

Department of Defense
Report to Congress
on the
Readiness and Environmental
Protection Initiative



Deputy Under Secretary of Defense
(Installations and Environment)

June 2007

Readiness and Environmental Protection Initiative (REPI) REPORT TO CONGRESS



JUNE 2007

**Office of the Secretary of Defense
Under Secretary of Defense
(Acquisition, Technology and Logistics)**

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1 INTRODUCTION AND BACKGROUND

I. Purpose

In Section 2822 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2006, Congress set out a new annual reporting requirement for the Department of Defense (DoD). The new requirement directs the Secretary of Defense, in coordination with the Secretaries of the Military Departments and the Director of the DoD Test Resource and Management Center, to report on projects undertaken under the authority provided by Section 2684(a) of Title 10 United States Code (U.S.C.), enacted in 2002 as part of the NDAA for FY 2003. Section 2684(a) allows the Services to enter into agreements with private conservation organizations or with state and local governments. These agreements allow the ranges and installations to cost-share the acquisition of restrictive/conservation easements from willing sellers – a way to preserve high-value habitat and limit incompatible development around these ranges and installations.

The following Report is the first such report submitted in response to this Congressional requirement. It describes DoD's conservation and compatible land use buffer efforts funded under the Readiness and Environmental Protection Initiative (REPI) and utilizing 10 U.S.C. § 2684(a) Congressional authority. The Report will also address how DoD's use of the authority advances the Department's Sustainable Ranges Initiative (SRI).

As set out in the language of the new Congressional reporting requirement¹, this REPI Report will provide:

- (A) A description of the status of the projects undertaken 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

¹ See Appendix A for the exact reporting requirement language.

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.

II. Protecting the Test and Training Mission: Identifying the Problem

The United States military is required to perform increasingly complex wartime operations, which in turn demands increasingly sophisticated single service, multi-service, and joint testing and training among the Military Services, combatant commands, and other DoD and non-DoD organizations. Combat missions (using various weapons systems) are conducted in many different theaters of war and environments, making the diverse training landscapes provided by our ranges a vital component to preparing our military personnel. The wide variety of offensive and defensive operational missions include land-based maneuvers; urban operations; naval operations on the sea surface, undersea, and amphibious operations; air-to-air, air-to-ground, surface-to-air, and space operations; and electronic warfare, as well as live-fire with the full spectrum of weapon systems, from small arms to guided missiles.

Realistic training activities and effective weapons systems testing measurably increase the survivability and success of our military forces in combat by ensuring the reliability and effectiveness of weapons systems and by providing the armed forces with the realistic, hands-on experience needed to ensure success in combat. However, the pressures of encroachment can and have in the past limited range use in support of test and training events, such as low-altitude flight operations, live fire activities, sonar operations, and electronic warfare.

The effects of encroachment on DoD lands involve issues important to both military testing and training and the greater community at large, including: endangered species and critical habitat; unexploded ordnance and munitions (UXO); radio frequency spectrum; maritime sustainability; airspace and land space restrictions; air quality; airborne noise; urban growth; cultural resources; clean water; and wetlands (see figure 1.1).

Encroachment on ranges has the potential to degrade testing and training in numerous ways. Often, surrounding development brings concerns with noise, light, and safety that directly affect many test or training processes and scheduled events. For instance, an increase in avoidance areas changes flight patterns, altitudes, speeds and even the time of day or night during which



Figure 1.1
Encroachment Pressures on
DoD's Ability to Test and Train

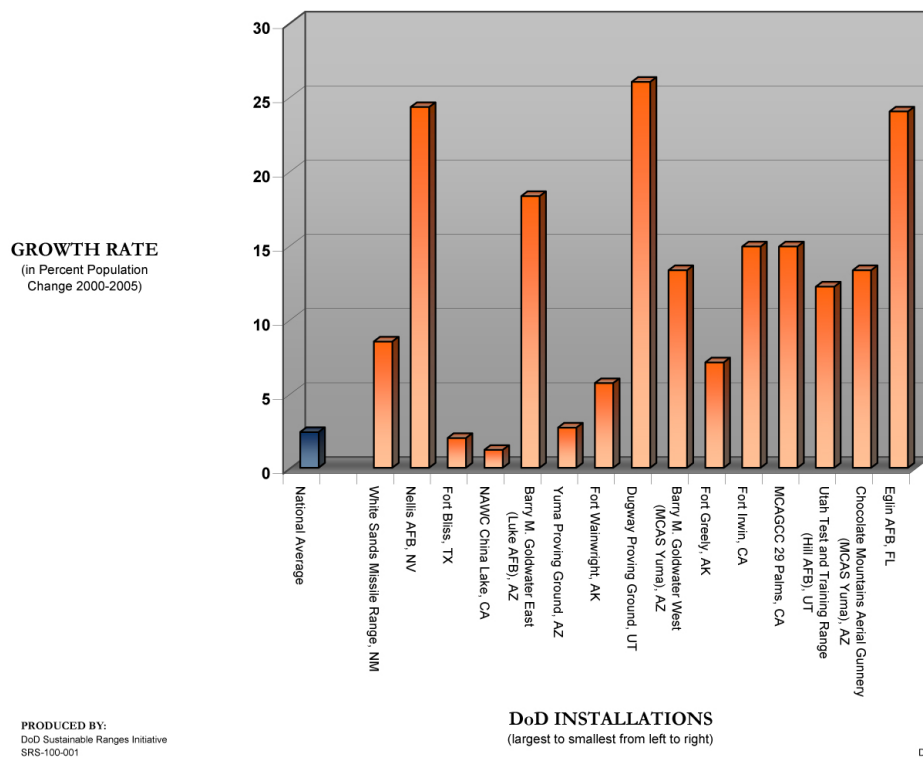
missions can occur on land, in air, or on sea space. Roads with street lights, neighborhoods lights, and schools or businesses with street and parking lot lighting can fully diminish the ability to test or train with night vision devices safely or effectively. Encroachment can also limit the number of hours a particular flight path or mission corridor is available for military use, reducing effectiveness. When range access, approach, and usage is reduced or altered, commanders are often compelled to resort to workarounds that can degrade realism and testing or training value.

Encroachment from sprawling development, growing requirements to protect endangered species, environmental regulations that limit range use, and other factors often restrict units and personnel from conducting required live-fire test and training events, which can reduce proficiency and compromise readiness. Additionally, encroachment can increase the cost of training and testing. Costs increase when personnel and units must travel further to less restricted locations. Costs also increase when test and training activities must be cancelled or rescheduled due to encroachment factors. Finally, many test environments require frequency silence and large buffer zones for Research, Development, Test and Evaluation (RDT&E) of weapons systems, which surrounding encroachments can disrupt.

The encroachment challenge will only intensify as population growth and development continues to swell in the areas surrounding installations. In the counties where the 15 largest DoD installations (excluding Army National Guard sites) are located, the average percent population increase is four times that of the national average² (see figure 1.2). REPI projects often target these fastest growing areas; the FY 2006 REPI projects, for instance,

² U.S. Census Bureau, 2006; Defense Installations Spatial Data Infrastructure.

Figure 1.2
County Growth Rates for DoD's Largest
Installations by Acreage



III. Sustainable Ranges Initiative: Working a Comprehensive Solution to Encroachment

Test and training ranges and operating areas are critical to DoD's ability to conduct realistic live-fire training, simulation, and weapons systems testing. These assets consist of all manners of terrestrial and marine habitats, whose sustainment is imperative for combat success. In short, these ranges and operating areas are the cornerstone of military readiness. As further described in its annual Sustainable Ranges Report to Congress³, DoD has developed a comprehensive plan as part of its evolving SRI to ensure the sustainability of military ranges and installations and protect the environment while concurrently assuring the availability of resources for Service and joint training and testing.

The overarching policy for this initiative is set out in DoD Directive 3200.15, Sustainment of Ranges and Operating Areas, signed in January 2003. The SRI's overall goal is to "manage and operate ranges and OPAREAs [Operating Areas] to support their long-term viability and utility to meet the national

³ The DoD Sustainable Ranges Report, as initially required by Congress in Section 366 of the NDAA for FY 2003, requires the Department to provide annual reports on the progress of its range sustainment planning efforts. The 2007 Sustainable Ranges Report to Congress is being submitted to Congress at approximately the same time as the 2007 REPI Report to Congress.

defense mission.”⁴ This multi-level initiative includes policy, programming, outreach, legislative clarification, and a suite of internal changes to foster range sustainment and address encroachment challenges. The SRI requires that DoD components identify range and OPAREA encroachment concerns, environmental considerations, financial obligations, and safety factors that may influence current or future range activities and uses.

Encroachment exists in many forms—from providing new challenges in DoD’s ability to comply with state and federal environmental regulations to creating new competition for airspace and communication spectrum frequencies. One of the most prominent encroachment factors facing the military is increasing development near its boundaries. Residential, commercial, and industrial uses continue to expand around once-remote military installations. This not only increases restrictions on mission-essential testing and training, but also often makes military installations a “last refuge” for imperiled species as development consumes other valuable habitat. To counteract these trends, the SRI assists the efforts of ranges and installations in working with communities and other stakeholders on compatible land use strategies and the preservation of open space near installations.

The SRI outreach effort also provides stakeholders with an improved understanding of readiness needs, addresses concerns of state, local, and tribal governments and surrounding communities, works with non-governmental organizations (NGOs) on areas of common interest, and partners with groups outside DoD to reach common goals.

The Department’s SRI strives to ensure that DoD can preserve military readiness while protecting the environment and addressing land use compatibility with local communities. Evolving operational environments will dictate changes in testing and training that, in turn, will change our military’s requirements for land, airspace, sea space, and access to the frequency spectrum. At the same time, encroachment pressures, including ever-expanding residential, commercial, and industrial development, will continue to impose limits on the use of our ranges. The Department is committed to continuing to work with the Congress, states, local communities, NGOs, and other stakeholders to take actions that facilitate compatible land use and reduce the impact of encroachment on our ranges.

IV. The Readiness and Environmental Protection Initiative: A Critical Implementation Tool

As the impact of encroachment has become more clear and pressing over time, the resolve and creativity of DoD’s response has accelerated. The Department has a broad range of efforts currently underway to promote compatible land use around its military ranges and installations—particularly by using the authority granted under 10 U.S.C. § 2684(a) to work in cooperation with their surrounding communities and governments.

A key component of the SRI is the Readiness and Environmental Protection Initiative (REPI), which supports compatible land use and conservation partnering initiatives and projects at ranges and installations across the

4 DoD Directive 3200.15, Section 4.1 (January 10, 2003).

country. REPI funding enables installations, under 10 U.S.C. § 2684(a), to enter into agreements with private conservation organizations or with state and local governments. REPI funding has supported compatible land use projects at more than two dozen ranges and installations across the country. As noted, these agreements allow installations to cost-share the acquisition of restrictive/conservation easements from willing sellers as a way of preserving high-value habitat and limiting incompatible development around DoD ranges and installations.

Prior to the enactment of 10 U.S.C. § 2684(a), the Sikes Act was the primary authority for the Secretary of Defense to enter into cooperative agreements with states, local governments, NGOs and individuals to maintain and improve natural resources. This authority was almost entirely directed toward protection of resources within the boundaries of DoD installations. Partnerships took the form of working relationships with private and public organizations and individuals to protect and revitalize species through various on-installation habitat enhancement efforts. Increasingly, it became apparent that on-installations efforts alone, while useful, were inadequate and potentially self-defeating, and that acquisition of land or easements in the vicinity of military installations and ranges added vital flexibility to wildlife protection efforts.

