

A photograph of a military vehicle, possibly an M113, driving on a dirt road. A soldier in full combat gear is visible in the foreground, looking towards the vehicle. The scene is set in a grassy, outdoor environment.

REPI 2010

§2684a

READINESS AND ENVIRONMENTAL PROTECTION INITIATIVE
CONSERVATION AND COMPATIBLE LAND USE PARTNERING

FOURTH ANNUAL REPORT TO CONGRESS : MARCH 2010

SUBMITTED ON BEHALF OF THE SECRETARY OF DEFENSE
BY THE UNDER SECRETARY OF DEFENSE FOR ACQUISITIONS, TECHNOLOGY & LOGISTICS



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Cover Photo: Fort A.P. Hill, Virginia

The training facility at the Army's Fort A.P. Hill also offers Marines terrain that is thick with vegetation and features that present them the opportunity to prepare for combat in adverse conditions, such as during route clearance activities. For more information on the Fort A.P. Hill project, see p. 14.

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INTRODUCTION

The purpose of this annual report is to inform Congress, the public, stakeholders and interested parties on the progress of projects and partnerships to limit encroachment or other restrictions on military training, testing, and operations under the Congressionally provided authority in **Section 2684a of Title 10, United States Code** (10 U.S.C. §2684a). Section 2684a authorizes military installations to work with private conservation groups as well as state and local governments to support military readiness. Under these agreements, partner organizations use public and private funds to acquire property or property interests such as easements from willing sellers that preserve critical buffers and habitat areas near installations and ranges where the military operates, tests, and trains.

To ensure maximum success and to organize and coordinate Service efforts under the authority, the **Office of the Secretary of Defense** (OSD) created an initiative that establishes policies and standards, seeks Congressional funding and organizes department-wide outreach and engagement with potential partners, including state and local governments. Key to the **Department of Defense's** (DoD's) efforts to use this authority to protect readiness is the **Readiness and Environmental Protection Initiative** (REPI), which provides oversight for and helps fund military installations' compatible land use partnerships and projects. By conserving non-military land near installations and ranges for environmental, agricultural, and community uses, DoD and its partners protect areas critical to the national defense.

REPI is a highly visible part of a larger effort within OSD and the **Military Services**—the Army, Navy, Air Force and Marine Corps—to institutionalize an overarching compatible land use partnering program that includes implementing the §2684a authority (see Figure 1-1). OSD uses REPI to oversee the implementation of this authority and these efforts between DoD and the Services in a process described in Chapter 3.

This document is the fourth annual report submitted in response to Congressional requirements. This year, the report describes DoD's conservation and compatible land

use accomplishments completed under §2684a authority during **Fiscal Year (FY) 2008**. This year’s report sets a pattern for future reports to focus on protection accomplished using the authority during the preceding fiscal year. This report and future ones will have increasing information on projects and partnerships as more data become available to document threats, trends and accomplishments.

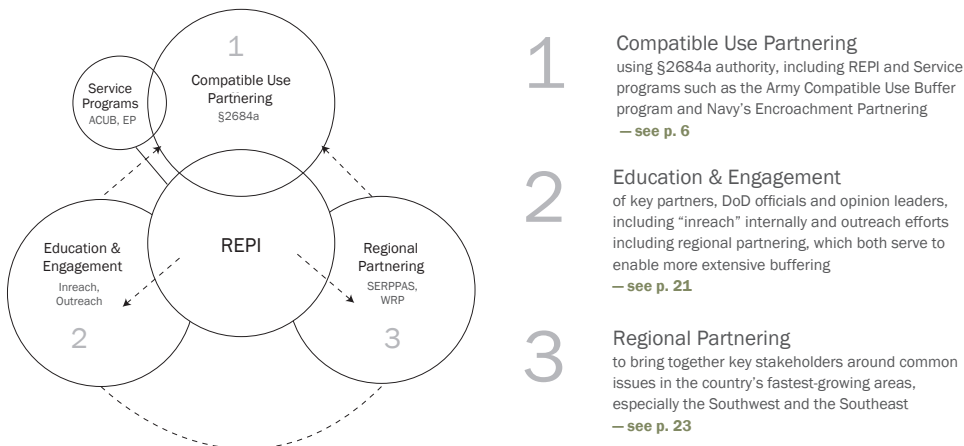
The authority provided by 10 U.S.C. §2684a is a **powerful tool** to aid in preventing or minimizing mission restrictions through compatible land use and habitat preservation. This tool is made still more effective when working in concert with the full range of tools developed by DoD, some of which are highlighted later in this report. As part of the Sustainable Ranges Initiative effort for sustaining our nation’s warfighters, these tools can help to address a range of encroachment issues.

The authority provided by 10 U.S.C. §2684a is a powerful tool to aid in preventing or minimizing mission restrictions through compatible land use and habitat preservation.

IMPLEMENTATION OF CONGRESSIONAL AUTHORITY

In 2002, as part of the **National Defense Authorization Act (NDAA)** for FY 2003, Congress authorized 10 U.S.C. §2684a. The §2684a authority allows the Services to enter into agreements to share the cost of obtaining easements, water rights, and other interests in land from willing sellers for the purpose of protecting military readiness. Section 2822 of the NDAA for FY 2006 amended 10 U.S.C. §2684a to establish an annual reporting requirement for DoD. The requirement directs the Secretary of Defense, in coordination with the Secretaries of the Military Departments and the Director, Test Resource Management Center, to report on projects executed under 10 U.S.C. §2684a. This report fulfills the requirement to report on the execution of the authority (see Appendix B for 10 U.S.C. §2684a reference).

CONSERVATION AND COMPATIBLE LAND USE PARTNERING EFFORTS Figure 1-1



- 1** **Compatible Use Partnering**
using §2684a authority, including REPI and Service programs such as the Army Compatible Use Buffer program and Navy’s Encroachment Partnering
— see p. 6
- 2** **Education & Engagement**
of key partners, DoD officials and opinion leaders, including “inreach” internally and outreach efforts including regional partnering, which both serve to enable more extensive buffering
— see p. 21
- 3** **Regional Partnering**
to bring together key stakeholders around common issues in the country’s fastest-growing areas, especially the Southwest and the Southeast
— see p. 23

BACKGROUND

THE PROBLEM: ENCROACHMENT

Our nation's warfighters need the best training and equipment available to maintain a constant state of readiness for increasingly complex and constantly evolving wartime operations around the globe. This mission demands sophisticated yet flexible single-Service, multi-Service, and joint testing and training capabilities. Assured access to operational ranges and installations helps ensure the reliability and effectiveness of weapons systems and sustains the proficiency of our armed forces with realistic, hands-on experience. Readiness is perishable, and skills must be maintained. History has demonstrated that realistic training and effective weapons systems testing have a direct and measurable impact on the survivability and success of U.S. military forces on the battlefield.

Many installations and ranges were established over 60 years ago in remote, rural areas as the nation prepared for World War II. Over the years, urban and suburban development grew up around military installations and ranges, creating conflicts in the use of land, airspace, sea space and frequency spectrum resources. As population growth and related development increase, the potential for land use conflicts between mission activities and local communities intensifies. The conflicts are reciprocal, as military operations are affected by endangered species restrictions, civilian light sources, noise complaints and safety concerns. Meanwhile, communities are affected by noise, smoke and dust that emanates from installations or ranges. Civilian uses of the electromagnetic frequency spectrum can affect military radar, test instrumentation or communications equipment. Manufacturers of household electronics sometimes use portions of the electromagnetic frequency spectrum reserved for military use, creating the potential for the military to affect the use of common electronics.

While some land uses around the edges of installations and ranges can degrade the ability of those installations to carry out their mission, other land uses well away from the installation and range boundaries can also have an impact on the military's ability to test and train. Examples include wind towers and other renewable energy infrastructure that physically obstruct air routes and have operating characteristics that can interfere with the use of military radar or communications equipment, or large-scale development that eliminates or diminishes viable endangered species habitat ecologically related to installations and ranges.

DOD SOLUTION: SUSTAINING THE MISSION

DoD developed REPI as the key ongoing platform of the Sustainable Ranges Initiative that implements Congressional funding for projects under 10 U.S.C. §2684a

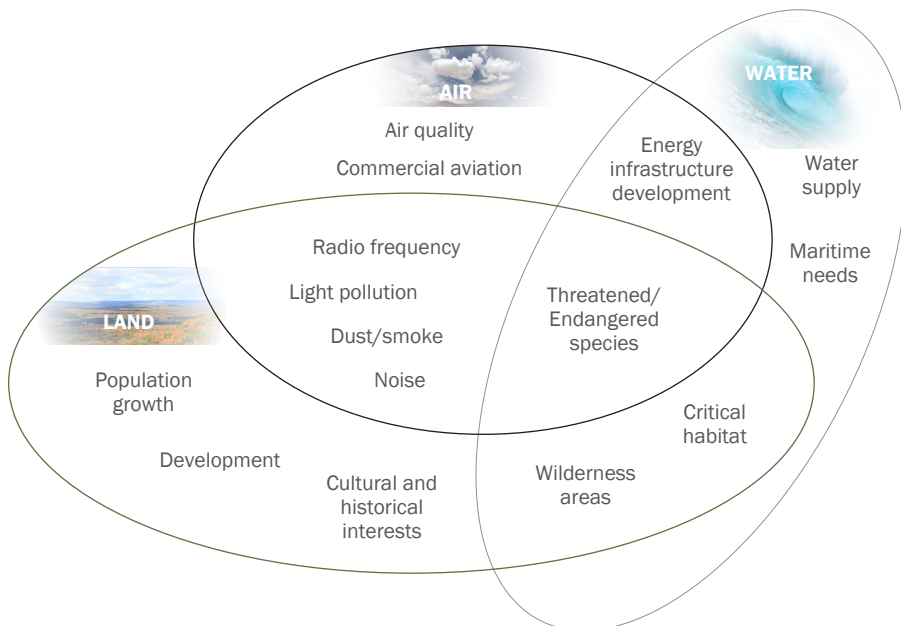
(see Figure 1-1). By leveraging funding provided through the REPI program, the Services and other sources, agreements under §2684a utilize each organization’s capabilities and expertise to ensure effective, efficient, and sustainable use of scarce resources.

In the first five years of funding for §2684a projects, DoD’s efforts have largely been framed within REPI. REPI has developed a solid track record of successful performance, and the Department is continuing to refine a broader conservation and compatible land use partnering program. REPI- and Service-funded projects under 10 U.S.C. §2684a will continue to be linked to military readiness values and are critical for mitigating, eliminating or avoiding mission restrictions due to encroachment while providing environmental, economic, and quality of life benefits to non-DoD partners and to DoD as well.

