Summary: “Analysis of Policy and Guidance Regarding Sustainability and Environmental Considerations in Overseas Contingency Operations in the Joint, Interagency, Intergovernmental, and Multinational (JIIM) Environment”

This February 2011 paper provides recommendations for improving Army and DoD policy with respect to OCONUS contingency operations with respect to sustainability and specifically environmental aspects. It was authored by David A. Krooks and Kurt J. Kinnevan of the US Army Corps of Engineers® Engineer Research and Development Center. It was released by the Construction Engineering Research Laboratory within ERDC. It is also published under the authority of the Army Environmental Policy Institute.

The authors completed an extensive literature/documentation search that looked for relevant law, policy, guidance, doctrine, etc. that pertained to sustainability of and management of environmental aspects of OCONUS contingency operations. The report notes that there is plenty of information regarding environmental compliance and requirements for CONUS, Alaskan, Hawaiian, Korean, and European bases. It also notes that there is less guidance, but still fairly clear doctrine concerning “permanent” installations OCONUS. An example of this is, “Overseas Environmental Baseline Guidance Document –OEBGD (DoD 4715.05-G)…. (Note: The OEBGD *specifically states it is not to be used for contingency operations*; however, due to the lack of policy and guidance specifically addressing contingency issues, it is often used as the primary source for environmental related action information by personnel developing operational or-ders.) “

The paper assigns root cause for this situation to a multitude of reasons. Among them are; 1) lack of a coordinated overarching effort to better organize the numerous relatively independent energy efficiency efforts, 2) no Army or DoD organization has been assigned responsibility to address sustainability for contingency operations, 3) sustainability has yet to be defined in a suitable manner for the tactical level.

The only exception identified in the paper after the review of statutes, doctrine, regulations and doctrine was Field Manual (FM) 3-100.4 (US Army 2000). But it has been superseded by FM3-34.5 (US Army 201c). The new field manual restricts sustainability as it applies to CONUS installations, and does not address contingency operations.

The paper notes that Congress is becoming more concerned with environmental impacts of OCONUS contingency operations and recommends that DoD/US Army develop a proactive approach to formulating the needed set of laws, doctrine, and policy for combatant commanders of OCONUS contingency operations. The literature search did turn up guidance information published by the US Army but faulted the lack of overarching policy to prevent environmental situations being dealt with on a case by case basis.

Annex L of the classified Joint Command Operations Orders are intended to address environmental requirements for any operational mission. The Annex Ls studied were described as incomplete or inappropriate.

Two important sources that framed the analysis were; *Environmental Law for Department of Defense Installations Over-seas* (Phelps 1998) & *Environmental Law at Overseas Locations* (McCune and Fill 2010).

The authors call for new coordinated directives and instructions that guide preparation of Annex Ls that view the life of the operation as it changes in time and space and addresses minimization of energy and water use. The need is driven by a requirement for our forces to abide by host nation laws and minimize impacts/footprints of our operations on local environments and populations.