The partnership efforts that took place at Fort Bragg, North Carolina, starting in 1995 showed the great potential for conservation buffer partnering. Stakeholders in and around Fort Bragg developed what the Army called the Fort Bragg Private Land Initiative (also called the North Carolina Sandhills Conservation Partnership) as a way to work cooperatively to conserve private lands to help restore the Red-Cockaded Woodpecker (RCW). This effort led to the Army partnering with The Nature Conservancy (TNC) and other stakeholders to buy lands or interests from willing stakeholders. The lands could then serve as additional off-base habitat for the RCW, while providing open space for the community and a buffer from encroachment for the installation. One compelling result was that the Army could once again use training land that had been previously set aside exclusively to protect RCW habitat.

By 2001, with the launch of DoD's Sustainable Ranges Initiative, it became clear that conservation partnering similar to what took place around Fort Bragg could be extremely helpful to other bases facing encroachment concerns. However, the Sikes Act did not provide clear statutory authority for such partnering. DoD and the Services worked with Congress to define the needed statutory authority. As a result, Congress provided the military with an important new tool for partnering to prevent incompatible land use in Section 2811 of the NDAA for FY 2003 (codified in 10 U.S.C. § 2684[a]). This new authority allowed DoD to enter into agreements with private conservation organizations or state and local governments to cost-share acquisition of land or interests in land to preserve valuable habitat and limit incompatible land use. In FY 2004, the Services used the newly enacted 10 U.S.C. § 2684(a) authority to execute five conservation partnering initiatives, though REPI funding remained a year off.

Through the REPI program, Congress funds compatible land use efforts that meet the requirements of 10 U.S.C. § 2684(a). In FY 2005, Congress appropriated \$12.5 million to the Deputy Under Secretary of Defense (Installation & Environment) (DUSD(I&E)) to allocate funds to Military

Service conservation buffer projects at seven DoD installations. In FY 2006, Congress appropriated \$37 million, which was applied towards projects at 20 installations.

V. Report Organization

Following this introductory chapter, Chapter 2 provides REPI history and purpose, as well as individual project and partner summaries. Chapter 3 further addresses REPI selection and execution, including program criteria, selection and funding processes and methodology, and Service execution of REPI funds. Chapter 4 provides an assessment of project effectiveness, including analysis drawn from a DoD-commissioned RAND Corporation evaluation of the REPI Program. Chapter 5 addresses the broader SRI program context and supporting efforts. Finally, Chapter 6 provides summary conclusions and recommendations for the future.

2 REPI PROGRAM IMPLEMENTATION AND PROJECT SUCCESSES

I. Buffering and Compatible Land Use Programs

The Defense Installations Strategic Plan provides the following definition of encroachment: “Encroachment - Broadly defined, includes those outside factors that inhibit accomplishment of necessary live training and testing. Examples of encroachment include compliance with escalating environmental legal statutes, competition for airspace, and eroding DoD radio frequency spectrum, along with substantial urban growth around previously isolated ranges.”⁵

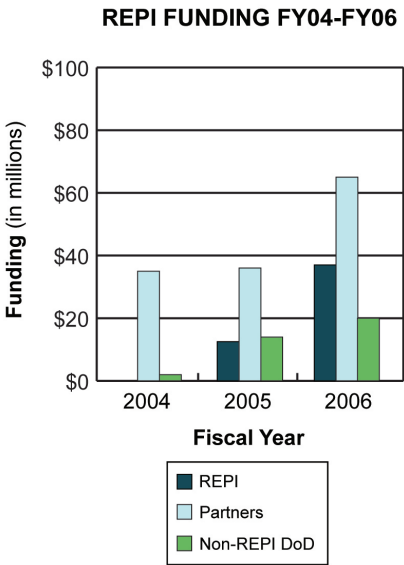
Encroachment problems result from a variety of influences. They typically include but are not limited to:

- Air Quality
- Airborne Noise
- Airspace Restrictions
- Competition for DoD-owned or controlled land, air or sea space
- Endangered species and critical habitat
- Frequency spectrum encroachment
- Lack of Interagency Management Coordination
- Maritime sustainability
- Unexploded Ordnance (UXO) and Munitions
- Urban growth
- Water quality and use
- Wetlands

⁵ Office of the Secretary of Defense. The 2004 Defense Installations Strategic Plan. (Washington D.C.: Department of Defense, 2004).

Encroachment is a long-term, growing concern to the readiness of the Services and their forces. “Urbanization,” the continued population growth and economic development around military installations and ranges, can create land uses or environmental restrictions that are incompatible with current and future military testing and training requirements. Likewise, new weapons systems and tactics can cause incompatibility with existing or planned land uses by creating more noise, safety risk, or electronic interference and requiring larger or better buffered training and test areas. Encroachment problems typically arise from three principal sources:

- Incompatible uses near DoD installations, ranges and training or testing areas that limit low-level flying routes, target areas or other activities.
- Federal, state, regional, and local regulations that restrict the use of land, airspace, and communications frequencies, including regulations designed to protect human health and safety, biological resources, and cultural resources.
- *De facto* designation of installations as “habitats of last resort” for threatened or endangered species and third-party pressure to use installation land or natural resources for rights of way, potable water supplies, air and water mitigation programs and similar uses.



Installations often face multiple encroachment issues. Solutions targeted for one issue may also help address others, or may exacerbate them. The Services have recognized this challenge and are now developing integrated processes to create comprehensive encroachment plans that build upon studies and plans.

Using its Army Compatible Use Buffer (ACUB) program, the Army enters into cooperative agreements with partners to purchase land or interests in the land and/or water rights from willing sellers as part of a comprehensive approach to protect its testing and training requirements. The Navy and Marine Corps both title their efforts Encroachment Partnering (EP) Programs, part of their overall encroachment control programs that develop encroachment action or control plans to delineate short, medium, and long-term strategies for each installation. The Department of the Navy’s (DON) practice has been to acquire a recordable interest in property in the form of a restrictive use or conservation easement or deed covenants similar to an easement. The Air Force focuses on community partnering and intergovernmental planning to achieve compatible land use and zoning to protect ever-evolving airspace management needs. The 10 U.S.C. § 2684(a) authority can be used in situations when the other strategies are not appropriate or they fail to provide the necessary protection for the mission.

Though not a panacea, Service encroachment partnering projects, combined with REPI support, can help to address many of the aforementioned encroachment issues. Appendix B summarizes the Services’ current encroachment management and partnering programs using the program frameworks identified above.

II. The REPI Program: Delivering Positive Results

REPI has provided DoD and local communities a powerful tool to create

REPI Program Summary		
Years (total)		2
REPI Funds Appropriated	FY05	\$12.5M
	FY06	\$37M
	Total	\$49.5M ¹
Partner Funds Contributed	FY05	\$36M
	FY06	\$70.8M ²
	Total	\$106.8M
State/Local/Federal Partnerships		43
NGO/Other Partnerships		40

¹ Does not include FY04 pre-REPI buffer appropriations

² Reflects FY06 data as of 3 April 2007; may not reflect data for entire FY06

and foster cooperative partnerships that leverage funds to protect lands in the vicinity of military installations. These partnerships help ensure the continued overall sustainability of military installations and associated open space and habitats through cooperative land transactions.

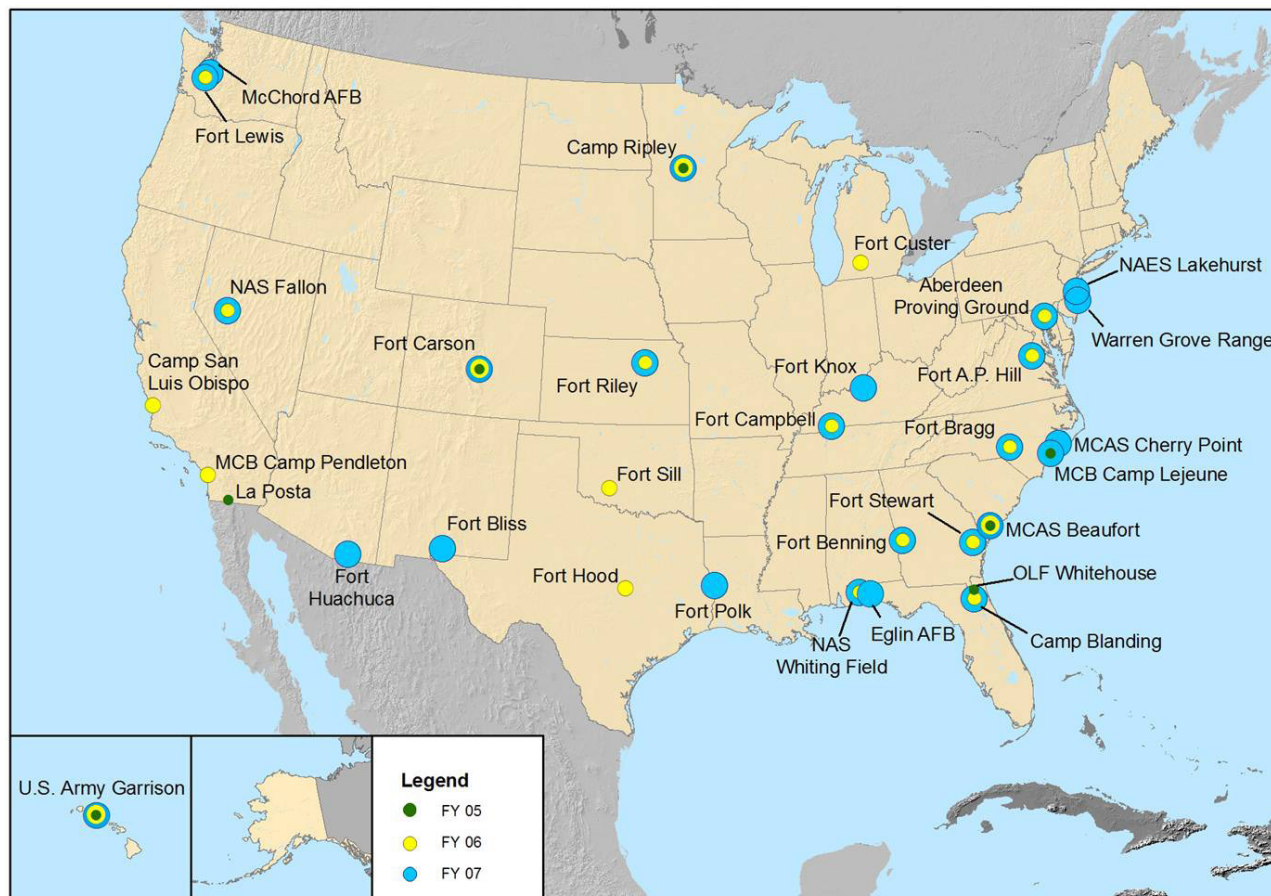
Sustainable military installations must be able to conduct military testing, training and other operations while at the same time protecting the resources needed to support them. REPI projects have successfully protected thousands of acres of land, ensuring that critical resources are available for testing and training over the long term so that DoD's readiness mission is secured.

Some DoD installations utilized the Sikes Act authority to partner with non-DoD entities to fund land transactions prior to the inception of REPI, which allowed DoD and its partners to acquire land and interests in land based on natural and cultural resource values. The ACUB program evolved as a result of several such projects that were conducted between 2000 and 2004.

As mentioned in the previous chapter, Congress passed Section 10 U.S.C. § 2684(a) as part of the FY 2003 NDAA; the section authorizes DoD to partner with private conservation organizations and state and local governments to share the costs of land acquisition projects. Under this authority, the REPI program was formalized to allow for land transaction partnerships that involve benefits to both the military mission as well as the natural resources that support it, thus greatly increasing the scope of the partnerships.

The REPI program leveraged over \$37 million in partner funds in its first year

Figure 2.1
Installations with Existing REPI Projects



with just \$12.5 million in REPI funding, an 80% return on invested capital. A similar ratio is expected for the \$37 million REPI appropriation in FY06. To date, REPI has enabled DoD to partner with 43 state, local and Federal government organizations, as well as 40 NGOs, and continues to expand. Several well-established partner NGOs are involved in multiple REPI projects, including TNC, The Trust for Public Land (TPL), the American Farmland Trust (AFT), and The Conservation Fund (TCF). Figure 2.1 highlights installations with existing REPI projects.