DoD’s conservation and compatible land use partnership efforts—including REPI and other supporting Sustainable Ranges Initiative actions—serve as an innovative way for OSD and senior Service representatives to comprehensively address land use and resource challenges that threaten the readiness mission. Instead of targeting a fixed end state, the overarching goal of these efforts is to create a dynamic equilibrium, or adaptive steady state, where the warfighter has continued access to the land, airspace, sea space and frequency spectrum necessary for testing and training needed to maintain readiness. Evolving operational demands make installation and range sustainment a continuous process, one that DoD is fully committed to working on with Congress, states, local communities, NGOs and other stakeholders. At the same time, these

The overarching goal of conservation and compatible land use partnering is to ensure the warfighter has continued access to the land, airspace, sea space and frequency spectrum necessary for testing and training.

VARIOUS ENCROACHMENT FACTORS Figure 1-2



efforts empower installations and their partners to remain excellent stewards of the environment and good neighbors in their communities.

SERVICE APPROACHES TO §2684a

OSD provides REPI's overarching guidance and funding support for Service efforts to protect missions and installations. Additionally, the Services prepare long-term strategies, engage in partnerships and support completing transactions via Service-specific processes described below.



Army

Using its **Army Compatible Use Buffer (ACUB)** program, the Department of the Army enters into **cooperative agreements**

(CAs) with partners who purchase land or interests in land or water rights from willing sellers. This is part of an all-encompassing approach to protect installation availability, accessibility, and capability for testing and training. Together with its partners, the Army prepares an ACUB proposal, which includes a comprehensive encroachment analysis of the threat, risk and solution. The proposal details a long-term partnership approach to protect prioritized buffer lands around critical at-risk testing or training areas while managing associated natural resources. The ACUB partner holds title to any real estate interest purchased. According to the CAs, the Army depends on the partner to provide necessary land management and easement monitoring and enforcement, with a right to monitor or enforce, or transfer interest to another eligible partner if the partner fails to meet the terms of the agreement. The Army has also used cooperative agreement authority under the Sikes Act of 1960 as amended to enter into partnerships that specifically protect natural resources.



Navy and Marine Corps

Under the **Department of the Navy (DoN)**, the Navy and Marine Corps title their efforts **Encroachment Partnering**

(EP), part of their overall encroachment management programs that involve short, medium, and long-term strategies for addressing encroachment at each installation. The Navy and Marine Corps seek out partners who share a vested long-term interest in the target properties and who are able to secure funding to participate in the transactions. DoN primarily enters into multi-year encroachment protection agreements with their partners. In some cases, partners will obtain a perpetual conservation easement over a target property to preserve its environmental value while remaining in private ownership. In other cases, the partner will purchase the property outright and manage it for public benefit. In each case, the DoN obtains a real property interest in the form of a restrictive use easement or conservation easement, ensuring that the land use will be compatible with nearby military uses in perpetuity.



Air Force

The Air Force is transforming traditional planning and encroachment prevention efforts into a single enterprise planning process that provides a holistic approach, from decision-making regarding mission changes to mission sustainment. Underpinning this process is collaboration and communication across and between organizations at all levels — **Air Force Headquarters (HQ USAF)**, Major Commands, and installations. This transformation will result in improved mission realignment decisions and continued mission sustainment. To further enhance its encroachment prevention efforts, the Air Force is developing a collaborative planning and partnering effort and is transforming its off-base encroachment efforts with a comprehensive strategy that integrates a full range of tools, including REPI and §2684a efforts.

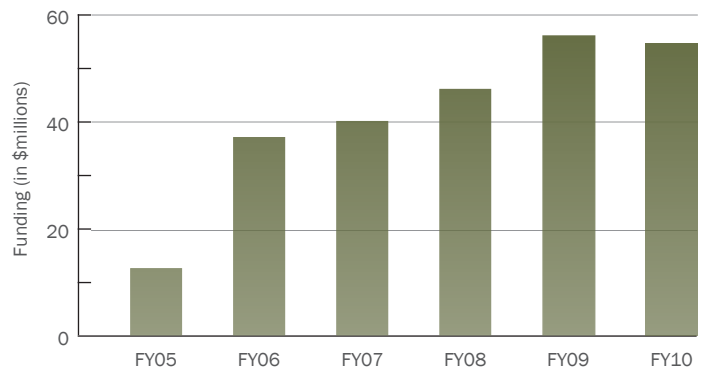
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ACCOMPLISHMENTS AND BENEFITS

2.1 : PROGRAM SUMMARY

Through REPI, Congress funds conservation and compatible land use partnerships that meet the requirements of 10 U.S.C. §2684a. Congress has provided funding for REPI for five fiscal years (2005-2009), with a sixth fiscal year now underway. Additionally, Services provide other operating and maintenance funding to complete priority projects.

REPI APPROPRIATIONS Figure 2-1



	FY05	FY06	FY07	FY08	FY09	FY10
Appropriation	\$12.5m	\$37m	\$40m	\$46m	\$56m	\$54.7m
Less Department Tax & Program Management	(\$3.5m)	(\$6.7m)	(\$9.1m)	(\$9.8m)	(\$11.7m) ¹	(\$11m)
Allocated to Services	\$9m	\$30.3m	\$30.9m	\$36.2m	\$44.3m	\$43.7m
Installations	7	19	27	29	36	TBD

¹ Increase related primarily to increase in Department tax from all O&M programs to fund urgent war support requirements.

This report summarizes REPI funding through the current fiscal year, and provides information regarding transactions completed by all Services under §2684a authority through the end of FY08. Section 2.4 highlights REPI-funded projects in each Service, and Section 2.5 highlights projects completed under §2684a and funded completely with Service **Operations & Maintenance** (O&M) and partner contributions. Section 2.3 has

a map with all REPI project locations, and Appendix A provides transaction information for each project location.

Figure 2-1 (previous page) shows the Congressional appropriations for REPI and the number of projects supported. REPI appropriations have increased more than four-fold in its five-year history. With each year's appropriation, OSD holds a portion at the Department level for Department-wide priorities and REPI program administration. The program management portion is consistent with overhead costs for similar federal land management programs.

PROGRAM REQUIREMENTS AND FUNDING

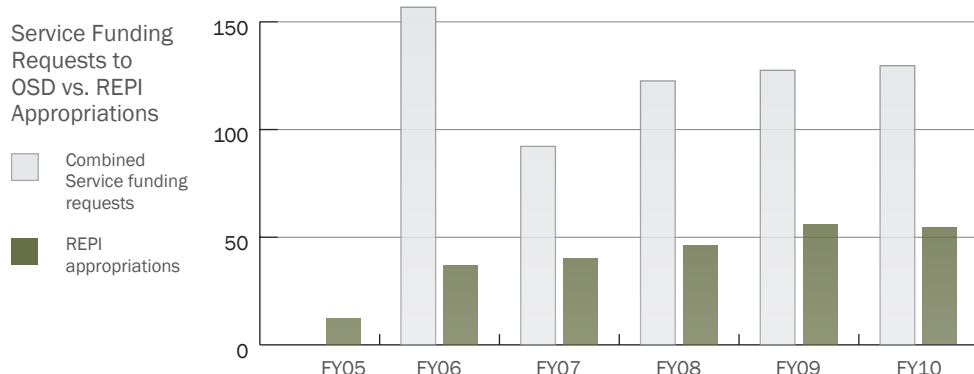
As funding is made available, partners make commitments to willing landowners and apply for outside funding from grant sources and donors. Depending on the complexity, preference of the landowner and availability of cost-share funds, some transactions can be completed within the same fiscal year, while others take up to 18 months to complete or are even phased over several years. Table 2-1 summarizes project funding by Service, and makes note of Service (non-REPI) funding applied toward projects.

CUMULATIVE SERVICE ACCOMPLISHMENTS (FY05-08) Table 2-1

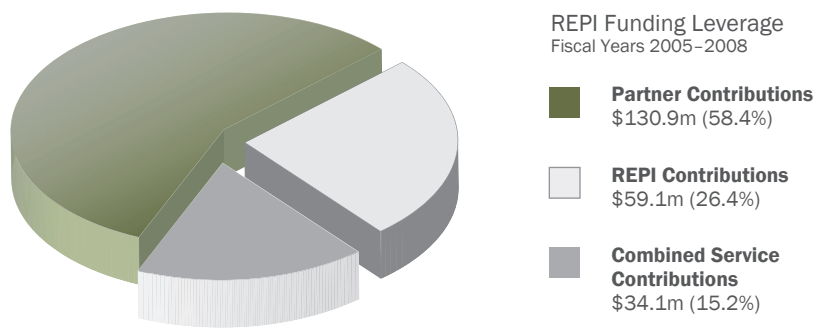
	Transactions	Acres Protected	REPI Funds	Service Funds	Partner Funds	Combined Total
Army	123	59,030	\$39.7m	\$24.7m	\$85.8m	\$150.2m
Navy	14	3,586	\$3.8m	\$2.0m	\$16.8m	\$22.6m
Marine Corps	20	20,064	\$14.7m	\$7.1m	\$26.2m	\$48.0m
Air Force	5	164	\$928k	\$250k	\$2.1m	\$3.3m
Total	162	82,844	\$59.1m	\$34.1m	\$130.9m	\$224.1m

The President's budget request and resulting Congressional appropriations for REPI continue to increase, but remain short of Service requests. Figure 2-2 shows the Service requests for projects with available partners and willing sellers to protect land and/or habitat in support of an installation mission.

TOTAL PROGRAM REQUIREMENT Figure 2-2



Combined Service funding requests in Figure 2-2 reflect only Service requests to OSD for REPI funding. Actual requirements could be greater. The decrease in Service allocations for FY07 reflects program guidance that limited project funding to \$3 million per year.



The funds that Congress provides to the Department for REPI are leveraging both Service O&M contributions and also outside funds. In the four years of accomplishments reported, partner contributions account for more than half of total project costs, with Services providing 15 percent as seen in Figure 2-3. Partner contributions include other federal grants, state and local grant or cost-share programs, private capital from conservation partners, bargain sales or donations from willing landowners and in-kind services from partners. In-kind services include appraisals, title searches, document drafting, real estate transaction services, baseline resource assessments, real property interests, legal services, mapping, or other natural resource-related services.

2.2 : PROJECT BENEFITS

REPI and the authority provided under 10 U.S.C. §2684a are effective tools to protect military value, meet Service priorities, and leverage other public and private funds. The partnerships provide a broad range of secondary benefits for communities, other stakeholders, the environment, and local economies. These partnerships make an important contribution to national defense while also advancing natural resource stewardship and land use planning goals and policies.

As part of OSD's development of metrics to evaluate the benefits provided by REPI projects, the Services provide input on factors related primarily to military readiness, followed closely by additional benefits to the surrounding communities and the environment. Table 2-2 quantifies these cumulative benefits according to projects at specific installations.

