. Short-term and long-term minor to moderate adverse impacts would be expected. In the long term, disposal of Fort McPherson would result in non-federal ownership and potentially, reduced emphasis on natural resource management and conservation, which is currently governed by the Integrated Natural Resources Management Plan (INRMP) and Army policies and regulations. This change in watershed and ecosystem management may result in minor adverse effects to water resources. Furthermore, the effect of increasing impervious surfaces would be expected to increase storm water runoff, but increased runoff would likely be managed to preconstruction levels. In the long term, disposal and redevelopment of the property would increase point source storm water and wastewater discharges.

Biological Resources. Long-term minor to moderate adverse and some minor localized beneficial impacts would be expected. Disposal of Fort McPherson would result in non-federal ownership and potentially, reduced emphasis on natural resource management and conservation, which is currently governed by the INRMP and Army policies and regulations. This change in land and ecosystem management may result in minor adverse effects to biological resources. However, the biological resources on the installation do not include any sensitive species or habitat. Furthermore, the landscape is highly maintained and surrounded by highly-developed residential and commercial areas. Impacts caused by the extensive physical changes from redevelopment would alter natural processes or habitats in only minor ways compared to the existing condition. However, minor to moderate adverse effects would also be expected as a result of reductions in existing open space, increases in impervious surface, and reductions in forested areas. Small areas of riparian and aquatic habitat that do not now exist would be expected to arise from the stream's restoration to a more natural state as envisioned in the Reuse Plan.

Cultural Resources. Moderate adverse effects to cultural resources are due to the closure and transfer of properties out of federal control. All historic properties have been identified and impacts assessed.

The Army has signed a MOA with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation regarding impacts to National Register of Historic Places (NRHP)-eligible properties, as discussed further in the Mitigation section below.

Socioeconomics. Long-term minor to moderate beneficial effects would be expected for economic development. The early transfer of Fort McPherson would enable immediate initiation of redevelopment activities, and therefore new job creation (skilled, low-skilled, or unskilled jobs), increased local sales volume, possible industrial diversification in the local and regional economies, and expansion of the tax base. Disposal and redevelopment of the property would likely result in the rise of property values due to its proximity to commercial and recreational areas.

Increased employment would result in increased population and corresponding increases in housing demand. It is uncertain whether increased housing demand has the potential to push housing prices up to the degree that some low-income families may no longer afford to rent or buy in the area. It is likely that these effects would be localized rather than spread throughout the region of influence (ROI). Low-income populations would benefit from the creation of low-skilled and unskilled jobs associated with economic redevelopment of the properties, as well as increased household incomes, possibly reducing the effect of rising rent or home prices.

The Preferred Alternative may result in minor disproportional adverse effects to Environmental Justice communities immediately surrounding Fort McPherson relative to increased traffic, noise, and air quality to communities that are afforded protection pursuant to environmental justice provisions. However, beneficial effects may also occur, as new job opportunities and increased household income will likely result from redevelopment at Fort McPherson. Redevelopment will likely include retail, institutional, and open space, which will likely result in improvement of quality of life to residents in the area and possibly create job opportunities for local residents.

Transportation. Short-term and long-term minor to significant adverse effects and minor localized beneficial effects to transportation infrastructure would be expected on and in the vicinity of Fort McPherson. For the regional transportation network, minor short-term and minor to significant long-term adverse effects would be expected following disposal. Severity of impacts would be dependent on the level of redevelopment. It is anticipated that the Preferred Alternative would result in increased traffic and increased usage of transportation infrastructure both on and off the installation. This increase would cause greater wear and tear on existing roadways, thereby causing short- and long-term minor to significant adverse effects both on and off the installation. Off-site area roads are currently operating at or below design capacities; increases in traffic due to redevelopment of the installation could result in minor to significant adverse impacts on area roadways. On site, this adverse effect would be offset to some degree, as existing transportation infrastructure likely would be upgraded under this alternative. Thus, some localized beneficial effects would also be expected on Fort McPherson at particular locations.