The REPI program is valuable both as a tool for initiating conservation partnerships and as a way to continually improve upon existing conservation and compatible land use efforts. For example, some REPI projects evolved out of existing partnerships, such as the RCW conservation efforts at Fort Bragg over the last decade (see section III[B]). In other instances, REPI helps installations initiate new conservation projects by facilitating partnerships with well-established conservation programs, such as the Florida Forever program and its many partners (see section III[C]). REPI also provides a way for DoD and its partners to work directly with individual landowners who might otherwise sell their land for incompatible development.

III. 2004 – 2006: DoD Land Conservation Evolves

A. Fiscal Year 2004: DoD Conservation Partnering Formalized Under 10 U.S.C. § 2684(a) as the Readiness and Environmental Protection Initiative

In FY 2004, new and continuing conservation partnering initiatives gained the advantage of the newly enacted 10 U.S.C. § 2684(a) authority, though REPI funding remained a year off. Five projects (two Army, one Navy, one Marine Corps and one Air Force) were initiated with funding supplied by the Services, the Office of the Secretary of Defense (OSD), and/or non-DoD partners. These projects provided a substantial financial leverage for conservation of lands adjacent to DoD installations, combining DoD (Service and OSD) funds with significant partner contributions.



“Fort Bragg in North Carolina has been heralded as a model for how to deal with growth and encroachment issues.”

ASSOCIATED PRESS

The five FY 2004 projects were located in the southeastern United States at Fort Bragg, North Carolina; Marine Corps Air Station (MCAS) Beaufort, South Carolina; Camp Blanding, Florida; Naval Air Station (NAS) Pensacola, Florida; and Eglin Air Force Base (AFB), Florida.

The project at Fort Bragg grew out of an existing partnership between the Army, the U.S. Fish and Wildlife Service (USFWS), and a local land trust, and has continued to progress with annual buffer protections under the Army’s ACUB program. The REPI program provides further incentive for non-DoD partners to participate in the project and ensures that Fort Bragg continues to expand the protection of military training areas while

conserving habitat for the RCW and other species of concern.

The project at MCAS Beaufort involved a cooperative effort with the County of Beaufort, which chairs the South Carolina Low Country Conservation Forum, an initiative to conserve open space and limit incompatible development for the sustainment of air operations. The Marine Corps enjoys a continuing partnership with Beaufort County to conserve open space.

The three projects in Florida were conducted at the Camp Blanding Army National Guard Base, NAS Pensacola, and Eglin AFB. The Camp Blanding project was among the first projects to utilize the 10 U.S.C. § 2684(a) partnering authority and has become a model for successfully partnering with states and leveraging partner funding. Under the NAS Pensacola project, in June 2004, the Navy partnered with Escambia County to purchase an easement on land adjoining the NAS airfield boundary. This acquisition precluded planned incompatible residential development. The buffered land will be used for public recreation and open space.

The project at Eglin AFB protected a large tract of land located near the installation and within an identified 100-mile habitat corridor between Eglin and the Apalachicola National Forest to the southeast. The effort to protect this corridor, the Northwest Florida Greenway, involves collaboration between DoD, TNC, Florida's Department of Environmental Protection (DEP), and several other partners. The Northwest Florida Greenway is ongoing and is funded primarily through the Florida Forever program.

B. Fiscal Year 2005: The First Year of REPI Appropriations

The first projects funded under the REPI program were submitted for the FY 2005 project cycle. For FY 2005, Congress appropriated a total of \$12.5 million in REPI funding, most of which was applied to seven projects. Partner organizations contributed over \$37 million to these seven projects. The three Army, two Navy, and two Marine Corps FY 2005 projects were funded at installations representing all major regions of the country. As the first REPI projects, they broke new ground in conservation partnering, and laid the foundation for substantial program growth in FY 2006.

Important accomplishments in FY 2005 included the REPI project at the La Posta Mountain Warfare Training Facility (MWTF), in California, which was initiated following a Memorandum of Agreement (MOA) between the state and DoD in 2004. The Marine Corps developed buffer projects to control incompatible development in the vicinity of Marine Corps Base (MCB) Camp Lejeune's training range and at MCAS Beaufort to secure ongoing air operations. The FY 2005 REPI project at Camp Ripley, Minnesota, helped ensure the continued economic viability of the installation, which is one of the largest employers in central Minnesota⁶, while also creating a wildlife management area for conservation and recreational use.

The FY 2005 projects also represented a broad spectrum of military

PARTNER SNAPSHOT: THE NATURE CONSERVANCY

The mission of The Nature Conservancy (TNC) is to preserve the plants, animals, and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. TNC has a particularly long-standing relationship with DoD. This non-profit organization has partnered on at least 18 land conservation projects conducted with REPI funds and is one of DoD's primary partners in conducting REPI-funded projects. TNC provides funding and services and often acts as the purchasing agent when executing conservation projects.



6 Fact Sheet, Central Minnesota Prairie to Pines Partnership.

missions and conservation needs. Fort Carson, Colorado, is one of the largest installations in the country, charged with a crucial training mission in a region with rapidly expanding residential development. The Navy's Outlying Landing Field (OLF) Whitehouse, in Florida, is essential to pilot training, and at the same time is a critical component in a partnership effort to restore native longleaf pine ecosystems in Florida. The U.S. Army Garrison (USAG) in Hawaii is surrounded by extremely rich biodiversity, and the necessity of conserving land and preventing development in Hawaii led to the formation of unique partnerships.⁷ Additionally, USAG Hawaii was the first REPI project in which the Services worked together to protect buffers that benefit all branches of the military.

These partnerships demonstrate the immediate impact of the REPI program in establishing effective relationships with conservation groups and other governmental entities in achieving mutually beneficial results through cooperative conservation planning. Table 2.1 summarizes the funding for FY 2005 projects.

Table 2.1
FY 2005 REPI-Funded Projects

Component	Project	State	Acres	Funding			
				REPI	Other DoD	Partner	Total
Army	USAG Hawaii	HI	1,875	\$2,000,000	\$3,400,000	\$9,400,000	\$14,800,000
Army	Camp Ripley	MN	4,659	\$500,000	\$500,000	\$9,794,500	\$10,794,500
Army	Fort Carson	CO	4,960	\$4,000,000	\$5,420,000	\$500,000	\$9,920,000
ARMY TOTAL			11,494	\$6,500,000	\$9,320,000	\$19,694,500	\$35,514,500
Navy	OLF Whitehouse	FL	1,650	\$305,000	\$1,695,000	\$11,500,000	\$13,500,000
Navy	La Posta MWTF	CA	320	\$695,000	--	\$265,000	\$960,000
NAVY TOTAL			1,970	\$1,000,000	\$1,695,000	\$11,765,000	\$14,460,000
USMC	Camp Lejeune	NC	1,062	\$500,000	\$1,988,750	\$2,488,750	\$4,977,500
USMC	MCAS Beaufort	SC	162	\$1,000,000	\$902,000	\$1,998,000	\$3,900,000
USMC TOTAL			1,224	\$1,500,000	\$2,890,750	\$4,486,750	\$8,877,500
FY 2005 TOTAL			14,688	\$9,000,000	\$13,905,750	\$35,946,250	\$58,852,000
Program Administration & Tax			--	\$3,500,000	--	--	--
Total FY05 REPI Funding Allocated			--	\$12,500,000	--	--	--

C. Fiscal Year 2006: Continued Growth and Results

The REPI program grew significantly in FY 2006, with \$37 million in REPI appropriations. Funding was distributed among 20 approved projects: 16 Army, two Navy and two Marine Corps. Like the 2005 projects, the FY 2006 REPI efforts were diverse in nature. Several of the 20 projects funded in FY 2006 were continuations of previous REPI-funded projects or other existing partnerships. These include MCAS Beaufort, Fort Carson and Camp Blanding, as well as other installations in Florida that tie into the state's Florida Forever program. However, many of the projects represented new efforts that provide substantial conservation benefits and increased partner participation.

FY 2006 REPI projects allowed DoD to engage with a variety of partners in creative new ways. Installations such as Fort A.P. Hill, Virginia; Fort Sill, Oklahoma; NAS Fallon, Nevada; and Camp Pendleton, California,

⁷ ACUB Program End of Year Report FY05, 4 April 06 Final Draft.

initiated important new partnerships that provide a basis for current and future compatible land use projects adjacent to these installations. The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) became involved with the REPI program for the first time through the Fort Sill, Oklahoma project.

At MCAS Beaufort’s Townsend Bombing Range (TBR) joint facility, the Marine Corps worked with TNC to obtain a restrictive easement on 10,687 acres of adjacent land, thus restricting use of the property to ensure future use that is compatible with the military mission of TBR.

Finally, though not a REPI project per se, in early 2006, a single corporation sold more than 28,000 acres of forest land back to the state of Florida, TNC, and TCF; over 23,000 of those acres will buffer military installations.

IV. Sustaining the Military Mission; Preserving Wildlife Habitat, Rural Lifestyles and Open Spaces; Building Communities; and Forging New Partnerships

The primary mission of the nation’s Armed Forces is to protect national security. Requisite testing and training requires adequate land, air, and sea maneuver space and weapons impact areas, access to necessary frequency spectrum, and sufficient separation from surrounding land uses for noise mitigation and safety purposes. In recent years, some local communities in the vicinity of military installations have experienced tremendous population growth, resulting in encroachment on the military’s ability to test and train. This has created a greater need for protection of buffering lands adjacent to DoD installations.

Sustaining this military mission has always been the principal objective for the REPI program, but as the Services have implemented their individual projects, other complementary benefits have emerged. For example, the REPI program provides a powerful tool for installations and their partners to acquire interests in land for open space and habitat protection, thereby providing a significant environmental benefit as well as contributing to the overall sustainability of military installations around the country.

Lands surrounding DoD installations are often of significant conservation value to neighboring



“The partnership between Beaufort County and the Navy–Marine Corps team at MCAS Beaufort is, and has been, outstanding in every respect. This partnership demonstrates the familial relationships enjoyed by our military and civilian communities.”

W.R. “SKEET” VON HARTEN
VICE CHAIRMAN, BEAUFORT COUNTY COUNCIL



“TPL is glad to have played a role in partnership with DoD, the Army, the Commonwealth of Virginia, local government, and community and conservation leaders.”

ALAN FRONT
SENIOR VICE PRESIDENT, TPL

communities and the public. Sensitive plant and animal species are experiencing their own pressures from encroachment, and have in some cases been squeezed onto DoD lands as surrounding lands develop. In many areas, ranching, farming and forestry are impacted by rapid growth, and states and localities are increasingly looking for opportunities to preserve rural lifestyles and the open space values they provide. The protection of lands for public recreation and habitat preservation is increasingly found on state and local government agendas and in their budgets.

REPI projects also create new partnerships and community relationships, resulting in a host of positive outcomes both within and outside of installation fence lines. REPI partnership agreements allow the nonprofit or local government partners, or in some cases the current agricultural landowners, to manage the newly-protected lands, saving tax dollars and ensuring that lands are managed to the maximum benefit of all partners.

A. Sustaining the Military Mission

1. Training Resources at Fort A.P. Hill Protected Through Conservation Efforts

Fort A.P. Hill is one of the largest and most important military bases on the East Coast, and the surrounding lands and waters represent an area of great ecological interest in Virginia. Fort A.P. Hill is a training and maneuver center focused on providing realistic joint and combined arms training. All branches of the active and reserve Armed Forces train on Fort A.P. Hill, and the installation regularly hosts training for foreign allies. It is the sixth largest military installation on the East Coast, with 75,944 acres of federally-owned land and 111 acres of leased land. The leased parcel is located along the Rappahannock River and is used as a float bridge training site. The installation is used year-round for military training as well as other government agencies, including the Departments of State and Interior; U.S. Customs Service; and Federal, state and local security and law enforcement agencies.