REPI projects address incompatible land use in order to:

- Protect existing **live-fire** or **maneuver** training and testing to provide flexibility for future missions **on-installation** or **off-installation**;

- Reduce the number of **workarounds** necessary to continue testing or training, which, for example, may increase the number of available **training days** during the year;
- Protect against **electromagnetic** interference, preserving necessary spectrum;
- Preserve the ability to conduct testing or training activities that generate **noise** (essential, for example, to protecting the ability to carry out weapons testing or **helicopter** training);
- Preserve the ability to conduct **night flying** or other nighttime testing or training operations through the avoidance of nearby light sources;
- Provide flexibility for future or expanded missions (**mission growth**)—including joint and **multi-Service** missions.

Additional benefits—particularly environmental—to the military, surrounding communities, and other stakeholders include:

- Engaging **new partners** in innovative ways, cooperating with communities and stakeholders to preserve quality of life and military readiness while enhancing public perception of the installation’s role in the community;
- Preserving **working lands** for agricultural and silvicultural (forest) production, which can provide **economic benefits** to area communities and preserve **local character**;
- Supporting existing and planned conservation or **regional planning** efforts to manage growth and preserve biodiversity, such as **green corridors**;
- Enhancing operational **safety**, installation security, and/or addressing future safety concerns;
- Implementing coordinated and integrated land use planning goals, such as those recommended by a **Joint Land Use Study** (JLUS), which encourages cooperative land use planning between military installations and surrounding communities;
- Protecting **habitat** and **species** (including **threatened** and **endangered** species), which can also reduce testing and training restrictions;

“The Army’s need to buffer Fort Bragg from civilian development has been in the news for at least two decades and under discussions even longer. That work took a huge advance this month with The Nature Conservancy’s purchase of 1,263 acres between the fort and Cumberland County’s only state park....

The expanded park will not only be preserved as a habitat for the endangered red-cockaded woodpecker, it will ease pressure on the rest of Fort Bragg, where training has at times had to be adapted to the bird’s habitat.”

— **The Fayetteville (N.C.) Observer**
 “Teamwork: State Park Shows What Success Looks Like” (Editorial)
 September 15, 2009

BENEFICIAL FACTORS PROVIDED BY REPI PROJECTS Table 2-2

Factors are described on the previous two pages (bold text in bullet points), and their relevance to a specific project was determined by the Services. The tables indicate the benefits that are being accrued due to the implementation of REPI projects at a given installation.

		READINESS FACTORS											COMMUNITY FACTORS															
Prefix Installation		Live-fire	Maneuver	On-Installation	Off-Installation	Workarounds	Training Days	Electromagnetic	Noise	Safety	Helicopter	Night Flying	Mission Growth	Multi-Service	New Partners	Working Lands	Regional Planning	Green Corridor	JLUS	Habitat	Species	Threatened	Endangered	Recreational	Water	Local Character	Economic Benefit	
ARMY	Aberdeen Proving Ground		•						•	•			•		•	•								•	•	•		
	Camp Blanding	•	•	•					•		•	•	•	•	•	•	•				•	•		•	•	•		
	Camp Bullis	•	•	•					•	•					•	•	•				•			•	•	•		
	Camp Rilea		•	•		•	•									•	•				•	•	•		•	•	•	
	Camp Ripley	•	•			•			•		•	•				•	•								•	•	•	
	Camp San Luis Obispo	•	•						•							•	•								•	•	•	
	Camp Shelby	•	•			•			•							•	•								•	•	•	
	Fort A.P. Hill	•		•		•			•		•	•	•	•	•	•	•								•	•	•	
	Fort Benning	•	•			•			•		•	•	•	•	•	•	•				•	•	•	•	•	•	•	•
	Fort Bliss	•	•	•		•	•		•							•	•								•	•	•	•
	Fort Bragg	•	•	•		•	•		•	•	•	•	•	•	•	•	•				•	•		•	•	•	•	•
	Fort Bragg (USASOC)				•	•				•					•	•	•	•							•	•	•	
	Fort Campbell	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•			•						•	•	•
	Fort Carson	•	•	•					•	•	•					•	•									•	•	•
	Fort Custer	•				•	•		•	•					•	•									•	•	•	•
	Fort Drum	•	•			•			•			•				•	•					•			•	•	•	•
	Fort Huachuca		•	•				•	•	•	•	•	•	•		•	•					•			•	•	•	•
	Fort Knox	•	•	•		•			•	•	•	•	•	•	•	•	•				•	•	•		•	•	•	•
	Fort Pickett	•	•			•			•			•	•	•	•	•	•								•	•	•	•
	Fort Polk	•	•	•		•	•									•	•					•	•		•	•	•	•
	Fort Riley	•	•	•	•	•			•	•	•	•	•	•	•	•	•				•					•	•	•
Fort Sill	•	•	•		•	•		•	•				•	•	•	•									•	•	•	
Fort Stewart	•	•	•	•	•	•		•	•	•	•	•	•	•	•	•				•	•			•	•	•	•	
MAJIC	•	•						•		•	•	•	•	•	•	•	•				•				•	•	•	
USAG-Hawaii	•	•	•		•	•		•		•	•	•	•	•	•	•				•	•	•	•	•	•	•	•	
NAVY	Atlantic Test Range			•	•	•	•	•	•		•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	
	NAES Lakehurst		•						•	•		•	•	•	•	•					•							
	NAS Fallon	•	•			•	•		•	•		•			•	•	•									•	•	
	NAS JRB New Orleans		•	•	•	•	•		•			•			•						•							
	NAS Oceana		•			•	•		•	•		•			•	•	•									•	•	
	NAS Patuxent River		•	•	•	•	•		•	•	•	•	•	•	•	•									•	•	•	
	NAS Whidbey Island								•	•		•	•	•	•	•										•	•	
	NAS Whiting Field		•		•	•	•		•	•	•	•	•	•	•	•									•	•	•	
	NAWS China Lake		•	•	•	•	•	•	•	•	•	•	•	•	•	•					•				•	•	•	•
	NB Coronado ATWTC (La Posta)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•							•	•	•	•
NSA Norfolk Northwest Annex							•			•					•	•					•					•	•	
OLF Whitehouse		•	•	•	•	•		•	•	•	•	•	•	•	•	•								•	•	•		
MARINE CORPS	MCAS Beaufort		•		•				•	•		•	•	•	•	•					•	•	•	•	•	•	•	
	MCAS Cherry Point		•	•					•	•					•	•									•	•	•	
	MCB Camp Lejeune	•	•	•					•						•	•	•	•	•	•	•	•		•	•	•	•	
	MCB Camp Pendleton	•	•	•									•			•	•								•	•	•	
	BT-11 Piney Island	•	•	•					•	•	•	•	•	•	•	•									•	•	•	
Townsend Bombing Range		•						•	•	•	•	•	•	•	•									•	•	•		
AIR FORCE	Beale AFB	•		•					•	•											•	•	•		•	•	•	
	Cape Canaveral AFS			•									•			•										•	•	
	Edwards AFB				•									•										•		•	•	
	Eglin AFB		•	•									•	•		•	•									•	•	
	Fairchild AFB		•	•						•																•	•	
	McChord AFB		•	•				•	•																	•	•	
	McGuire AFB			•																	•	•	•	•	•	•	•	
	Robins AFB		•	•									•			•										•	•	
	Travis AFB		•	•			•		•							•						•	•	•	•	•	•	•
	Warren Grove Range			•			•														•	•	•		•	•	•	



**Birds of a Feather:
Biodiversity and DoD**

DoD lands play an important role in sustaining biodiversity, with these areas hosting more than three times as many threatened and endangered species (in green) on a per-acre basis as any other federal agency.

In 2008, DoD cooperated with NatureServe to release a handbook for DoD land managers on sustaining biodiversity, available online at <<http://www.dodbiodiversity.org>>.

DoD’s conservation legacy also includes the Partners in Flight bird conservation program to sustain healthy populations of birds <<http://www.dodpif.org>>.

- Providing **recreational** opportunities on natural lands that may have been previously unavailable to the public (e.g., hunting, fishing, hiking);
- Protecting **water** resources and water quality for the military and neighboring communities alike.

READINESS FACTORS EXPLAINED

Protecting and sustaining live-fire and maneuver capabilities on installations, ranges and associated airspace are the primary goals of conservation and compatible land use partnering, not acquiring more land for testing or training. The prospective readiness benefits REPI §2684a projects provide, as previously noted in Table 2-2, include the following:

- **MINIMIZING WORKAROUNDS**: A critical and often little-understood impact of encroachment is when it compels commanders to modify or segment standard ways to test and train in order to fulfill testing and training requirements. Such “workarounds” are not as realistic or complete as the original approach. Workarounds can increase costs, time or the distances traveled, thereby reallocating resources from other important priorities and further stressing our military men and women’s limited home-station time. Section 2684a projects that protect an installation’s or range’s integrity and the ability to use them as intended reduce the need for workarounds and the secondary problems they create.
- **ADDRESSING NOISE ISSUES**: Noise complaints are directly related to the proximity of civilian populations to military installations, ranges, or operating areas. Compatible land uses minimize these issues, allowing the Services to test and train how and when they need to, while also maintaining the quality of life in surrounding communities.
- **PROTECTING NIGHT-VISION TESTING AND TRAINING**: The U.S. military enjoys an advantage in conflict involving night operations because of superior technology and training with night vision devices. Development can bring light to formerly dark landscapes that reduce night-vision range, and in extreme cases can temporarily blind pilots or others during such operations. Although our forces must include training in higher-light conditions to maintain realism in some situations, §2684a provides a valuable tool to ensure that dark-sky conditions are protected for effective testing and training with night vision devices.

- ACCOMMODATING NEW AND FUTURE RANGE DEMANDS : New missions and changing force structures are constantly stressing DoD range capabilities, posing challenges in addition to those from surrounding growth and development. Recent decisions to increase the size of the Army and Marine Corps, combined with forces returning from overseas, shifts in force locations due to **Base Realignment and Closure** (BRAC), and new testing and training requirements associated with the way fighting is being conducted in Iraq and Afghanistan are straining existing range capabilities. By increasing flexibility to use more of the space already under military control, REPI plays an important role in helping to satisfy new and future operational demands.