Utilities. Moderate long-term adverse and minor beneficial effects to utilities would be expected. Much of the utility infrastructure on Fort McPherson was constructed in the mid-20th Century or earlier and will require upgrades over the long term. Beneficial effects will occur as private ownership and market forces enable needed upgrades to utility systems, including upgrades to wastewater, storm water, and gas transmission systems. Moderate adverse effects may occur if redevelopment outpaces necessary infrastructure upgrades. Through careful planning by the MPLRA and other involved parties, stressors to system capacity will be minimized to ensure that sufficient utility service is provided to tenants into the future.

Hazardous and Toxic Substances. Long-term minor adverse indirect effects may occur. Following disposal, redevelopment of Fort McPherson would lead to construction, demolition, renovation, and expanded commercial and residential use. These activities could increase the potential for use, storage, transport, and generation of hazardous substances and hazardous wastes, as well as the potential for accidental release and minor spills. In any event, hazardous waste generation and disposal are carefully regulated under state and federal programs, thereby reducing the effect to the environment.

Cumulative Effects. In accordance with CEQ regulations implementing NEPA, the EIS also evaluated the cumulative effects of the proposed action on past, present, and reasonably foreseeable actions of other agencies and persons, both at Fort McPherson and in the surrounding community. This effort included coordination with surrounding municipalities and counties, state agencies, and Department of Defense installations. Projects considered in the analysis of cumulative impacts include several proposed developments and plans considered in the Reuse Plan and projected economic growth projected for the ROI and sub-ROI Cumulative effects were assessed by resource areas and summarized in the EIS Cumulative effects identified included potential for land use conflicts as development becomes denser; increased air emissions in the region; adverse impact on traffic flow which may result in some deterioration of road networks and roadway congestion; noise impacts to residential areas located along public roads serving Fort McPherson; economic development as a result of job creation; increases in impervious surface within the watershed; increased water usage; and increased wastewater discharge.

The mitigation measures described in Section 6 will minimize or avoid adverse impacts.

6. Mitigation

All practicable means to avoid or minimize environmental harm from the selected alternative have been adopted. These measures are set out in Section 4.15.1 of the EIS and include the following:

- Utilize conveyance documents that include covenants related to historic buildings and structures (see EIS Appendix E);
- Identify within conveyance documents past hazardous substance activities at each site, as required by CERCLA and CERFA, including restrictions on land use (see EIS Appendix F);
- Continue to work with the MPLRA, and subsequently, the MILRA, to ensure that disposal transactions are consistent with the adopted Reuse Plan;
- Continue to identify, delineate, and, where appropriate, abate hazardous conditions in accordance with Army regulations and policies;
- Until final disposal, maintain installation buildings, infrastructure, and natural resources to the extent provided by Army policy and regulations; and
- Until final disposal, manage all environmental resources to ensure that the federal facility remains in compliance with state and federal laws and local regulations.

Furthermore, federal, state, and local regulations and policies applying to entities that receive properties at Fort McPherson will govern to a large extent the appropriate use and conservation of the environment including air quality, wetlands resources, water quality, cultural resources, and other resources. There are also certain management measures that may be implemented by new owners according to the principles of sound and sustainable planning as outlined below. These measures are set out in Section 4.15.4 of the Final EIS.

Regarding impacts to NRHP-eligible properties, the Army has signed a MOA with the SHPO and the Advisory Council on Historic Preservation to avoid, minimize, and mitigate adverse effects of the proposed action. Upon implementation of the stipulations of the agreement, National Historic Preservation Act, Section 106 compliance is complete.

7. Comments Received Following Publication of the Final EIS

The Army received comments from the Georgia Department of Natural Resources, Environmental Protection Division (GA EPD) dated 24 January 2011. These comments dealt with contamination and cleanup and require some clarification.