This 2006 REPI project has already succeeded in preserving critical buffer lands surrounding the installation. Future REPI requests will seek to protect more than 35,000 acres of additional land. This effort will ensure that the installation maintains the capability to provide the highest quality training for troops. Without protection, land surrounding the training areas could be more intensively developed, negatively affecting military readiness by creating an unrealistic training environment and severely limiting training potential. Funding provided by partners is expected to increase as the project gains success in providing a strong buffer for Fort A.P. Hill. The project has become a model for working with the USFWS.

2. Marine Corps Air Station Beaufort, SC Eases Encroachment Pressures on the Air Installation Compatible Use Zone

MCAS Beaufort entered into a collaborative partnership with Beaufort County and TPL to ease significant encroachment pressures, particularly within the Air Installation Compatible Use Zone (AICUZ), which defines the sphere of operations around the installation. REPI funds have greatly contributed to building a positive relationship with local landowners while protecting an endangered plant species, improving water and wildlife habitat quality, and safeguarding the mission of the installation.

MCAS Beaufort relies on adequate land and air space to sustain its training capabilities and has made considerable progress in leveraging conservation funds. The air station seeks to preserve and enhance mission capability for potential future missions such as the joint strike fighter or realignments. Additionally, noise complaints can limit operations and result in costly lawsuits for the installation, providing further incentive to protect MCAS Beaufort from such complaints and maintain good relationships with the community.

3. La Posta Mountain Warfare Training Facility Protected for Critical Special Forces Training

The La Posta MWTF is attached to the Naval Base Coronado complex and lies 50 miles east of San Diego in the rugged Laguna mountains. The property served as a Navy satellite tracking station until 1986, and was subsequently reconfigured to support mountain warfare training. The facility provides a unique arid mountainous training environment similar to relevant foreign geographies, and is an ideal location for reconnaissance, map, compass, and other special warfare training.

The mountainous terrain and relatively isolated nature of the facility provides one of the few areas where special forces can train in a real life scenario with limited interference. The REPI partnership will help ensure that encroachment problems do not impact this key training facility in the future.

B. Preserving Wildlife Habitat, Rural Lifestyles and Open Space

1. Fort Carson Buffer Projects Protect Ranch Lands

Fort Carson is home to the 3rd Armored Cavalry Regiment, the largest regiment in the Army. Because of the installation's size, the nature of training requirements, and the severity of encroaching urban development, protecting its training lands is critical for military readiness. In addition to its importance to military readiness, Fort Carson accounts for about 10 percent of the local Colorado Springs economy, making it a vital local asset.

REPI efforts in 2005 helped to protect nearly 5,000 acres of land, which in addition to securing the Fort Carson mission, will also remain as productive ranchland in perpetuity. The 2006 phase is aiming to protect roughly 10,000 additional acres surrounding the installation. The land being protected in the 2006 phase, which was originally slated for residential development, is preserved through a partnership that includes a local developer and a group committed to economic growth. Cumulatively, the project targets 60,000 acres of land to protect Fort Carson's future training capability and to preserve the ranching heritage and shortgrass prairie habitat.



"Successful completion of this project would provide a permanent buffer at La Posta and...will serve as the model for future partnering opportunities."

MICHAEL HUBER
NAVY REGION SOUTHWEST

PARTNER SNAPSHOT: THE WALKER RANCH

The lands surrounding much of Fort Carson have been in Gary Walker's family for decades. Conservation of the Walker ranch in the vicinity of the installation through conservation easements has helped DoD tremendously by limiting future development adjacent to Fort Carson, while protecting wildlife habitat, and preserving the ranching heritage of the area.

The installation has succeeded in becoming a model for the establishment of buffer zones at military installations. Most of the conservation projects around the installation so far have involved working closely with a private landowner, Gary Walker, whose large ranch has been in the family for generations. As a result of the ongoing conservation partnering efforts around Fort Carson, the Army has been able to maintain the integrity of its critical training programs there.

2. The Army and The Oahu Conservation Partnership Prevent Incompatible Development and Protect Imperiled Species

Hawaii's ecosystems are some of the most fragile in the world, and the U.S. Army Garrison operates in the midst of over 100 rare plant and animal species in some of Hawaii's most valuable open space. The REPI partnership there—the Oahu Conservation Partnership—consists of a consortium of several organizations including TPL, TNC, the Office of Hawaiian Affairs, the Navy, the Army, and the Marine Corps. The partnership seeks to protect endangered species and to buffer military training grounds on the island of Oahu.

The partnership includes a range of diverse groups that have previously opposed the military. It is also the first time that the Services have worked together to protect buffers that benefit all of the military branches. As a result of this unique partnership, 1,875 acres of land have been protected in perpetuity from encroaching development.

3. Fort Bragg a Major Player in Saving the Red-Cockaded Woodpecker

Fort Bragg has long been a pioneer of partnerships involving the military and private conservation efforts. The land surrounding Fort Bragg contains rare, mature longleaf pine forests, which provide habitat for the endangered red-cockaded woodpecker. Only five percent of historic longleaf pine habitat remains today throughout the southeastern United States. A 15-year partnership between Fort Bragg and the USFWS has protected this unique land and has resulted in the remarkable recovery of the bird, which was severely endangered prior to the partnership.

In 2004, Fort Bragg created a Cooperative Partnership with TNC and many other organizations. This partnership has since used REPI to acquire land around the installation that has high conservation value as well as strategic value to the military. Duke University and several other universities are partnering to develop a collaborative study on endangered species around the installation and to help the Army identify priority lands for conservation.

4. Fort Stewart Protects Wildlife Habitat, Improves Water Quality, and Creates Recreational Opportunities for the Community

In order to preserve long-term training options for future weapons systems and protect wildlife habitat surrounding Fort Stewart, Georgia, a buffer of 2-3 miles around the installation has been targeted. To date, land acquisitions using REPI funds have been completed that contribute towards this buffer piece by piece. These acquisitions at Fort Stewart have been completed with the help of many partnering organizations, including TNC and TPL, and one conservation easement was part of the larger TNC deal with International Paper (IP) (see Section IV.C.1).



REPI projects have helped ensure that Fort Stewart can continue training without encroachment-related restrictions while preserving wetlands that help improve water quality. The land that has been acquired (and that which is targeted for acquisition) also provides habitat for threatened and endangered species such as RCW, flatwood salamanders, swallowtail kites, and indigo snakes. REPI projects at Fort Stewart have had internal benefits as well, such as an improvement to the working relationship between base environmental and operational staff. The land that buffers the installation also provides recreation activities, a benefit for the lower income rural communities.

5. MCB Camp Lejeune and MCAS Cherry Point Partner with the State and North Carolina Coastal Land Trust to Enhance Ecological Functioning in the Coastal Plain of North Carolina

MCB Camp Lejeune and MCAS Cherry Point, working with the North Carolina Wildlife Resources Commission (NCWRC), the North Carolina Coastal Land Trust (NCCLT) and other organizations, have partnered to acquire parcels adjacent to both installations. The acquisitions will create additional buffers to military activities that will allow for land management vital to the maintenance of ecological functioning in the coastal plain of North Carolina. A wide variety of habitats are represented on the parcels, from wet-pine flatwoods to dry-mesic oak-hickory forested slopes and salt marsh communities along a tidal creek, supporting a broad spectrum of plants, wildlife, and conservation education opportunities. Additionally, these parcels provide a buffer to adjacent Federal- and state-managed lands and activities.

The parcels share a common boundary with a conservation corridor identified as the Camp Lejeune-Holly Shelter Corridor by the Onslow Bight Conservation Forum (OBCF). The Forum is a multi-organization effort consisting of several Federal and state agencies including MCAS Cherry Point, MCB Camp Lejeune, and the NCWRC, with the goal of conserving the natural heritage and open space adjacent to these military bases. Encroachment partnering within this corridor is considered a high priority by the OBCF.

Another example of the synergistic benefits of encroachment buffer efforts is a project undertaken by the NCCLT in partnership with the NCWRC to acquire 1,378 acres in the vicinity of MCAS Cherry Point's bombing range that will become public game lands. This area offers fertile wildlife habitat and water quality values and contributes to a growing network of protected lands.

There is also a potential that, with minor habitat enhancements, some parcels of land could become RCW habitat. MCB Camp Lejeune is currently working to establish a conservation credit system for endangered species that would enable the base to obtain credits for off-base habitats conserved through encroachment partnering efforts. This novel approach to meeting endangered species recovery goals will enhance future military training opportunities by reducing restrictions caused by the presence of federally listed species.



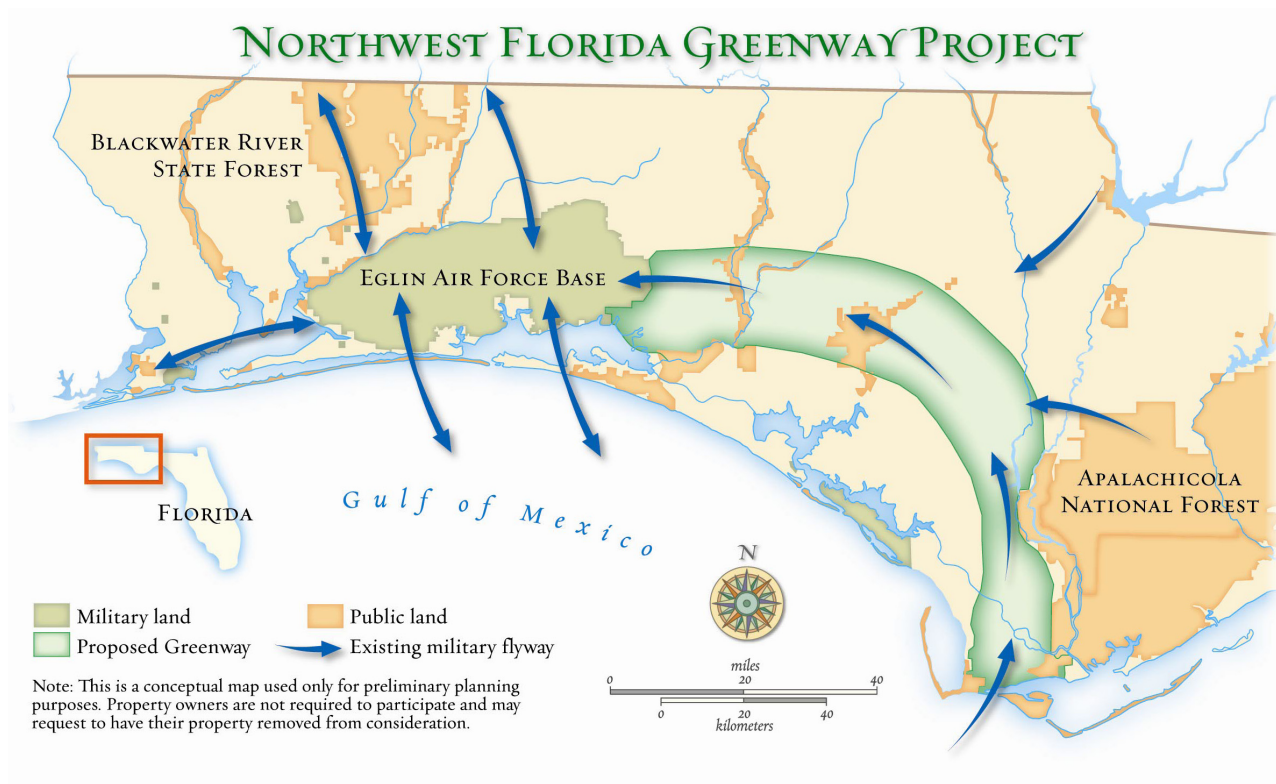
C. Building Communities and Forging New Partnerships

1. Florida Forever and the Northwest Florida Greenway

The state of Florida has seen great military and conservation benefits as a result of DoD-sponsored projects within the state. These non-REPI projects have been widespread and significant, and helped spur the subsequent conservation projects under the 10 U.S.C. § 2684(a) authority. The Northwest Florida Greenway is an effort to protect a 100-mile corridor of land on the Florida panhandle through the state's Florida Forever program. Military installations including Eglin AFB, Tyndall AFB, and Camp Blanding are located along this corridor, making them key partners in the conservation of critical habitat that also underlies important low-level flight areas. At Eglin AFB, DoD funds contributed to the purchase of the Nokuse Plantation, an 18,500-acre parcel of land. Many other parcels within this corridor and around Eglin AFB that have been purchased were entirely funded by partners such as the state of Florida and TNC.