ADDITIONAL METRICS

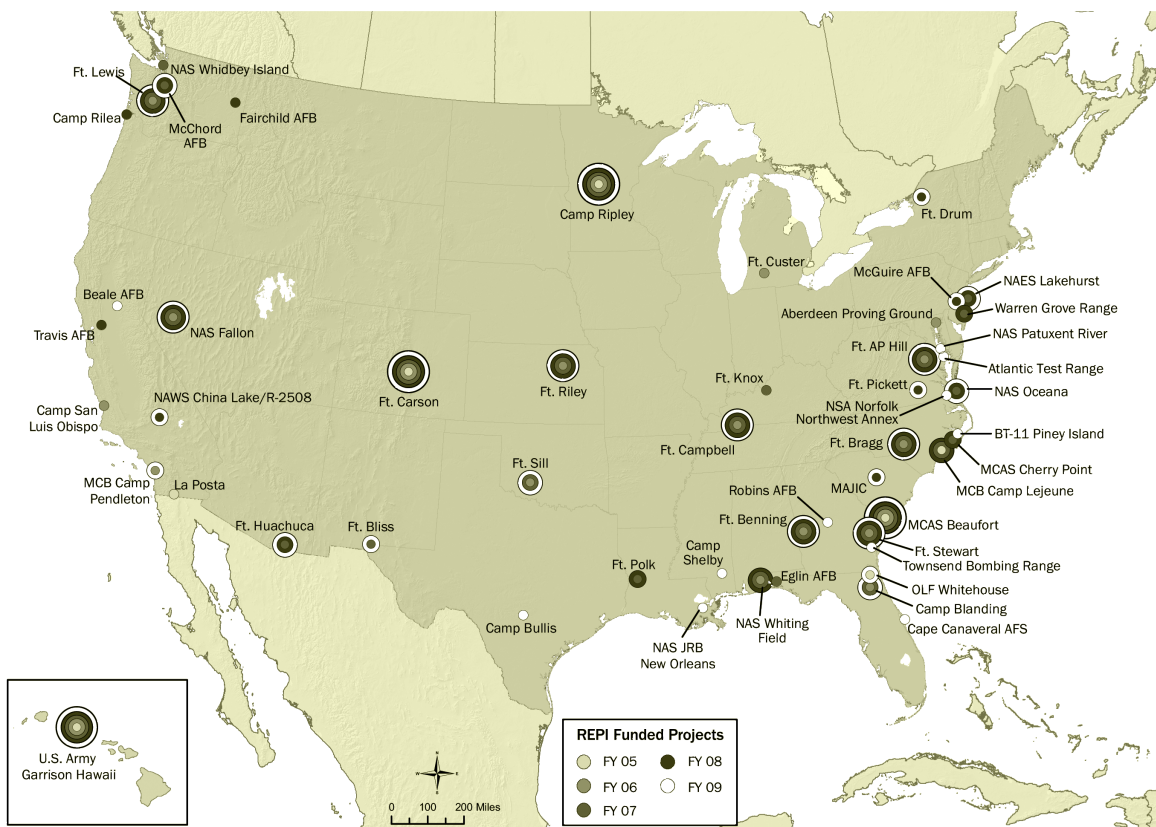
Toward the goal of developing a system of proposed performance metrics for REPI, RAND Corporation is conducting a study for OSD to recommend performance metrics for evaluating the ongoing effectiveness of REPI in supporting military readiness. For this study, RAND has been extensively reviewing how metrics have been used to measure federal program progress, and is conducting installation case studies to develop possible metrics.

Compared to many other federal agency programs, REPI is more complex in terms of metrics development. Complicating factors include variability in installations' mission functions and goals, time lines, encroachment pressures, approaches to addressing encroachment issues, the relationships to other anti-encroachment activities, and the role of various partners. Given such complexities, RAND anticipates developing a system of mostly qualitative metrics based on quantifiable sub-measures. This system would measure progress in the range of areas that REPI has been shown to benefit, including:

- Promoting military readiness and other operations;
- Limiting incompatible land use and addressing sprawl;
- Preserving habitat and other environmental benefits; and
- Improving community relationships and other community assets.

2.3 : CUMULATIVE PROJECTS: FY2005-09

As seen in Figure 2-4 (next page), between fiscal years 2005 and 2009, REPI funding was provided to projects at 53 installations and ranges in 23 states across the country.



2.4 : 2008-09 PROJECT HIGHLIGHTS

“Conservationists and state and federal officials say Fort A.P. Hill is making progress toward a goal of discouraging incompatible development outside its gates.”

— **The Washington Post**
 “Fort A.P. Hill Advancing Land Conservation Goals”
 June 10, 2009



Camden Farm

While there have been many recent project “success stories,” several stand out that OSD and the Services would like to highlight here. These varied projects reflect the innovative ways that REPI is being implemented by the Services at the installation level to sustain military readiness and advance win-win partnerships. Benefitting the military and communities alike, these partnerships represent the best of what is happening right now at installations across the country, from Florida to the state of Washington.

ARMY PROJECTS

FORT A.P. HILL : VIRGINIA

Located in a quickly developing rural area of Virginia, Fort A.P. Hill provides realistic joint and combined arms training, logistics, and support, acting as a regional training center in the Washington, D.C., National Capital Region. With 31 separate training areas on 44,000 acres of training lands, the maneuver areas provide ample training space. The availability of space was the driver for BRAC decisions to relocate the **Explosive Ordnance Disposal (EOD) School’s** Sustainment Center of Excellence to Fort A.P. Hill, as well as field training from Fort Lee, Va.

Through its buffer partnering efforts, Fort A.P. Hill is protecting its enhanced mission from incompatible development and noise complaint issues. In particular, partnering with The Conservation Fund among others in late 2008, the installation was able to preserve a significant section of the Camden property—[key nearby buffer land](#). This project illustrates how such partnering can not only support the military mission, but also serve other non-military and community objectives as well. The Camden property conserves historic resources, promotes wetlands protection, and preserves the still-rural character of the surrounding community.

The 1,300-acre Camden property ranked highly as a priority for protection because of its proximity to the installation boundary and its location within high-noise areas. In addition, the property’s protection supports efforts by Fort A.P. Hill to carry out off-installation mitigation for adverse effects to historic properties from BRAC construction on the installation under the **National Historic Preservation Act** (NHPA). The property contains ample historic, cultural, and archaeological resources, and has been designated a National Historic Landmark. Artifacts in the area stem from the John Smith-Native American contact era and Revolutionary and Civil War time periods.

FORT CAMPBELL : KENTUCKY

Fort Campbell is a major Army maneuver installation supporting rapid deployment of assigned Soldiers. It is home to the 101st Airborne Division, the 160th Special Operations Aviation Regiment, the 5th Special Forces Group, and over 26,000 Soldiers overall. In November of 2008 the Land Trust for Tennessee permanently protected the 246-acre Howell property, which will prevent incompatible development from encroaching on night-vision and aviation training missions at Sabre Army Helipoint. The Howell property will remain a working farm in prime agricultural lands that was formerly threatened by residential development. The conservation easement will protect the rural character of the property and surrounding area while also providing additional benefit to the Army in the form of new overflight rights that will positively contribute to Fort Campbell’s mission.

NAVY PROJECTS

NAS FALLON : NEVADA

Naval Air Station (NAS) Fallon is the Navy’s premier tactical air warfare training center, the only facility where an entire carrier air wing can conduct comprehensive training and integrate realistic battle scenarios. The climate around Fallon is highly conducive to flight training and four live-bombing ranges nearby are invaluable to training operations. However, NAS Fallon is located in an area of Nevada with rapid growth and expansion.

To protect its mission, the Air Station signed a five-year agreement with Churchill County to purchase conservation/restrictive-use easements within the highest priority areas such as under departure corridors and other areas that would adversely affect the

Partnering Preserves Readiness

In addition to The Conservation Fund, Fort A.P. Hill partnered with the Virginia Outdoor Foundation and the Virginia Department of Historic Resources. By preserving off-installation historic properties through an easement and reducing the burden on installation resources, the buffer enabled the construction of eight forward operating bases and one EOD site. The Advisory Council on Historic Preservation endorsed this strategy, and encouraged all states to look for equally innovative ways to combine historic preservation and land conservation on private property to leverage multiple objectives in support of military readiness.



Soldiers training at Fort Campbell

Partnering in Florida

In addition to success at NAS Fallon, the Navy has seen the approval of a 1,400-acre purchase near NAS Whiting Field, Fla., under the state's Florida Forever conservation program.

"... we share a commitment [with our partners] to national security and environmental protection. This acquisition furthers that commitment by protecting the land uses surrounding Whiting Field—preventing development that could compromise the Navy's mission, and conserving the area's natural resources."

— **Captain Enrique Sadsad**
NAS Whiting Field
Commanding Officer (Fmr.)

The NAS Fallon use of §2869 exchange authority will be a model for other locations to provide additional value to §2864a agreements.

mission if developed. Protecting the corridors allows for training with live weapons and avoids mission restrictions. In addition to the county agreement, the Navy also entered into a five-year agreement with the Lahontan Valley Land and Water Alliance (LVLWA) and Nevada Land Conservancy (NVLIC).

In partnership with the county through FY08, five parcels totaling 688 acres have been purchased for a total cost of \$1,730,000. In FY07, the Navy and the LVLWA purchased two easements totaling 179 acres for a total project cost of \$622,000 to protect rangeland in perpetuity. Continuing in FY08, the Navy and the NVLIC purchased two easements for 430 acres on the Cushman-Corkill Ranch at a total cost of \$1,160,000. The Cushman-Corkill Ranch is a designated Nevada Centennial Ranch by the Nevada Historic Preservation Office.

Also, in conjunction with the REPI partnership, Churchill County enacted an innovative Transfer of Development Rights (TDR) ordinance that now helps the partnership preserve agricultural land near and within NAS Fallon's conservation buffer zone. Agriculture uses and NAS Fallon each account for one-third of the county's economy, so the TDR program helps to manage economic interests without inhibiting growth.

NOTE ON USE OF §2869 AUTHORITY: In addition to using §2684a authority, the Air Station utilized the property exchange authority of 10 U.S.C. §2869 to supplement the transaction. The §2869 authority was amended in FY07 to allow DoD to convey excess or BRAC real property in exchange for other real property to be used for a military construction project, military housing, or as part of an acquisition under a §2684a agreement to limit encroachment. The Navy used this authority to exchange 1.65 acres of BRAC property at the former Novato, Calif., housing site for restrictive easements on 232 acres around NAS Fallon. The easements were purchased by the new owner of the Novato property and transferred to the Navy in January 2008 at a total value of nearly \$700K. This represents the first time this authority was used to provide additional value to a §2684a agreement, and it will be a model for other locations to support both encroachment protection and also the BRAC and excess disposal processes.

MARINE CORPS PROJECTS

MCAS BEAUFORT: SOUTH CAROLINA

Marine Corps Air Station (MCAS) Beaufort sits strategically along the Atlantic Ocean, with its land and water ranges supporting a valuable mix of scenarios for various types of training for military pilots on the East Coast. With six Marine F/A-18 squadrons and one Navy F/A-18 squadron, the Air Station plays a vital role in overseas operations. Within Beaufort County, the Air Station covers 5,874 acres and has an additional 973 acres at Laurel Bay Housing. Given the stand-up of MCAS Beaufort as an Integrated Training Center, the mission may take on international importance if the initial training

in the F-35B is conducted there for both U.S. forces and international operators of a version of the Joint Strike Fighter capable of vertical landing.

The 4,150-acre Clarendon Plantation, located near the base, was annexed by the city of Beaufort in 2006 with a potential for mixed residential and commercial development. Previously, the property had been a family-owned plantation for private recreational use. Following the annexation, MCAS Beaufort and its partners expressed a desire to preserve and protect portions of the property located in the Air Installation Compatible Use Zone (AICUZ) and Accident Potential Zones.