The first section of comments deals with the two World War I artillery shells found on the Fort McPherson golf course. The EIS states clearly that there is no evidence that Fort McPherson was ever used as an artillery range. Unfortunately, the EIS goes on to refer to a "suspected artillery range impact area" several times, as if such a thing could exist. This is unfortunate and may have led to the impression that an artillery impact area could exist. The EIS sets out the Army's intention to prepare a technical paper on the evidence concerning existence of an artillery range. It also states that the Army will investigate the munitions site to determine if there are any more artillery shells (EIS, p. 4-121). This situation is really evidence that in the past, the Army sometimes placed or abandoned ammunition haphazardly for no apparent purpose. It goes without saying that the Army now fully accounts for all ammunition and properly disposes of it.

The comments also mention that the EIS does not specify in maps exactly where the munitions site is. The site is very near Site 63(7)HS/HR9P, shown in the EIS on Figure 4.13-1. It is near the existing McPherson range.

The Army will work with the GA EPD in defining the scope of investigation needed to determine more definitively, the presence/absence of artillery shells on the site. If artillery shells are found during the investigation, the Army will remove and dispose of the ordnance off-post following proper safety procedures. Based on GA EPD recommendations, the Army will proceed appropriately.

GA EPD also raises several other site contamination questions. For all of these issues, it is important to remember that remediation and investigation of hazardous substances will continue in concurrence and consultation with appropriate regulatory agencies. Through the ongoing remedial program, the Army will provide EPD with the level of detail necessary for the agency to determine if the scope and methods of the investigation are appropriate. The EIS presented a snapshot look at remediation at Fort McPherson. Until action is complete and approved by regulators, the status of remediation described in the EIS is subject to change. As discussed above under Mitigation, the Army will continue to identify, delineate, and, where appropriate, abate hazardous conditions in accordance with Army regulations and policies.

GA EPD commented that several sites were not included in the EIS, including Building 104 Solvent Underground Storage Tank (UST) site/Parcel 13 (2), Parcel 21 (7) Pistol Range, Building 356, and Building 341 Debris Area. These sites are, for the most part, mentioned in section 4.13.1.6 of the EIS, "Special Hazards." Parcel 21 (7) Pistol Range is mentioned on p. 4-121. Building 356 is discussed on pp. 4-118 and 4-123 for pesticides. Building 341 Debris Area is also discussed under pesticides on p. 4-123. Building 104 Solvent UST site/Parcel 13 (2) is mentioned in the reuse plan and also EIS Appendix J for underground storage tanks. These are the only concerns the Army knows of at these sites.

The comment then references a 12 January 2010 letter that recommends additional testing for certain areas before a "no further action" status can be approved. For purposes of this ROD, it is important to note that the restoration program at Fort McPherson is an ongoing process. The Army's decision does not mean that any determinations on sites reflected in the EIS are necessarily final. The Army will continue to take steps necessary to investigate, and if required, remediate these sites.

The comment then discusses FTMP-13 (Buildings 209 and 302 Dry Cleaning Facilities) and states that remedial action will be required at the site. The EIS recognizes that deeper wells will be required to test for contamination. It also states that there is a risk that there may be more contamination than previously thought and that this could delay a remedy decision (EIS, p. 4-117). Again, this is an ongoing investigation and the Army will work to resolve it.

The Army took these and all other comments into account when making the decisions in this ROD.

8. Decision

I have considered the results of the analysis presented in the EIS, supporting studies, and comments provided during formal comment and review periods. These factors, as well as the description of the purpose and need for the proposed action, guided my decision.

On behalf of the Army, I have decided to select the early transfer alternative. I have determined that implementing early transfer meets the purpose and need for achieving the Army's mission requirements consistent with the Base Closure Act and reflects a proper balance among initiatives for protection of the environment, appropriate mitigation, and mission accomplishment. The early transfer alternative accelerates the conversion of the property to productive reuse with its associated growth in jobs and the economy. It also reduces costs to the Army for ongoing maintenance and management of the facility. I also took into account the fact that the no action alternative would not meet the Army's purpose and need for the action. I have determined that the Army has identified and adopted all practicable means to avoid or minimize harm to the environment that could be caused by implementation of the selected action.

Craig E. College

Craig E. College
Deputy Assistant Chief of Staff
for Installation Management

22 March 2011

Date