At Camp Blanding, the FY 2006 REPI project targets 4,500 acres near the installation that link Camp Blanding and the Osceola National Forest, providing habitat for sixty rare species such as the bald eagle, RCW, and the Florida black bear. Camp Blanding was the first installation to use the 10 U.S.C. § 2684(a) authority in 2004 and went on to set the standard for execution of the Army's ACUB program. The Osceola Greenway initiative, part of the Florida Forever program and modeled after the Northwest Florida Greenway, seeks to protect 153,000 acres overall between the installation and Osceola National Forest.

Florida's installations and rare species are now poised to take maximum



advantage of part of the largest private land conservation sale in the history of the southeastern United States. IP is selling more than 28,000 acres to the state of Florida, TNC, and TCF, and more than 23,000 acres will buffer military installations in Okaloosa and Santa Rosa Counties in the northwest part of the state. The Florida parcels are part of a larger deal that includes the purchase of 218,000 acres of forest from IP throughout the southeast. The acquisition of this land will create important buffers between Eglin AFB, Whiting Field, and the Blackwater River State Forest.

Most of the IP land will not be immediately adjacent to NAS Whiting Field, but there is land in the northeast quadrant that lies within Accident Potential Zones (APZs) and high noise contours. It demonstrates the success of the Florida Forever program and land conservation efforts adjacent to military installations in Florida. At the completion of the sale, Whiting Field will be one of the most buffered Navy aviation fields in the United States. More information on Whiting Field can be found in section IV.C.3.

2. NAS Fallon Prevents Encroachment with Churchill County, NV

NAS Fallon is located in western Nevada, an area experiencing extremely rapid population growth and development. This development has placed encroachment strains on the installation, prompting a multi-phase, multi-year project that will protect nearly 6,000 acres of land surrounding NAS Fallon at its completion. To date, DoD has provided the Navy with funding to protect about 1,400 of those acres, of which the actual purchase of easements on 688 acres has been completed.

Nevada continues to be the fastest growing state in the country for the 18th consecutive year, so maintaining the land and air space around the installation is critical to minimizing development impacts and maintaining NAS Fallon's standing as the Navy's premier air warfare training facility. The REPI projects have diverted development to the more appropriate parts of the city of Fallon and Churchill County and away from the air station.

Inspired in part by the success of REPI projects, a Transfer of Development Rights (TDR) ordinance was enacted by Churchill County that helps to preserve agricultural land near and within NAS Fallon's conservation buffer zone through a 50-50 partnership between NAS Fallon and the county.

To participate in the TDR, landowners must have at least a 40-acre parcel. They retain ownership of most land and water rights, but development rights are removed and can be sold (i.e., transferred) for development of land in another area. Since agriculture represents one-third of the county's economy, and NAS Fallon represents another third, the TDR program is considered an economic program that is helping to balance competing economic interests without inhibiting growth. The County plans to use revenues from the sale of TDRs to finance the County's share of acquisition costs of future parcels.

3. NAS Whiting Field, FL, Benefits from Successful State Partnership

NAS Whiting Field is a prime example of a successful partnership advanced by the REPI program. The installation enjoys a particularly

good relationship with Santa Rosa County in Florida and has been working on buffer projects with the surrounding community for several years. Originally slated for FY 2006, the recent skyrocketing value of property in the area has delayed the partners' participation until later in FY 2007. In this effort, the Navy and DoD were able to take advantage of a recently upgraded Florida Forever Project (Clear Creek) to sign an agreement with the State of Florida in a multi-phase, multi-year project to protect 4,000 acres surrounding NAS Whiting Field. The first phase of the project will protect an estimated 1,500 acres with execution expected in FY 2007. The agreement will be modified in FY 2007 and FY 2008 to add more funding to acquire the rest of the acreage.

Another ongoing project near Whiting Field, the Yellow River Ravine project, protects night vision goggle training facilities while further contributing toward the conservation of valuable corridor space. Cumulatively, these projects demonstrate the growing influence of the REPI program in this region of Florida.

4. Buffer Effort at MCAS Beaufort's Townsend Air-to-Ground Bombing Range Protects Critical Air Training

Townsend Bombing Range (TBR) is MCAS Beaufort's backyard inert range, located in southern coastal Georgia. The 5,183-acre joint use range is owned by the Marine Corps and operated by the Georgia Air National Guard. TBR supports aircraft from all services extending from Alabama to North Carolina. In FY 2006, the Marine Corps signed an agreement with TNC, supported by REPI, to purchase development rights on 10,687 acres adjacent to the range coupled with fee purchases on an additional 13,253 acres by the Georgia Department of Natural Resources, Georgia Department of Transportation, and Goodwood Georgia, LLC, providing an outstanding buffer for the range.

TBR recently received FAA approval for increased air space, allowing for enhanced modern tactical training in addition to a seamless special-use airspace consisting of military operating areas and offshore air-to-air ranges. The airspace links back to the Beaufort military operating area, allowing for more realistic sorties from an air station, over water, fighting aggressors, attacking the target and returning to home base.

5. Fort Sill Breaks New Ground for Partnering Efforts in Oklahoma

This conservation easement project at Fort Sill included funds from a partnership between the State of Oklahoma, USDA NRCS, and the State's first local land trust. It was the first time that NRCS funds were used as part of an ACUB or REPI project. It was also the first time that a REPI project protected land for farming in order to buffer an installation (as opposed to a purely natural resource benefit). Furthermore, the land came from the property of rancher A.J. Ryder, who became the first landowner in Oklahoma to partner with the Army ACUB program. Several more landowners have asked to take part in the program in the future.

This conservation easement preserves an important way of life through the conservation of farm lands while protecting the installation from future encroachment. The success of the partnership will help to strengthen other ACUB partnership efforts with the USDA NRCS.



V. REPI Funds Leverage Non-DoD Resources

Finally, in the course of achieving initial REPI success and securing initial REPI benefits, the Services have been quite efficient in their use of REPI funding, a process which results in citizen tax dollars being leveraged to ensure that both the military mission and natural resources are sustained.

Some projects require relatively modest DoD financial investment at the outset to achieve conservation and military readiness goals. Other projects require greater DoD upfront investment in order to capitalize on available opportunities and to address more critical mission objectives. Projects are dynamic and quickly changing, given such variables as the availability of a willing seller and partner funding, rapidly changing land values, and emerging threats to mission activity. Each project requires an assessment of its relative priority against other potential projects, as well as an assessment of the DoD investment versus the realized benefits.



"These buffer projects represent an extraordinary win-win partnership bringing together federal, state, local and nonprofit groups to achieve their mutual interests."

PEGGY BOOTH

COMMUNITY ASSISTANCE MANAGER, MINNESOTA DEPARTMENT OF NATURAL RESOURCES

A. High Partner to REPI Funding Leverage

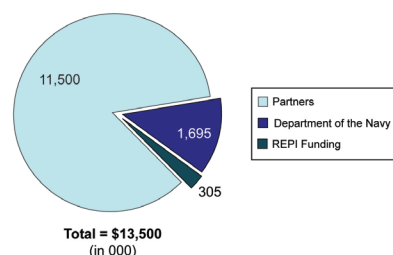
Several REPI projects have leveraged small initial DoD investments against much larger partner contributions, typically in situations where the partner's interest in the project was great. In such cases, relatively modest REPI funding adds leverage to the project and secures DoD benefit with minimal investment.

For the FY 2005 REPI project at the Navy OLF Whitehouse, Florida, DoD received a partner contribution of \$11.5 million that supplied 85% of the funding for this project. The State of Florida, as part of its Florida Forever program, will use the land to help restore native longleaf pine ecosystems in Florida.

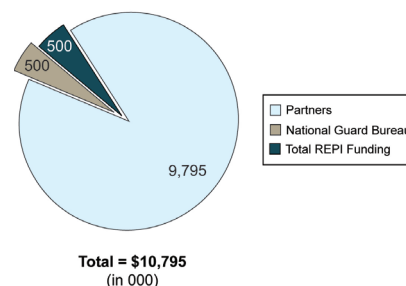
Another example of successful leveraging is the FY 2006 Camp Blanding project, a successful continuation of previous efforts at the installation which was funded with just \$0.5 million in FY 2006 REPI funds and over \$25.2 million in partner contributions. This represents a ratio of just less than two percent DoD to non-DoD funding for a project that conserved 3,300 acres of land.

REPI funds helped kick off the Camp Ripley Army National Guard installation buffering efforts in FY 2005 with local partners such as the Minnesota Department of Natural Resources and the Parks and Trails Council, as well as TCF and TNC. FY 2005 REPI funds of \$0.5 million, in addition to \$10.3 million in partner and National Guard Bureau funding, were used to secure conservation agreements on over 4,600 acres adjacent to Camp Ripley, with additional buffering in FY 2006 to protect training and operations at this important installation.

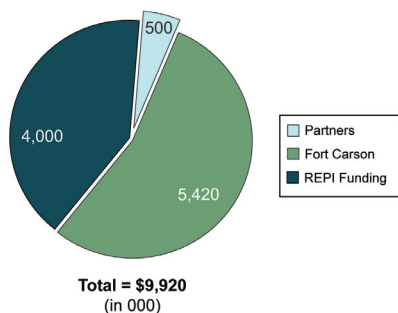
**OLF WHITEHOUSE, FY2005:
PROJECT FUNDING**



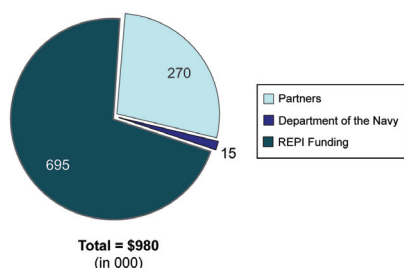
**CAMP RIPLEY FY2005:
PROJECT FUNDING**



**FORT CARSON FY2005:
PROJECT FUNDING**



**MWTF LA POSTA, FY2005:
PROJECT FUNDING**



B. Lower Partner to REPI Funding Leverage

Some projects require substantial initial REPI support in order to initiate conservation efforts and establish relationships with new partners. Such outlays can be required in circumstances where there is a high risk to the mission of a strategically important installation; where military benefits of a buffer are great but the conservation value is very limited; where partner interests are diffuse or not yet well established; or where the opportunity to acquire land interests is urgent and may be short-lived.

Fort Carson in Colorado is one of the nation's largest installations, and will see substantial future growth in troops and training requirements due to net gains under the Base Realignment And Closure (BRAC) process. The installation is highly dependent upon adequate buffers to continue using four major firing ranges and its large main impact area. To date, Fort Carson has successfully prevented urban development from encroaching on training areas by protecting thousands of acres of surrounding ranch land. REPI and Fort Carson bore the brunt of funding for the installation's initial FY 2005 projects; \$4 million, or approximately 40% of the project cost, was provided by REPI while Fort Carson supplied \$5.42 million, or roughly 53% of the total project cost. This substantial up-front investment has cemented a valuable relationship with a major private landowner, achieved immediate protection of the installation's training capabilities, and captured the interest of other partners in helping to conserve more acreage in the future.