During the process of negotiations, **Beaufort County Open Land Trust (BCOLT)** joined the project and helped to establish a phased buffer acquisition plan. This was the first multi-partner agreement in the Marine Corps, including such partners as the Beaufort County Rural and Critical Lands program and conservation groups. Preserving Clarendon won strong praise from these partners and others because of its large size, biodiversity value, and proximity to other environmentally sensitive protected areas.

NOTE ON USE OF §2869 AUTHORITY: MCAS Beaufort was also able to combine the use of the §2684a and §2869 authorities as tools to protect its mission. The Air Station conveyed 127 acres of undeveloped longleaf pine tracts from the Laurel Bay land as a contribution for the exchange of 259 acres within Clarendon Plantation. The value of the excess Laurel Bay land went toward the Marine Corps' share of the cost of a restrictive easement on the 259 acres under the agreement with the BCOLT, reducing that cost-share from \$5.6 million to \$1.8 million. To date, approximately \$6.46 million in REPI funds were used in addition to the conveyed land to secure 520 acres, with another 683 acres planned for subsequent phases.

MCAS CHERRY POINT : NORTH CAROLINA

Ground training and maneuver areas provide vital mission support for the full range of land-based training activities that take place in the MCAS Cherry Point Range Complex. However, nearby development can threaten the installation's ability to realistically use its ranges as needed due to increased noise complaints.

Located along the Neuse River, large tracts of land with water-access near the installation are desirable for subdivision for residential or commercial development. Adjacent properties in the Neuse Forest had already been developed, and the Timber Company and Land Management Group that owned the Bate parcel expressed interest in marketing this tract for potential development. Without the ability to prevent development through zoning, MCAS Cherry Point identified the Bate parcel for protection in its EP Strategic Plan and used Marine Corps O&M appropriations as matching funds to further leverage REPI funding and partner contributions by the North Carolina Coastal Land Trust and the state of North Carolina.

Through their combined efforts, the Air Station was able to protect the parcel's agricultural forestry use, which is compatible with current and future projected uses of MCAS Cherry Point Ground Training Areas, a critical support function provided by



“This is a win for everyone. ... the Marine Corps, the local economy, and the conservation world. By protecting the growth boundaries of the MCAS, the people of Beaufort County will have increased green space to enjoy and further economic security.”

— **Ann Bluntzer**
Executive Director, Beaufort
County Open Land Trust



An HMMWV navigates a Combat Vehicle Operators Training Course at MCAS Cherry Point.

the Air Station. The project also provides a number of other benefits, such as outdoor education and longleaf pine habitat restoration.

AIR FORCE PROJECTS

MCCHORD AFB : WASHINGTON

As part of the Joint Base Lewis-McChord in Tacoma, Wash., McChord **Air Force Base** (AFB) plays an important role as an Air Mobility Command base in direct support of joint operations worldwide. Yet, height obstructions have limited the full use of the Base's runway. To combat this conflict, the Air Force utilized FY07 and FY08 REPI funding to leverage funding from the state of Washington, Pierce County, the city of Tacoma and in-kind contributions from the city of Lakewood to acquire four parcels north of the runway.

The purchase of the parcels in this project not only prevents new commercial development but also allows for the removal of buildings that violate the airfield glide slope as soon as current leases expire. Reversing existing encroachment will allow for future mission growth and greater mission flexibility, ensuring the capability to support fighter, airlift and/or tanker aircraft missions if needed. Additionally, pilot safety will be increased as Airmen will be able to use the Category II Instrument Landing System, a precision-guidance instrument approach system for bad weather conditions, previously unavailable for northern approaches. An ancillary benefit is the potential for additional habitat development for state-listed species such as the streaked horned lark and the western gray squirrel.

FAIRCHILD AFB : WASHINGTON

Fairchild AFB is the home of the 92nd and 141st Air Refueling Wings, and is located approximately 15 miles west of Spokane, Washington. Spokane County has purchased and Fairchild AFB has acquired for the sum of \$250,000 a restrictive easement that protects approximately 160 acres in perpetuity. A portion of the land is now zoned for mining. However, Fairchild AFB plans to ask Spokane County to have this land rezoned to Rural Traditional and the mining area be restored to the original condition to keep any potential development or mining from occurring in the future. When the mining area is restored to its original condition, a small pond will be filled in to eliminate a potential gathering place for waterfowl and reduce the possibility of a potential bird-aircraft strike hazard (BASH). This easement also allows for the security fence around the approach lighting to be moved out of the zone of frangibility, thus eliminating another Airfield Waiver from FAA regulations. This project took advantage of funding from the Washington (state) Military Communities Infrastructure Grant, through the Trade and Economic Development Division.

2.5 : SERVICE-FUNDED PROJECTS

The §2684a authority specifies that agreements may be funded with any O&M funds. Beyond Congressionally appropriated REPI funds, the Services budget for projects and use other unobligated O&M dollars for additional project opportunities that are not able to be funded by REPI. Below are a few highlights.

ARMY PROJECTS

FORT BLISS : TEXAS

In April of 2008 Fort Bliss purchased land-use restrictions from the New Mexico State Land Office (NMSLO) on a 3,213-acre parcel that the NMSLO currently leases out for rights-of-way and livestock grazing. Having a fiduciary duty to the state to maximize returns from the use of the land, the NMSLO would have benefited lucratively from selling the property to developers for residential development for the rapid growth of cities like El Paso, Texas and Las Cruces, New Mexico. The Army contributed \$784,540 to protect the NMSLO property through an easement that limits specified land uses for 75 years, after which time the Army has the right of first refusal to purchase the land, while the NMSLO will continue to manage the land.

In addition to preventing incompatible residential development, maintaining the rural character of the community and benefiting the NMSLO, the project represents the Army's dedication to Fort Bliss's mission. Over the next few years that mission will expand with the addition of several Heavy and Infantry Brigade Combat Teams, which will place increased demand on training facilities. Already supporting rapid deployment of assigned Soldiers, Fort Bliss is becoming the Army's largest maneuver installation for heavy armor units. The installation is constructing new ranges at an Army investment of over \$200 million that will likely be utilized at least 242 days per year (per Army standard). Fifty percent of the operation will likely be at night, especially on the Digital Air Ground Integration Range (DAGIR), so preventing point-source light pollution from expanding growth is critical for training readiness and protecting the Army's investment.



REPI-protected land near Fairchild AFB

FORT SILL : OKLAHOMA

In December 2007 the Army partnered with Land Legacy, an Oklahoma-based conservation group, to place a conservation easement on the 150-acre Ballou property outside of Fort Sill. Fort Sill is the Field Artillery School for both Army and Marine Corps. Fort Sill's artillery training mission is to train the Soldiers and Marines with the technical proficiency, tactical competence, and the necessary leadership skills to provide timely and effective fire support to ground force commanders in a joint and combined arms environment. The Army's \$291,500 contribution represented less than half of the overall cost of the easement. The property exists within a prime-soils area for agriculture and the project will keep the working land in private ownership while protecting the mission from complaints and future encroachment.

MARINE CORPS PROJECTS



Area surrounding Fort Bliss

MCB CAMP PENDLETON : CALIFORNIA

To support the training of its Marines, ranging from amphibious landings to urban terrain operations to improvised explosive device (IED) training, **Marine Corps Base (MCB) Camp Pendleton** relies on the availability of its unmatched training environment. In December 2008, Camp Pendleton completed an acquisition with San Diego County on the first of many planned projects to support that training while also supporting habitat conservation planning efforts. The Marine Corps and the County each contributed \$208,000 for the 37.8 acre Lauderbaugh parcel.

Continuous growth in San Diego County threatens some of the last undeveloped open space near Camp Pendleton and this project helps protect a critical wildlife corridor from that growth. This regionally significant wildlife corridor provides connectivity that is essential in ensuring the long-term viability of installation wildlife populations, and it limits further fragmentation and isolation of Base-managed populations of sensitive species, reducing the need for additional listings of species. This project continues Camp Pendleton's efforts to coordinate encroachment relief with regional planning efforts, such as San Diego County's North County Multiple Species Conservation Plan, the California's Santa Ana-Palomar Mountains Linkage Conceptual Area Protection Plan (CAPP), and the Mount Olympic Magee Ridge Reserve CAPP.

Furthermore, the project provides multiple other secondary benefits. Located in the Santa Margarita River watershed, which provides over 65 percent of Camp Pendleton's potable water, the acquisitions will help preserve water quality and flow. Since this parcel became part of San Diego County's Mt. Olympus Preserve, it provides passive recreational opportunities to residents of the area, including Marines and Sailors stationed at Camp Pendleton.

MCB CAMP LEJEUNE + MCAS CHERRY POINT + MCAS NEW RIVER : NORTH CAROLINA

On July 30, 2009, the Marine Corps executed its first multi-year, multi-installation, multi-party Encroachment Partnering agreement. The agreement is intended to facilitate EP projects associated with Marine Corps Installations-East (MCIEAST) installations in North Carolina (MCAS Cherry Point, MCAS New River, and MCB Camp Lejeune). Partners that signed the agreement include the state of North Carolina, The Nature Conservancy, and the North Carolina Coastal Land Trust. These partners have been working for several years with the Marine Corps on EP projects within the Onslow Bight landscape that surrounds the installations. The new agreement builds upon previous installation-specific agreements, which have already resulted in 11 transactions protecting over 4,000 acres of land. This new approach will enable the parties to take a regional and longer-term approach to addressing encroachment on the Marine Corps' military mission in eastern North Carolina.

3

INTEGRATION AND SUPPORT

3.1 : SUPPORTIVE EFFORTS

DoD's Sustainable Ranges Initiative includes REPI and other supportive, complementary components. Stakeholder education and engagement and the planning and implementation of local, state, regional and national-level partnering are essential underpinnings for the implementation of 10 U.S.C. §2684a and a successful compatible land use partnering program.

To advance this broader framework that fosters compatible land use, OSD provides policy, training, and tools needed to work collaboratively with those outside the installation fence line. By providing outside stakeholders with an improved understanding of military readiness needs as well as available cooperative planning processes and tools, DoD is opening up systems for new local, state, and regional collaboration and planning opportunities.

Information sharing between DoD and its partners and pursuing specific collaborative planning projects present valuable opportunities to further REPI's goals. DoD's Sustainable Ranges Initiative public Web site at <<http://www.denix.osd.mil/sustainableranges>> helps increase public awareness, while news articles also indicate a growing interest. Additional and more comprehensive information on Sustainable Ranges Initiative efforts is available in the Sustainable Ranges Report to Congress at the same Web site.

EDUCATION & ENGAGEMENT

A major part of DoD's engagement involves developing partnerships with other federal agencies. Active engagement with similar land use funding programs through the Federal Land Protection Programs Working Group provides a forum for discussion of common issues and solutions, and insight into how programs can efficiently and effectively work together to provide multiple benefits to communities. The Federal

“Thankfully, the leaders of the Army and The Nature Conservancy have been willing to look past conventional stereotypes. The result is a successful partnership [to preserve warbler habitat near Camp Bullis] that is poised to deliver benefits to Camp Bullis and the residents of South Texas.”

— **San Antonio Express-News**
“Odd Partnership Big Win for S.A.”
(Editorial) : September 23, 2009

Green Infrastructure Community of Practice provides similar opportunities in an expanded venue with multiple regulatory and land management agencies. The expanded use of **Memorandums of Understanding** (MOUs) and interagency agreements offers an excellent way for DoD to tap into the expertise of our sister agencies. For example, an MOU between DoD and **United States Department of Agriculture** (USDA) **Natural Resources Conservation Service** (NRCS) was signed in 2006 to foster partnership, cooperation, and coordination. Since that time, the MOU has provided a framework for collaborating on land conservation projects and working to identify and overcome shared challenges, including cost-sharing for the acquisition of numerous §2684a buffers at installations across the country. DoD is also partnering with a number of conservation groups, such as The Nature Conservancy, and state and local governmental associations, such as the National Association of Counties (NACo) and the National Conference of State Legislatures (NCSL).

EXAMPLES OF EDUCATION & ENGAGEMENT

A PRIMER FOR PARTNERING WITH THE MILITARY: In the spring of 2009, OSD developed a manual for NGOs and local governments on how to partner with DoD titled, “DoD Conservation Partnerships to Support Military Training and Testing: A Manual for Partnering with the Military.” The primer was the ninth in a series developed for OSD by its partners to enhance partnership opportunities by promoting best practices and improving knowledge sharing. This primer followed a specific survey process to identify areas of potential misunderstanding and clarify the procedures for project implementation used among the various Service-specific buffer programs. Survey results showed that 81 percent of partners reported program satisfaction, and more than half reported an improved opinion of military conservation interests as a result of their involvement in the partnership.

SUSTAINING MILITARY READINESS CONFERENCE TRAINING: Building on the well-attended half-day seminar at the 2008 Land Trust Alliance Rally, OSD provided training to NGOs, installation and range operators on accomplishing compatible land use buffering at the August 2009 Sustaining Military Readiness Conference in Phoenix, Ariz. Participants from across the country took part in a lively exchange of ideas, tips, and knowledge at the training workshop and a subsequent panel discussion with partners.

LTA LEARNING CENTER WEB SITE: In 2009, DoD reached an agreement with the Land Trust Alliance to allow DoD access to the LTA Learning Center and related resources. The Department established a Community of Practice within the Learning Center, where DoD members and partners can access partnership documents, interact in a virtual mentoring community and share information. By accessing the LTA Learning

“The Pentagon uses the sessions [at the Sustaining Military Readiness Conference] to try to forge partnerships with people, organizations and governments that neighbor military installations.”

— **The Arizona Republic**
“Defense Event in Valley Points Up Readiness”
August 9, 2009

Center, the Department is providing another mechanism for improved REPI and Service information flow and partnering.

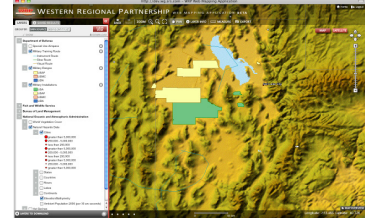
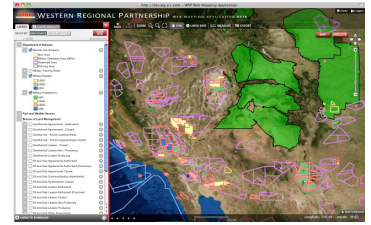
REGIONAL PARTNERSHIPS

Multi-state regional partnerships promote cross-boundary collaboration on planning and land use issues by helping to enhance sustainability efforts from a broader perspective. Such partnerships reduce duplication of efforts and lead to more efficient allocation of resources as mutual interests and benefits are pursued. They also provide a forum and tools for more effective interaction on issues of shared interest, such as developing win-win solutions to reduce encroachment on military installations, between DoD and other federal and state agencies at the state and local levels. To this end, OSD cochairs two multi-state, multi-agency partnerships in rapidly growing areas of the country with significant DoD land presence: the Southwest and Southeast. These partnerships work toward preventing and resolving land use and other resource conflicts while providing a platform for beneficial cooperation on a variety of other issues.

The Southeast Regional Partnership for Planning and Sustainability

(SERPPAS) brings together state environmental and natural resource officials from North Carolina, South Carolina, Florida, Georgia, Alabama, and Mississippi with federal agencies including DoD. SERPPAS works to encourage compatible resource-use decisions and improve coordination by leveraging its members' problem solving and compatible land use efforts to the benefit of regional planning, conservation, economic development, and sustainability. SERPPAS has carried out a number of training workshops and collaborative land management projects throughout the Southeast, including ongoing projects aimed at restoring native longleaf pine forests. In particular, the 2009 American Recovery and Reinvestment Act provided \$18.6 million in funds to be used for longleaf pine ecosystem restoration in the Southeast. This is as a result of the strength of the multi-state, multi-agency SERPPAS partnership to promote landscape-level projects.

The **Western Regional Partnership** (WRP) brings together DoD, federal, and tribal entities with state agencies from Arizona, California, Nevada, New Mexico, and Utah to advance shared strategic planning, land management and policy goals. WRP tackles some of the Western region's key and emerging issues, including sustainable land use, wildlife corridors, compatible energy development, and border management. As a result, the Western Governors' Association adopted Policy Resolution 08-11, titled "Achieving Sustainable Military Installations and Ranges." This resolution affirms the Governors' support of the military mission in the West and their commitment to work with DoD and other federal agencies on regional policies and projects.



The **WRP Mapping Application** is providing policymakers with geographical information-sharing tools, containing environmental and geographical data from DoD, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the U.S. Geographical Survey, and the National Oceanographic and Atmospheric Administration.

Ensuring the success of these two regional efforts is critical to DoD's future plans to institutionalize effective state, local, and regional collaboration and planning, while forging strong federal interagency partnerships toward that end. Landscape-level planning in general across jurisdictional boundaries goes beyond single-issue management and simultaneously addresses a broader spectrum of natural systems and ecosystem health issues. These combined efforts can have greater cumulative effects and meet multiple needs. Emerging priorities such as climate change will require such broader landscape level planning and solution sets, positioning DoD to more effectively respond to future challenges.

In addition, existing military Commanders' Councils in Arizona, Nevada, and North Carolina have proven valuable, allowing DoD to more fully present its overall land, air and sea space requirements and provide a more unified voice in regional partnering while providing a significant forum for its partners to address common concerns.

OTHER TOOLS

Over the years, DoD has developed a number of other tools that are part of the comprehensive solution toward compatible land uses and comprehensive regional planning on a landscape level. These tools include:

- AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) AND RANGE AIR INSTALLATION COMPATIBLE USE ZONE (RAICUZ): The military works with local governments and the community using zoning and local ordinances to reduce potential accidents and noise impacts to the community near airfields. The RAICUZ program specifically addresses range safety and noise issues at air-to-ground ranges.
- JOINT LAND USE STUDY (JLUS): The Office of Economic Adjustment provides technical assistance to installation and range officials, and technical and financial assistance to neighboring states, communities, and interest groups through a JLUS to collaborate with the local military and address compatible use issues. The effort helps the military to minimize its operational effects on neighboring jurisdictions and ensures local civilian development is compatible with the ongoing DoD mission.
- INTEGRATED NATURAL RESOURCE MANAGEMENT PLAN (INRMP): Installations work with the U.S. Fish and Wildlife Service and state fish and wildlife agencies to develop planning documents that support landscape-level management of natural resources and coordination with various stakeholders. INRMPs ensure natural resources are

managed to support military missions in a way consistent with proper stewardship and sound science in complying with legal requirements.

3.2 : PROGRAM OVERSIGHT

OSD provides oversight, manages funding allocation, and monitors project execution. REPI policy and implementation are coordinated through a focused REPI **Inter-Service Working Group** (ISWG). OSD convenes the REPI ISWG regularly to track progress, discuss projects, and raise key issues for resolution. This group also supports OSD in managing the annual REPI project proposal submission, review and allocation process, and assists in developing the Annual Report to Congress. In addition to the REPI ISWG, a Legal Working Group led by the OSD Office of General Counsel convenes counsels from the military departments on a semiannual basis to provide a forum for legal interpretation, clarification and discussion of issues.

OSD also maintains the REPI Program Guide that sets out policies and procedures. A key component of REPI oversight, the Guide outlines requirements set out by 10 U.S.C. §2684a authority and OSD policy, and the steps for Services to request funding for a REPI project. The REPI Program Guide continues to be an important tool for ensuring a smooth and successful process of REPI proposal submission, selection, and implementation.

INTERNAL PROGRAM MANAGEMENT

OSD continues to develop methods to better identify and communicate both the need for REPI and the success of projects implemented under 10 U.S.C. §2684a. As discussed under metrics in Section 2.2, RAND is currently conducting a survey of outcome-based protocols nationally, and OSD is looking at similar federal programs to glean applicable lessons that can be learned from those protocols' longer histories.

PROJECT SELECTION PROCESS

OSD and the Services continue to refine the process for selecting proposals for funding as REPI projects. This process includes proposal submission by the Services and the tailored criteria that are used to evaluate those proposals. OSD continues to work with the Services to refine guidance for FY11 and beyond.

The REPI Guide outlines the selection process and qualitative and quantitative criteria by which proposals are evaluated and prioritized. For FY10, proposals could score a maximum of 116 points, with highest value given to criteria for the mission being protected and the imminence and severity of the encroachment threat. The general criteria used in evaluating REPI proposals include:

Chain of Command

The Sustainable Ranges Initiative involves senior leadership from the Readiness, Test and Installations and Environment offices within the Office of the Secretary of Defense. The Department organizes this effort under the Senior Readiness Oversight Council (SROC), which includes the Joint Chiefs of Staff and Under Secretaries of Defense, who in turn report to the Secretary of Defense (SecDef) on matters pertaining to readiness.

The SROC oversees an Overarching Integrated Product Team (OIPT), the coordinating body for all issues of encroachment. This body includes members from all four Services and DoD offices, chaired by the Deputy Under Secretary of Defense for Readiness (DUSD(R)); the Deputy Under Secretary of Defense for Installations & Environment (DUSD(I&E)); and the Principal Deputy Director, Operational Test and Evaluation (PDDOT&E). At the staff level, there is a Working Integrated Product Team (WIPT) that implements the recommendations of the OIPT.

In short:

SecDef → SROC → OIPT → WIPT

“To limit [incompatible] development around Shaw [AFB] and other bases, local and state officials and members of the military have formed the Midlands Area Joint Installation Consortium [MAJIC] ... the group works with landowners near the bases ... ensuring future base operations and training won't be hindered.”