La Posta MWTF is another example of high REPI to partner funding input. While the total cost of the project was relatively low compared to other projects, the REPI program's 71% financial stake speaks to the criticality of La Posta's mission. Located in the rugged mountains adjacent to the Cleveland National Forest, the facility's ideal realistic training backdrop and support of crucial Naval Special Warfare training justifies REPI's high initial input percentage. REPI's funding lead helped support the first project under the new conservation partnering agreement between DoD and the State of California, solidifying the importance of La Posta's training mission, the nearby wildlife corridor, and the Department's interest in protecting both.



"Great strides have been made to create a buffer zone around Fort Carson that will protect...critical wildlife, provide large-scale training benefits to the military, and allow local ranchers to continue their traditional way of life."

THE DENVER POST

*"COLORADO CONSERVATION STRIDES IN 2005 ARE ENCOURAGING
30 DECEMBER 2005*

3 REPI PROJECT SELECTION AND EXECUTION

The Services have each established a process to identify and rank conservation partnering projects that might be funded through the REPI program. The Services' processes reflect both the broader land conservation programs within each Service and program guidance issued by DoD (DUSD(I&E)). The goal of the Services' project ranking processes is to identify those projects that best meet the criteria for the 10 U.S.C. § 2684(a) authority and the mission and land conservation needs of the Services.

Requests for REPI funding have gone up steadily since the first year of the program. FY 2007, REPI funds requested are four times greater than the total of REPI funds available⁸. Given this increasing demand for limited funds, it is crucial to allocate the available REPI funds efficiently and effectively, and to allow the Services flexibility in the application of funds as circumstances on the ground change.

This chapter describes the guidance and processes used to identify and select projects for funding within the Services and across DoD.

I. The Development of DoD REPI Program Guidance and Criteria

The DoD Conservation Partnering Program Guide (Guide) specifies the criteria for consideration by the Services are to consider in identifying and prioritizing projects to be submitted for possible REPI funding.

For each funding year, the Assistant Deputy Under Secretary of Defense (Environmental Safety and Occupational Health) (ADUSD(ESOH)) issues a memorandum to the Services that requests their prioritized list of projects for the subsequent fiscal year. The process used by the Services to develop their list of priority projects is described below.

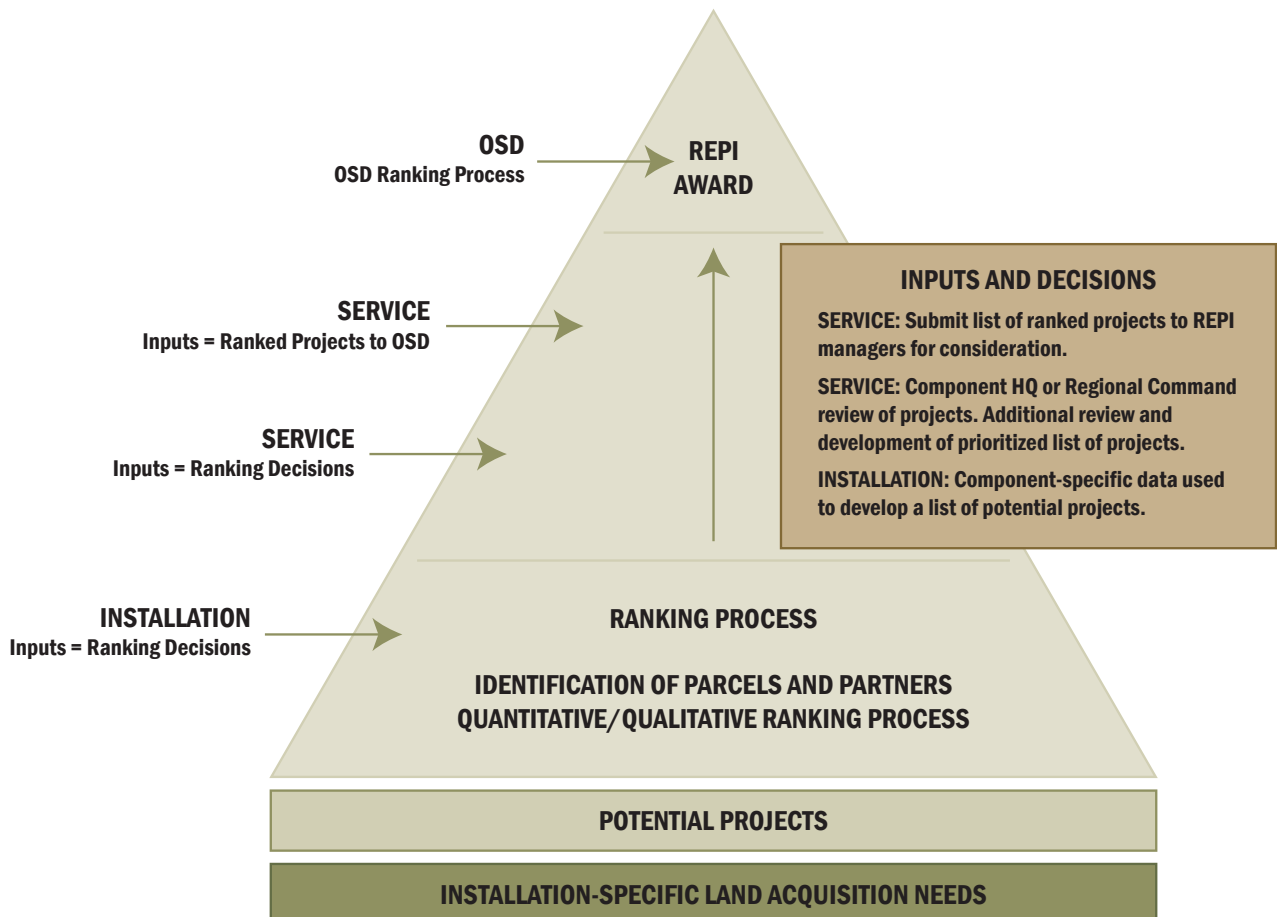
8 For FY 2007, the Services requested project funding totaling over \$150M; \$31M will be allocated to REPI projects.

A. Review of Individual Service Guidance

Each of the Services uses their own internally-developed ranking process, consistent with the criteria outlined in the Guide. The Guide provides direction on program funding, project eligibility, and the process to be used for project review, implementation, monitoring, and reporting. For project selection, the Guide directs the Services to “...take into account as appropriate and consistent with the underlying authority of 10 U.S.C. § 2684(a), the following [...] goals: promoting military readiness, limiting incompatible development, leveraging strategic planning, preserving habitat, and advancing a viable agreement.”

Each Service directs sub-commands and/or installations to review their own requirements for encroachment partnering and buffering projects. Each Service then identifies potential projects and provides a ranked list to OSD for consideration. Figure 3.1 shows the general REPI project ranking and selection process.

Figure 3.1
Component REPI Selection
and Ranking Processes



B. Summary of Service Guidance

1. Army

The Army's REPI selection and ranking process is essential to its ACUB Program, since REPI provides the majority of ACUB funding. The comprehensive and long-term ACUB proposal is used to collect project information, and a legal review is performed for all proposals. Support for Army training needs is the single most important criterion, and a review of all proposals is done by the ACUB Core Group, consisting of representatives from the Army Environmental Staff, Environmental Law Division, and Deputy Chief of Staff for Operations (G-3). Projects are ranked based on their consistency with the DoD ranking guidance and are subject to Major Command (MACOM), G-3, and Assistant Chief of Staff for Installation Management (ACSIM) approval.

2. Navy

At the installation level, the Navy identifies priority incompatible land use or conservation areas through an Encroachment Action Plan (EAP) or an equivalent EP analysis. Established partners also help identify specific parcels and landowners for conservation projects within the larger project area. An evaluation system based on the DoD ranking guidance is then used to select and prioritize potential projects across the Navy. Bonus points are assigned based on an evaluation of additional considerations, such as the likelihood of project execution within the specified time period.

3. Marine Corps

The Marine Corps identifies priority conservation areas through an installation-level plan called the Encroachment Control Plan (ECP). The Marine Corps conducts the encroachment analysis, identifies parcels of concern, and takes a comprehensive portfolio management approach to prioritize those parcels in order of greatest criticality to mission. This enables more flexibility to respond to rapidly-changing market variables. Similar to the Navy, the Marine Corps also leverages the knowledge and interest of established partners to identify specific parcels and landowners for potential projects. The Marine Corps uses the DoD guidance for its evaluation and ranking criteria. The Marine Corps evaluation system also allows regional commands to establish an initial priority listing of projects and includes additional criteria. For example, it gives greater weight to projects with a greater probability of execution and financial viability of potential partners.

4. Air Force

Headquarters Air Force (the Air Staff), using the DoD criteria, developed the Air Force ranking system. An evaluation team, consisting of representatives from operations (air space and ranges; space), testing and evaluation, planning, and natural resources management, evaluates and scores the projects and recommends the projects for the annual REPI submission. Individual weightings of certain criteria are applied (e.g., likelihood of establishing an agreement or the existence of a willing seller).

C. Description of Meetings and Consensus Process

Starting in FY 2007, OSD undertook development of a more formalized

selection process for the REPI proposals, one that sought the involvement and concurrence from the individual Services. Toward that end, in the Fall of 2006, OSD developed the OSD REPI project review and allocation process described in Section II below. OSD REPI team members began to develop the process with a series of interviews with each of the Services' REPI project managers, followed by several joint meetings in which all Service representatives and OSD staff agreed on the overall process for the selection of FY 2007 REPI proposals.

II. REPI Project Review and Funding Allocation Process

In order to compile and rank project proposals submitted by each Service, OSD developed the REPI project review and allocation process (hereafter simply "the Process") for review of project proposals and determination of REPI funding amounts for each project. The Process describes the steps involved in reviewing the project submissions and the project scoring methodology.

A. Description of the Review Process

1. Service Solicitation, Review, Evaluation, and Submittal of Proposals to OSD

The Services, in response to the memorandum from OSD (ADUSD(ESOH)) soliciting project proposals and per the Service processes as described above in Section I (B), develop and submit their annual REPI project proposals. The proposals are based upon individual Service requirements and priorities as well as any priorities directed by OSD for that funding year. The proposals are summarized and ranked in a table by each Service.

2. Project Review and Draft OSD Ranking List Development

Upon receipt of the project proposals from each Service, a designated OSD team reviews the projects and Service rankings. Using the complete individual project proposal submittals, projects are reviewed against the relevant factors contained in the Guide and listed in Section I (A) above:

- Promoting Military Readiness
- Limiting Incompatible Development
- Preserving Habitat
- Advancing a Viable Agreement

3. The Inter-Service Review of Draft OSD Ranking List

The REPI Review Team, comprised of OSD and Service REPI leads, meets to review the draft OSD ranking list and to provide the full team an opportunity to provide feedback.

4. OSD-Recommended Projects

In this step, a final ranked list of recommended DoD REPI acquisition projects is provided to the ADUSD(ESOH) and DUSD(I&E) for final consideration and approval.

5. Annual Process Evaluation

The OSD Priority Ranking Process will undergo an annual review, to allow for incorporation of lessons learned. The ranking process will be refined and adjusted where appropriate as the REPI program matures.

B. Summary of Funding Allocation Decisions

Table 3.1 summarizes the FY 2007 REPI funding allocations by Service.