— **The (Columbia, S.C.) State**
“Consortium Eyes Land Near Military Bases”
February 9, 2009

- Threat to military training, testing, and operations, and the benefits provided to the military mission from the proposed project;
- Benefit to DoD partners and the surrounding civilian community by either limiting incompatible development or preserving habitat;
- Viability of the proposed agreement/project, including timely obligation and execution of funds; and
- Potential advancement of a joint project, or benefit of a proposed project to multiple installations.

The key elements in the process are:

- OSD SOLICITATION OF PROPOSALS AND SERVICE SUBMISSIONS TO OSD :
In the spring, OSD updates the REPI Guide, which provides the Services with detailed guidance that establishes the criteria used for selecting the proposals. The DUSD(I&E) issues a memorandum soliciting project proposals from the Services' Assistant Secretaries. The Services then use their own priorities to address these criteria and determine which proposals to submit.
- OSD REVIEW OF PROPOSALS AND SCORING : In early fall, upon receipt of the project proposals from each Service, OSD validates and then distributes the proposals to the ISWG for scoring according to the selection criteria. After the Services score each other's proposals along with OSD, the REPI ISWG meets to discuss the scores on a point-by-point basis and to add new or updated information about the proposed projects; the scores can thus be adjusted through this input.
- PROPOSAL RANKING DEVELOPED WITH OSD/SERVICE JOINT REVIEW : In the first quarter of the fiscal year, the revised scores from the REPI ISWG produce the prioritized list and recommended funding levels based on fiscal year appropriations. OSD provides the draft rankings of scored proposals to the Services. The Services review the rankings and provide feedback and justification on the inclusion of any high-priority proposals. This provides a final opportunity for Service leadership to express the impacts of policy, BRAC, force growth and restructuring, and other factors on the readiness and vulnerability to encroachment of installations, including reacting to windows of opportunity in the market to get the best value on taxpayer dollars.

- REPI PROJECT PROPOSAL SELECTION COMMITTEE RECOMMENDATIONS :

A final ranked list of recommended DoD proposed REPI-funded projects is provided to the DUSD(I&E) for final approval and allocation based on appropriated funds.

- ANNUAL PROCESS EVALUATION : OSD works with the Services each year to learn lessons and improve upon the process. The process is continuously improved as REPI matures.

WEB-BASED DATABASE DEVELOPMENT _____

As a step toward enhancing, tracking, and maintaining 10 U.S.C. §2684a project data, OSD has developed an internally accessible Web database. The objective of the database is to provide a central repository for all §2684a project-related information. Such information includes fiscal year REPI funds utilized, obligation and execution of REPI funds, Service funds contributed, partner funds contributed, acreage, future or planned project objectives, and actual implemented acquisition details. The database will allow OSD and Service managers to access up-to-date project details to generate a variety of reports and create decision tools to evaluate trends and project future requirements and risks. Further refinements and capabilities are being added as additional development phases proceed.

4

RECOMMENDATIONS AND CONCLUSION

DoD has used 10 U.S.C. §2684a authority to permanently protect availability, accessibility and capability for military testing and training at 53 locations. In addition, the authority has provided permanent conservation value for those communities and the nation through the partnerships to protect natural resources, working lands and open spaces.

Current real estate market conditions nationally and increasing numbers of willing sellers in the economic downturn present significant, near-term opportunities for REPI partnerships. In many REPI locations, easement values have decreased by as much as 40 percent over the previous year. Rural and agricultural land values in particular have dropped, providing great opportunities to protect working lands. The USDA reported farm real estate dropped 3.2 percent nationally from 2008 to 2009, the first decrease in more than 20 years.

With lower demand for real estate development and housing construction, and less real estate speculation, there is an increased number of willing landowners now ready to consider conservation easements, while others are disposing of properties at bargain prices. Some REPI projects have already taken advantage of those opportunities. But while a sluggish economy presents opportunities for conservation, it also presents a challenge for state and non-profit partners to maintain their historical level of funding. Therefore, at a time when properties are more affordable, partners are less likely to have funds available for significant cost-share. The near-term horizon beginning in FY11 presents opportunities for REPI to increase the rate of protection around priority installations and ranges while boosting local economies.

OSD remains fully committed to REPI and §2684a and welcomes Congressional interest and assistance in furthering goals and improving its implementation. As part of the §2684a Congressional reporting requirement, DoD provides recommendations to improve the efficiency and effectiveness of the authority. Discussed below are some potential legislative topics that may be further developed for future consideration and a

summary of those actions that have taken place to address the issues raised in the 2009 Report.

4.1 : FUTURE LEGISLATIVE CONSIDERATIONS

DoD legislative proposals are developed and submitted to Congress through an established annual process. The following discussion, therefore, is not intended to convey official legislative recommendations, but could serve to identify potential topics for further development and consideration.

OSD is actively engaged in a working group made up of federal agency representatives who participated in the recent reauthorization of the Sikes Act. This working group may continue to explore existing authorities that may be used to develop multi-agency, landscape-level conservation and preservation projects, and considering legislative initiatives to authorize even greater interagency collaboration.

The ability to match REPI funds with other federal funding sources continues to be a topic of discussion in both the working group mentioned above and other venues. In particular, the partnership between OSD and USDA NRCS reaps great benefits for both programs, while attracting expanded local and state matching dollars. Legislative proposals are being discussed to allow federal-to-federal grant matching with REPI funds.

When less than a fee-simple interest is acquired using the authority provided by §2684a, perpetual monitoring and enforcement of the easement is critical. In order to ensure that a regular, systematic, and well-documented monitoring and enforcement program is carried out, it is common practice for conservation NGOs to request funds to cover the costs associated with such activities. DoD believes Congress intended §2684a (notably, paragraph (d)(3)) to provide DoD authority to make a one-time, up-front payment to a conservation NGO to provide for this perpetual monitoring and enforcement. Despite this DoD belief, at least one NGO partner is concerned that the language in §2684a is not sufficient to overcome otherwise applicable requirements. This being the case, it would be desirable for Congress to clarify, either through report language or an amendment to §2684a, that—notwithstanding OMB Circular A-110 and DoD implementing regulations—DoD and the Military Departments may make a one-time, up-front payment to a §2684a partner to provide for the perpetual monitoring and enforcement of the easement, and that the recipient of such a payment need not separately account for and remit any interest earned on any such payment.

One successful recent legislative action in the FY10 NDAA was the restoration and permanent extension of the 10 U.S.C. §2869 authority. This authority allows DoD to

convey excess real property to a legal entity in exchange for other real property to limit encroachment that might restrict military activities. The §2869 authority was used to protect against encroachment at NAS Fallon, Nevada (see p. 15) and MCAS Beaufort, North Carolina (see p. 16), and other transactions are in progress at Fort Campbell, Kentucky and Fort Riley, Kansas.

In light of its growing REPI experience, DoD continues to evaluate these and other prospective legislative or administrative initiatives and may develop new legislative proposals as part of the FY 2011 or later NDAA legislative processes. In addition to the tools described earlier, DoD advocates the development of a full range of tools to help Services meet the encroachment threat.

4.2 : CONCLUSION

The Congressional authority granted by §2684a is a critical tool for DoD and its partners in the ongoing effort to mitigate the effects of encroachment on testing, training, and operations. Concurrently, REPI funds remain a highly effective means of implementing this tool. Through the end of FY 2009, 53 military installations and ranges in 23 states have received REPI funding for compatible land use and habitat preservation projects, putting in place permanent land use protections that provide a long-term benefit to military readiness. The flexibility that §2684a authority provides is particularly useful in unexpected situations or where other tools or strategies cannot fully provide the necessary protection for the mission.

These same tools help DoD's neighbors, addressing important partner objectives related to habitat conservation, biodiversity and open space preservation, community land use planning, and economic development. Increasingly, §2684a projects are attracting wide interest from other federal agencies, states, localities and NGOs. This interest has helped the Services establish new and beneficial relationships with others who share common land management interests and can help to preserve military readiness while also benefiting communities and environments across the Nation.

A

APPENDIX A:

2005-08 PROJECT INFORMATION

Note on Project Definition

OSD defines a REPI project as the entire portfolio of transactions associated with a specific installation. Such projects may have numerous actions across several years, even though each project must be re-prioritized for funding every fiscal year via the selection process. However, several installations have more than one project, where each one supports a distinct mission, such as at geographically separate ranges and outlying landing fields (OLFs).

For the four fiscal years 2005-08, the tables below summarize the status of projects by each Service under 10 U.S.C. §2684a. They include the number of real estate transactions and total acres protected through those transactions for all projects that have received funding through FY08. Due to the nature of real estate transactions, not all projects listed have completed a transaction through the reporting cycle.

ARMY PROJECT STATUS (FY05-08)

Installation	State	Parcels/ Transactions	Acres Protected	Total Cost
Aberdeen Proving Ground	MD	1	163	\$1,481,994
Camp Blanding	FL	4	6,204	\$34,489,095
Camp Rilea	OR	1	109	\$459,700
Camp Ripley	MN	22	3,306	\$9,383,812
Camp San Luis Obispo	CA	4	1,153	\$1,472,600
Fort A.P. Hill	VA	3	3,557	\$6,764,266
Fort Benning	GA	5	2,766	\$5,618,230
Fort Bliss	TX	2	5,169	\$1,254,817
Fort Bragg	NC	26	4,657	\$13,814,778
Fort Bragg/USASOC	NC	0	0	\$0
Fort Campbell	TN	0	0	\$1,730,028
Fort Carson	CO	7	13,962	\$21,721,877
Fort Custer	MI	1	326	\$2,092,100
Fort Drum	NY	0	0	\$0
Fort Huachuca	AZ	4	1,570	\$5,557,761
Fort Knox	KY	0	0	\$15,658
Fort Lewis	WA	10	4,217	\$4,503,572
Fort Pickett	VA	0	0	\$0
Fort Polk	LA	0	0	\$0
Fort Riley	KS	7	1,588	\$1,176,645
Fort Sill	OK	16	1,534	\$5,426,191
Fort Stewart	GA	7	2,030	\$5,733,206
MAJIC	SC	0	0	\$0
USAG-HI	HI	3	6,720	\$27,450,000
Army Total		123	59,030	\$150,146,331

NAVY PROJECT STATUS (FY05-08)

Installation	State	Parcels/ Transactions	Acres Protected	Total Cost
NAWS China Lake/R-2508	CA	0	0	\$0
NAES Lakehurst	NJ	1	246	\$1,850,000
NAS Fallon	NV	8	1,297	\$3,513,045
NAS Oceana	VA	0	0	\$0
NAS Whidbey Island	WA	1	18	\$2,200,000
NAS Whiting Field	FL	0	0	\$0
NB Coronado ATWTC/La Posta	CA	2	330	\$840,000
OLF Coupeville	WA	1	45	\$655,000
OLF Whitehouse	FL	1	1,650	\$13,500,000
Navy Total		14	3,586	\$22,558,045

MARINE CORPS PROJECT STATUS (FY05-08)

Installation	State	Parcels/ Transactions	Acres Protected	Total Cost
Camp Lejeune	NC	7	1,793	\$11,584,850
Camp Pendleton	CA	2	1,253	\$3,920,000
MCAS Beaufort	SC	6	560	\$13,331,250
MCAS Beaufort/Townsend	GA	2	14,849	\$10,087,240
MCAS Cherry Point	NC	1	42	\$288,000
MCAS Cherry Point/Piney Island	NC	1	1,264	\$6,000,000
MCB Quantico	VA	1	302	\$2,859,500
Marine Corps Total		20	20,064	\$48,070,840

AIR FORCE PROJECT STATUS (FY05-08)

Installation	State	Parcels/ Transactions	Acres Protected	Total Cost
Eglin AFB	FL	0	0	\$0
Fairchild AFB	WA	1	160	\$850,000
McChord AFB	WA	4	4	\$2,477,300
McGuire AFB	NJ	0	0	\$0
Travis AFB	CA	0	0	\$0
Warren Grove Range	NJ	0	0	\$0
Air Force Totals		5	164	\$3,327,300

B

APPENDIX B:

ACRONYM LIST

ACUB	Army Compatible Use Buffer
AFB.....	Air Force Base
AFS	Air Force Station
AICUZ	Air Installation Compatible Use Zone
ATWTC.....	Assault and Tactical Weapons Training Complex
BASH.....	Bird-Aircraft Strike Hazard
BCOLT.....	Beaufort County Open Land Trust
BLM.....	Bureau of Land Management
BRAC.....	Base Realignment and Closure
BT.....	Bombing Target
CA	Cooperative Agreement
CAPP.....	Conceptual Area Protection Plan
DAGIR.....	Digital Air Ground Integration Range
DoD.....	Department of Defense
DoN.....	Department of the Navy
DUSD(I&E)	Deputy Under Secretary of Defense for Installations & Environment
DUSD(R)	Deputy Under Secretary of Defense for Readiness
EOD	Explosive Ordnance Disposal
EP	Encroachment Partnering
FAA.....	Federal Aviation Administration
FY.....	Fiscal Year
HMMWV	High-Mobility Multipurpose Wheeled Vehicle (Humvee)
HQ USAF.....	Headquarters, United States Air Force (Air Force Headquarters)
IED.....	Improvised Explosive Device
INRMP	Integrated Natural Resources Management Plan
ISWG	Inter-Service Working Group
JLUS	Joint Land Use Study
LTA.....	Land Trust Alliance
LVLWA	Lahontan Valley Land and Water Alliance
MAJIC.....	Midlands Area Joint Installation Consortium
MCAS	Marine Corps Air Station

MCB.....Marine Corps Base
MCIEASTMarine Corps Installations–East
MOUMemorandum of Understanding
NACoNational Association of Counties
NAESNaval Air Engineering Station
NAS.....Naval Air Station
NAWSNaval Air Weapons Station
NBNaval Base
NCSLNational Conference of State Legislatures
NDAANational Defense Authorization Act
NGO.....Non-Governmental Organization
NHPANational Historic Preservation Act
NMSLO.....New Mexico State Land Office
NPSNational Park Service
NRCSNatural Resources Conservation Service
NSA.....Naval Support Activity
NVLC.....Nevada Land Conservancy
OIPT.....Overarching Integrated Product Team
OLFOutlying Landing Field
O&M.....Operations & Maintenance
OMBOffice of Management and Budget
OSD.....Office of the Secretary of Defense
PDDOT&E.....Principal Deputy Director, Operational Test and Evaluation
RAICUZ.....Range Air Installation Compatible Use Zone
REPI.....Readiness and Environmental Protection Initiative
SecDef.....Secretary of Defense
SERPPASSoutheast Regional Partnership for Planning and Sustainability
SROCSenior Readiness Oversight Council
TDR.....Transfer of Development Rights
TW-5Training Air Wing Five
USAG-HIUnited States Army Garrison-Hawaii
USASOC.....United States Army Special Operations Command
U.S.C.....United States Code
USDAUnited States Department of Agriculture
USFSUnited States Forest Service
USFWSUnited States Fish and Wildlife Service
WIPT.....Working Integrated Product Team
WRP.....Western Regional Partnership

C

APPENDIX C:

10 U.S.C. §2684a LANGUAGE

(a) Agreements Authorized.— The Secretary of Defense or the Secretary of a military department may enter into an agreement with an eligible entity or entities described in subsection (b) to address the use or development of real property in the vicinity of, or ecologically related to, a military installation or military airspace for purposes of—

(1) limiting any development or use of the property that would be incompatible with the mission of the installation; or

(2) preserving habitat on the property in a manner that—

(A) is compatible with environmental requirements; and

(B) may eliminate or relieve current or anticipated environmental restrictions that would or might otherwise restrict, impede, or otherwise interfere, whether directly or indirectly, with current or anticipated military training, testing, or operations on the installation.

(b) Eligible Entities.— An agreement under this section may be entered into with any of the following:

(1) A State or political subdivision of a State.

(2) A private entity that has as its stated principal organizational purpose or goal the conservation, restoration, or preservation of land and natural resources, or a similar purpose or goal, as determined by the Secretary concerned.

(c) Inapplicability of Certain Contract Requirements.— Chapter 63 of title 31 shall not apply to any agreement entered into under this section.

(d) Acquisition and Acceptance of Property and Interests.—

(1) An agreement with an eligible entity or entities under this section shall provide for—

(A) the acquisition by the entity or entities of all right, title, and interest in and to any real property, or any lesser interest in the property, as may be appropriate for purposes of this section; and

(B) the sharing by the United States and the entity or entities of the acquisition costs in accordance with paragraph (3).

(2) Property or interests may not be acquired pursuant to the agreement unless the owner of the property or interests consents to the acquisition.

(3) An agreement with an eligible entity under this section may provide for the management of natural resources on real property in which the Secretary concerned acquires any right, title, or interest in accordance with this subsection and for the payment by the United States of all or a portion of the costs of such natural resource management if the Secretary concerned determines that there is a demonstrated need to preserve or restore habitat for the purpose described in subsection (a)(2).

(4)

(A) The Secretary concerned shall determine the appropriate portion of the acquisition costs to be borne by the United States in the sharing of acquisition costs of real property, or an interest in real property, under paragraph (1)(B).

(B) In lieu of or in addition to making a monetary contribution toward the cost of acquiring a parcel of real property, or an interest therein, pursuant to an agreement under this section, the Secretary concerned may convey, using the authority provided by section 2869 of this title, real property described in paragraph (2) of subsection (a) of such section, subject to the limitation in paragraph (3) of such subsection.

(C) The portion of acquisition costs borne by the United States under subparagraph (A), either through the contribution of funds or excess real property, or both, may not exceed an amount equal to, at the discretion of the Secretary concerned—

(i) the fair market value of any property or interest in property to be transferred to the United States upon the request of the Secretary concerned under paragraph (5); or

(ii) the cumulative fair market value of all properties or interests to be transferred to the United States under paragraph (5) pursuant to an agreement under subsection (a).

(D) The portion of acquisition costs borne by the United States under subparagraph (A) may exceed the amount determined under subparagraph (C), but only if—

(i) the Secretary concerned provides written notice to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives containing—

(I) a certification by the Secretary that the military value to the United States of the property or interest to be acquired justifies a payment in excess of the fair market value of the property or interest; and

(II) a description of the military value to be obtained; and

(ii) the contribution toward the acquisition costs of the property or interest is not made until at least 14 days after the date on which the notice is submitted under clause (i) or, if earlier, at least 10 days after the date on which a copy of the notice is provided in an electronic medium pursuant to section 480 of this title.

(E) The contribution of an entity or entities to the acquisition costs of real property, or an interest in real property, under paragraph (1)(B) may include, with the approval of the Secretary concerned, the following or any combination of the following:

(i) The provision of funds, including funds received by such entity or entities from a Federal agency outside the Department of Defense or a State or local government in connection with a Federal, State, or local program.

(ii) The provision of in-kind services, including services related to the acquisition or maintenance of such real property or interest in real property.

(iii) The exchange or donation of real property or any interest in real property.

(5) The agreement shall require the entity or entities to transfer to the United States, upon the request of the Secretary concerned, all or a portion of the property or interest acquired under the agreement or a lesser interest therein. The Secretary shall limit such transfer request to the minimum property or interests necessary to ensure that the property concerned is developed and used in a manner appropriate for purposes of this section.

(6) The Secretary concerned may accept on behalf of the United States any property or interest to be transferred to the United States under the agreement.

(7) For purposes of the acceptance of property or interests under the agreement, the Secretary concerned may accept an appraisal or title documents prepared or adopted by a non-Federal entity as satisfying the applicable requirements of section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of

1970 (42 U.S.C. 4651) or section 3111 of title 40, if the Secretary concerned finds that the appraisal or title documents substantially comply with the requirements.

(e) Acquisition of Water Rights.— The authority of the Secretary concerned to enter into an agreement under this section for the acquisition of real property (or an interest therein) includes the authority to support the purchase of water rights from any available source when necessary to support or protect the mission of a military installation.

(f) Additional Terms and Conditions.— The Secretary concerned may require such additional terms and conditions in an agreement under this section as the Secretary considers appropriate to protect the interests of the United States.

(g) Annual Reports.—

(1) Not later than March 1, 2007, and annually thereafter, the Secretary of Defense shall, in coordination with the Secretaries of the military departments and the Director of the Department of Defense Test Resource Management Center, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the projects undertaken under agreements under this section.

(2) Each report under paragraph (1) shall include the following:

(A) A description of the status of the projects undertaken under agreements under this section.

(B) An assessment of the effectiveness of such projects, and other actions taken pursuant to this section, as part of a long-term strategy to ensure the sustainability of military test and training ranges, military installations, and associated airspace.

(C) An evaluation of the methodology and criteria used to select, and to establish priorities, for projects undertaken under agreements under this section.

(D) A description of any sharing of costs by the United States and eligible entities under subsection (d) during the preceding year, including a description of each agreement under this section providing for the sharing of such costs and a statement of the eligible entity or entities with which the United States is sharing such costs.

(E) Such recommendations as the Secretary of Defense considers appropriate for legislative or administrative action in order to improve the efficiency and effectiveness of actions taken pursuant to agreements under this section.

(h) Funding.—

(1) Except as provided in paragraph (2), funds authorized to be appropriated for operation and maintenance of the Army, Navy, Marine Corps, Air Force, or Defense-wide activities may be used to enter into agreements under this section.

(2) In the case of a military installation operated primarily with funds authorized to be appropriated for research, development, test, and evaluation, funds authorized to be appropriated for the Army, Navy, Marine Corps, Air Force, or Defense-wide activities for research, development, test, and evaluation may be used to enter into agreements under this section with respect to the installation.

(i) Definitions.— In this section:

(1) The term “Secretary concerned” means the Secretary of Defense or the Secretary of a military department.

(2) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, and the territories and possessions of the United States.