Military Department	# Projects Requested	REPI Funds Requested	# Projects Recommended	REPI Funds Recommended	Service % of Total
Army	20	\$66.0M	20	\$16.4M	53%
Air Force	13	\$40.9M	4	\$2.2M	7%
DON (Navy/USMC)	21	\$49.8M	8	\$12.2M	40%
Totals	54	\$156.7M	32	\$30.8M*	100%

*Does not include tax and program administration

Table 3.1
FY 2007 REPI Funding Allocations by Service

III. Obligation and Execution of REPI Funds

All of the appropriated funds for FY 2005 and FY 2006 that were designated for REPI projects have been obligated to the Services. Generally, the Services strive to execute the targeted projects and funding amounts approved through the allocation process. However, due to the dynamic nature of land transactions, and the evolving local needs of military installations, the Services will in some instances move allocated funds from one project to another, with prior approval from OSD. This allows the Services flexibility in the application of REPI funds to ensure that they are used effectively.

A. Summary of Service Financing Mechanisms

Each Service utilizes specific internal processes and organizations to distribute REPI funds at the project level, as summarized below.

1. Army

The Army uses cooperative agreements between the government and eligible entities to execute funds towards ACUB program objectives. Cooperative agreements are different from traditional procurement vehicles such as grants and contracts, in that they require actual partnering where each organization (Army and partner(s)) contributes funds or services to the agreement's objectives. Cooperative agreements must be executed by an authorized grants officer. Currently, the Secretary of the Army has delegated authority to sign agreements under the 10 U.S.C. § 2684(a) authority to grants officers at the U.S. Army Medical Research and Acquisition Activity (USAMRAA), Research, Development and Engineering Command (REDCOM), and National Guard Bureau (NGB) Principal Authority Responsible for Contracting (PARC). The grants officer obligates REPI funds into the cooperative agreements and disburses them to the partners according to partial invoicing over the five-year life of the agreement. Although the cooperative agreements allow for invoicing over a five year time period, the Army endeavors to process transactions as early as possible, and most are completed within one to two years.

2. Navy

For DON, REPI funds are held at the Naval Facilities Engineering Command (NAVFAC) (Comptroller) until the funds are needed for execution of REPI projects. During the execution phase and after Assistant Secretary of the Navy for Installations and Environment approval, NAVFAC (Headquarters) transfers the funds to the appropriate Facilities Engineering Command (FEC) in the Navy Region where the installation is located. The FEC Real Estate warranted officer will then execute the REPI partnership agreement (if one has not already been executed, the officer will execute a purchase agreement for the individual project, and direct DFAS to disburse the funds to an escrow agent prior to closing).

3. Marine Corps

Headquarters, Marine Corps uses the DON process (discussed above) to distribute REPI project funds and coordinate directly with NAVFAC for the transfer of funds to the respective FEC for execution of Marine Corps projects.

4. Air Force

The Air Force did not have REPI projects in FY 2005 or FY 2006. The Air Force intends to fund its FY 2007 projects using the best means available, and is setting up a funding process.

5. Acquisition and Acceptance of Property and Interests

REPI project transactions utilize a range of partnerships and land transaction tools, and the specific tools used at installations vary according to local needs and circumstances. In general, REPI funds are made available to the Services to enter into partnerships with eligible entities, which are in many cases nonprofit conservation organizations such as those described previously in Chapter 2. The non-DoD partners typically negotiate with landowners on behalf of DoD to purchase land tracts or interests in land. The land or interests acquired will either remain with the partner organization, which can effectively manage the conserved land in perpetuity, or rights might be transferred to another organization capable of long term land management.

In many cases, land tracts remain in private ownership on tax rolls, providing the important benefit of preservation of agricultural or other historical, social and economic land uses as well as providing tax income to the host community. In the case of DON, the partner conveys a perpetual restrictive easement to the government. The Army retains the right to request a real estate interest under the cooperative agreement at a later date, consistent with the 10 U.S.C. § 2684(a) authority. The installation Commander has the continuing responsibility to monitor the land use to be sure that the easement restrictions are carried out over time.

6. Acquisition of Water Rights

To date, water rights have not been acquired by DoD with REPI funds, but this may be considered in future project proposals.

IV. Service Funds Execution

REPI funds are made available for use by the Service installation during the fiscal year for which they were sought. Land transactions may take time to complete, often beyond the current fiscal year. OSD strongly encourages the Services to complete transactions according to the established schedules when possible, and to update OSD when significant delays are encountered.

In any event, it is expected that funded projects will be: 1) fully obligated against approved agreements prior to the close of the fiscal year in which funds are made available, and 2) fully executed within 24 months of receipt of said funds; otherwise project funds are to be considered for reallocation to other priority projects as determined jointly by the Service and OSD.

4 RAND CORPORATION'S ASSESSMENT OF REPI

I. Background and Purpose

Section 2822 of the National Defense Authorization Act for FY 2006 specifically tasked an “assessment of the effectiveness”. To meet this requirement, DUSD(I&E) sought out an independent assessment through the RAND Corporation’s National Defense Research Institute (NDRI). NDRI executed a contract to assess the effectiveness of the REPI program to date, and to recommend improvements where appropriate. In response to this tasking, NDRI conducted a detailed assessment of the program with six on-site in-depth installation case studies; phone interviews at five other installations, Service and NGO headquarters, and regional experts who had insights across multiple installations; an analysis of relevant installation GIS maps, easements, and other installation documents; and a review of relevant literature and public press.

The RAND report is being produced as this Report to Congress is being finalized, but a prepublication version has been provided to OSD in support of this report. The forthcoming RAND report, entitled *The Thin Green Line – An Assessment of DoD’s Readiness and Environmental Protection Initiative to Buffer Installation Encroachment*, will be publicly available on the RAND Corporation web site at www.rand.org.

Extracts of RAND’s findings and conclusions from the draft Executive Summary are provided below.

THESE OPINIONS, FINDINGS, AND CONCLUSIONS ARE SOLELY THOSE OF THE RAND CORPORATION, AND DO NOT NECESSARILY REFLECT THE VIEWS OF THE DEPARTMENT OF DEFENSE.

II. Extracts from Draft Executive Summary

STUDY FINDINGS

“After conducting their research, RAND NDRI researchers conclude the following:

Encroachment Stems from Two Primary Sources: Sprawl and Loss of Biodiversity

...Suburban and rural commuter sprawl and the growth in resort and retirement communities are encroaching near many installation fence lines.”

“... The loss of biodiversity within an ecoregion⁹ (which affects installations in that ecoregion), is less well recognized, but also an important cause of one type of encroachment. ...One effect of this reduced diversity is that the number of threatened and endangered species (T&ES) will likely increase, which could profoundly affect any military installation that contains such species. As has been the case at some installations, their presence could result in restrictions on the type and timing of training and testing operations.”

REPI Appears to be Effective So Far

“The research team applied the following criteria to assess the effectiveness of the Readiness and Environmental Protection Initiative program to date:

- Promoting military readiness and other mission benefits*
- Addressing sprawl and limiting other incompatible land use*
- Preserving habitat and other environmental benefits*
- Community relationship and partnership benefits*
- Additional community benefits*

...REPI projects have shown accomplishments in all five of these areas, as is discussed more below. See Table 4.1 for a sample of the range of benefits from installation buffering projects. ... “

⁹ An ecoregion is a relatively large unit of land or water that is characterized by a distinctive climate, ecological features and plant and animal communities.

<i>Benefit Categories</i>	<i>Sub-Categories</i>	<i>Sample Benefits</i>
<i>Promoting military readiness and other mission benefits</i>	<i>Direct testing and training benefits</i>	<ul style="list-style-type: none"> • Helps preserve testing and training space • More training can be conducted • Helps facilitate joint use and training
	<i>Minimizing community complaints and interference</i>	<ul style="list-style-type: none"> • Minimizes the amount of impact to surrounding communities and thereby minimizes having neighbors complain about noise, smoke, and other effects • Minimizes light-pollution interference, so can conduct night training
	<i>Other installation operational benefits</i>	<ul style="list-style-type: none"> • Increases operational flexibility • Has increased regulatory flexibility
<i>Addressing sprawl and limiting other incompatible land use</i>	<i>Preventing incompatible land use</i>	<ul style="list-style-type: none"> • Stopped Yellow River Ravines 11,313 acres from being developed near Eglin AFB • Prevented high-rise bridge from being built in the accident potential zone at MCAS Beaufort • Stopped three apartment complexes from being built near the end of the runway at NAS Whiting Field
	<i>Helping local and regional growth management and planning</i>	<ul style="list-style-type: none"> • A county has focused on concentrating development away from the installation • Has helped local governments become more interested in protecting open space and managing growth
<i>Preserving habitat and other environmental benefits</i>	<i>Preserving habitat, biodiversity, and T&ES</i>	<ul style="list-style-type: none"> • Helping to protect habitat, wildlife corridors, biodiversity and ecosystems • Helps protect and sustain T&ES off base • Helps prevent the listing of the black bear as a federal T&ES
	<i>Water benefits</i>	<ul style="list-style-type: none"> • Helps protect watersheds • Helps with water quality and quantity concerns
	<i>Strategic landscape, regional, and ecosystem management and planning</i>	<ul style="list-style-type: none"> • Helps protect broader ecosystem through the Gulf Coastal Plain Ecosystem Partnership • Helps protect specific ecosystems, such as Central Shortgrass Prairie (CSP) ecoregion
	<i>Other environmental benefits</i>	<ul style="list-style-type: none"> • Improves installation environmental management • Helps educate local governments and communities about the need for ecosystem protection and management
<i>Community relationships and partnership benefits</i>	<i>Community relations benefits for the installation and military</i>	<ul style="list-style-type: none"> • Has improved relationships with environmental groups, regulators, state and local governments, and landowners • Improved installation public communications process • Improved environmental and overall reputation of the installation
	<i>Working partnerships benefits</i>	<ul style="list-style-type: none"> • Improves working relationship with partners, both in buffering projects and other activities • Help foster more collaborative approaches to conservation in the region
	<i>Benefits regarding internal installation collaboration and management</i>	<ul style="list-style-type: none"> • Has improved installation management's attitudes about collaboration with non-military organizations • Has helped improve collaboration and relationships between training and environmental staff
<i>Additional community benefits</i>	<i>Economic benefits</i>	<ul style="list-style-type: none"> • Helps keep the installation as an economic force in the county and region • Provide economic benefit to farmers, ranchers and other landowners • Has helped states and counties leverage conservation funds
	<i>Land preservation and outdoor recreation benefits</i>	<ul style="list-style-type: none"> • Help preserve agricultural lands, ranch lands, forest lands and family farms • Provides parklands and other local outdoor recreation areas and facilities, such as trails • Helps provide recreational access on private and public lands, such as for hunting, fishing, and hiking
	<i>Improving quality of life</i>	<ul style="list-style-type: none"> • Helps to preserve the agricultural way of life • Helps maintain local quality of life and community sense of place

Table 4.1 | Sample of the Range of Benefits from Installation Buffering Projects

“With respect to promoting military readiness, our assessment showed that at all six in-depth case study installations the majority of the buffering projects were located in important areas, such as in safety and noise zones for air and ground training. ...”

“Turning to the issue of sprawl and other development that is incompatible with military testing and training, the case study research found that the REPI projects and other installation buffering activities are helping to limit incompatible land use near installations. ...”

“Installations have also had some success at preserving habitat and providing other environmental benefits such as protecting watersheds. The buffering projects have had a wide range of environmental benefits, including helping to preserve habitat, biodiversity and T&ES; protecting wildlife corridors; and helping with water quality and supply concerns. However, some installations are mostly addressing sprawl problems and not fully considering T&ES or loss of biodiversity concerns. ...More long-term benefits could and should accrue, if installation activities focus more on conservation issues, especially larger ecosystem and ecoregional concerns. ...”

“All the buffering activities we studied have also helped improve community relations and working partnerships. ...”

“Finally, the buffering projects have provided many other benefits to communities, including economic ones (especially to landowners who sell conservation or restrictive easements for buffering). ...”

“In sum, the installation buffering projects have had some effectiveness in all five areas. However, more could be done to increase the effectiveness of buffering activities by more focus on joint training buffering, strategic conservation concerns, and community outreach. In addition, it is too early to tell if the installation buffering programs will be able to effectively address significant amounts of encroachment. ...”

Zoning Will Not Substitute for Buffering Activities

“...Favorable zoning is beneficial to installations. However, zoning can change and an exemption can be made quickly if local officials decide to change it. ...”

There is Limited Time for Buffering to Have a Useful Effect

“DoD has a relatively narrow time window, perhaps a decade, to make substantial gains in buffering installations. During that time, both the price of land and the number of landowners that DoD must negotiate with will likely increase substantially. ...The fact that land negotiations can take years to complete underscores the need for urgency.”

REPI is Underfunded

“In FY07, the program was funded by Congress at \$40 million. Given land prices and buffering needs, it needs to be substantially higher, and

because of the urgency involved, additional funding needs to be available soon, if broad buffering objectives are to be realized in a substantive and effective way. ...”

“In the long run, accelerated funding now will in all likelihood save DoD money because land values have been increasing and are likely to continue to increase since the demand for land seems likely to outstrip supply. Table 4.2 illustrates some recent property price trends near U.S. installations and a national average.”¹⁰

Table 4.2
A Sample of Property Price Trends
Near U.S. Installations

<i>Location and type of land</i>	<i>Past price for land or conservation easement in base year</i>	<i>More recent price for similar property in comparison year</i>	<i>Compound Annual Growth Rate (CAGR)</i>
<i>Easement on Walker Ranch South of Fort Carson in Pueblo County, Colorado</i>	<i>\$360/acre in 2002</i>	<i>\$1,085 per acre in 2006</i>	<i>37%</i>
<i>Building sites with water in Churchill County (near NAS Fallon)</i>	<i>\$65,000 to \$80,000 in 2003</i>	<i>\$150,000 to \$200,000 in 2006</i>	<i>25-45%</i>
<i>Santa Rosa County, Florida property (near Eglin AFB and NAS Whiting Field)</i>	<i>2002^a</i>	<i>2005^a</i>	<i>15%</i>
<i>National average for agricultural conservation easement</i>	<i>\$1,519/acre in 1999</i>	<i>\$2,899/acre in 2004</i>	<i>14%</i>

(a) Source: Florida Department of Revenue data. The data provides the value of real property over time and does not provide acreage.

Installations’ Programs Are Understaffed

“Staffing for the program varies across installations, with work on the program being an additional duty at some locations and a primary responsibility at others. It should not be an additional duty. The program is too complex and its demands are too great to assign it to someone with multiple responsibilities.”

Buffering Activities Must Be Strategic

“Many installations are being strategic in their buffering activities, but more needs to be done. ...First, buffering staff needs to look both further afield and further into the future. ... “

“Second, many installations need to consider environmental issues more and factor the entire ecosystem and ecoregion into their planning, i.e., take a regional ecosystem approach. ...”

“Third, DoD also needs to look at what other federal land managers are doing, especially the Bureau of Land Management and the Forest Service. ...”

“Fourth, just because an installation today is in a remote area and not

¹⁰ Source of the Florida data is Florida Department of Revenue and for the national farmland easement prices from Kirchhoff, Sue, March 9, 2006.

being encroached upon does not mean it does not need buffering. ...”

“Creating conservation buffers – and doing it strategically – will not only likely save the military money (as mentioned earlier), but will allow the military to conduct the full range of training, testing, and other activities necessary to prepare warfighters for success (and safety) in combat operations.”

Additional Policy Guidance Is Needed

“As the program has evolved, it is clear that additional guidance is needed. ...Such guidance needs to be expanded to provide more guidance about successful ways to implement the buffering program.”

Implementation Needs to Be Streamlined and Hastened

“Understandably, it can take a long time to negotiate a land transfer or easement with a landowner. However, the military process to assess, approve and fund a property agreement takes too long, especially in a climate where a commercial land developer has cash on hand and can consummate a sale in a matter of weeks. ...”

Community Outreach is Essential

“Community outreach is a slow but essential process to any installation buffering program. ... It is particularly critical to build trust with the landowners. They must believe that the negotiations are in good faith and address their concerns.”

CONCLUSIONS

“REPI projects have demonstrated effectiveness in helping to preserve testing and training operations and promote military readiness by preventing incompatible land use and preserving habitat for T&ES. Buffering projects also have provided other benefits, such as improving installations’ images and community relations, improving water quality, providing community parklands, and helping maintain local quality of life. The projects complement other DoD activities to address encroachment. Conservation buffering activities show some promise in helping to solve installation encroachment problems. However, it is too soon to tell if such efforts will prevent significant encroachment problems or at what total cost. In addition, a number of efficiency and effectiveness issues need to be addressed to improve the REPI program so that installations have a better chance of actually preventing and stopping most of their fundamental encroachment problems. Most importantly Congress and DoD need to provide significantly more funds soon to buffer before the chance to buffer is lost. OSD also needs to develop clear policy implementation guidance that streamlines the implementation process and ensures installations are addressing strategic issues, such as strategically helping to preserve habitat and address declining biodiversity. With these and the other suggested improvements, REPI has the potential to help many installations solve most of their major encroachment problems, so these installations’ military testing and training operations are no longer restricted or degraded by encroachment.”

5 SUSTAINABLE RANGES INITIATIVE CONTEXT AND REPI SUPPORTING EFFORTS

I. Introduction

DoD administers and supports the REPI program within the broader framework of its SRI. The Department and its REPI program office recognize that, in addition to its direct support for compatible land use projects which has been described, a number of supportive and complementary efforts advance DoD's compatible land use efforts. Policy and tool development, planning and execution of national and regional-level partnering and outreach are all essential for a successful REPI program.

To help advance the REPI program within this broader framework, DoD is working to institutionalize effective local, state, and regional collaboration and planning, while fostering productive relationships with key stakeholders who have interests in lands around bases and ranges. By providing installation-level personnel with the appropriate policy, training, and tools needed to work collaboratively with those outside the installation fence line, the Department is preparing individuals at the field level to foster compatible land use planning. By providing outside stakeholders with an improved understanding of military readiness needs the Department is identifying new partnership opportunities.

Information sharing between DoD and our partners, and the pursuit of specific collaborative planning projects, present valuable opportunities to further the goals of the REPI program.

II. Internal Program Management and Sustainable Ranges Policy Development

The Department's REPI program office provides program oversight, manages funding allocation, and monitors project execution. These aspects of internal program management have been discussed in earlier chapters of this Report.

The REPI program office also helps provide administrative support for the Sustainable Ranges Integrated Product Team (IPT), and ensures close linkages between the REPI program and the Department's SRI efforts. The following is a discussion of the SRI administration and these linkages.

As background, under Title 10 of the United States Code, the Military Services are responsible for training and equipping forces as well as maintaining installations and ranges. DoD Directive 3200.15 establishes policy and assigns responsibility given under Title 10 with regard to sustainment of test and training ranges. This responsibility is shared throughout DoD. To ensure sound management, implementation, and coordination of sustainable range responsibilities, DoD created the Sustainable Ranges IPT. The IPT is charged with the development and integration of DoD Sustainable Ranges requirements, processes, direction, policy, and guidance. This includes the development and advancement of REPI, and provides broader context for REPI activities.

The IPT process involves coordination of all functional elements of installation, range, and training area management that provides for the long-term viability and ability to support realistic testing and training. The Department is taking a proactive role in developing a host of programs and efforts to protect facilities from urbanization, and work with outside partners to promote compatible land use and regional planning.

As a part of the IPT process, DoD created the Overarching Integrated Product Team (OIPT) and the Working Integrated Product Team (WIPT). The OIPT is the coordination forum for developing range sustainment strategies and the WIPT meets regularly and reports to the OIPT. The Senior Readiness Oversight Council (SROC) has general oversight of range sustainment issues and policies created by the IPT process. Together, the OIPT and the WIPT work with other DoD organizations on sustainable range issues. The lead government official coordinating REPI also co-chairs the WIPT.

DoD has issued numerous policy documents and guidance concerning range sustainment in order to help with the SRI program management. The aforementioned Directive 3200.15 establishes policy and assigns responsibilities for the sustainment of test and training ranges and operating areas. The Directive covers varied topics from mission requirements to data needs to planning and budgeting. Other DoD directives cover the use, management, and overall clearance of operational ranges, and the environmental and safety concerns of explosive hazards.

Further guidance is provided by DoD Instructions, Memoranda, and other guides. An example is the Memorandum for Sustainable Ranges Programmatic Guidance for Fiscal Years 2006-2011. The guidance provided includes information on range infrastructure, range operations, range maintenance, encroachment, environmental responsibilities, outreach, and new technologies. In addition to these Department-wide directives and memoranda, each of the Services has developed their own policy directives and guidance on the sustainment of ranges and training areas, all within the general framework of the SRI. The Service approaches are defined by their overall strategy, current and future requirements, data collection and management systems, assessment tools and quantification of encroachment impacts, and documentation and implementation plans.

DoD also works collectively with the Services through a smaller REPI Inter-service Working Group. This group meets monthly to track Program progress, discuss projects, and raise key issues for resolution. Through this collective effort, last year the REPI program office issued the aforementioned Guide that sets out the policies and procedures for the program. Based on further feedback, the REPI program office will update the Guide this year. In addition to this Working Group, DoD officials involved with REPI also work closely with the DoD Office of Economic Adjustment's Land Use Inter-service Working Group.

III. Supportive Programs, Products, and Outreach

Enhancing public outreach and improving collaboration at all levels is critical to the success of both REPI and the broader SRI. Below is a description of activities that have played an important role in advancing the REPI effort. (For purposes of REPI program administration, as will be discussed in subsection IV, these efforts are collectively referred to as "planning projects.") For more detailed information on SRI efforts, please see the 2007 Sustainable Ranges Report to Congress.

The REPI program office encourages partnerships and dialogue by providing information to both the military and the public in an open and responsible manner. This has included launching a new SRI website that provides an overview of REPI and other related efforts, fact sheets on completed REPI projects, and the development of shared lessons among the Services about REPI and compatible land use projects.

Successful outreach also involves engaging civilian participants in DoD's sustainment and readiness goals and understanding the perspectives and missions of all stakeholders and interested parties. Through government interagency coordination and partnerships with NGOs, DoD is breaking down barriers and working effectively with partners toward mutual goals.

DoD is partnering with governmental organizations and NGOs through a broad array of events and activities. Engaging in a host of public forums across the country helps DoD educate the military and outside stakeholders about DoD programs. Through ongoing dialogue, the Department receives important information from groups like TNC, TCF, and the National Association of Counties (NACo). By participating in such conferences and meetings, DoD has taken the opportunity to meet with and have open discussion with external stakeholders and community officials.

The SRI, in collaboration with outside organizations, continues to develop tools and materials that benefit both the military and stakeholders and help advance the REPI program. A series of guidebooks and primers promote compatible land use and best management practices are currently being produced that offer user-friendly guidance to range and installation commanders and outreach coordinators on how to engage with key stakeholder groups. The guidebooks also inform NGOs that wish to gain a better understanding of how to work with the military.

SRI is using these tools in pilot tests of training sessions and workshops, such as at Fort Stewart, where SRI is partnering with NACo and TCF to develop a curriculum model for the base and surrounding communities to

collaborate on regional planning issues.

All of these efforts are opening doors to advance current and future REPI projects. They are helping to link individual REPI projects to the broader landscape surrounding the installation and region.

The importance of such outreach work is apparent in the regional partnerships that DoD has developed. Launched in 2005, the Southeast Regional Partnership for Planning and Sustainability (SERPPAS) brings together senior leadership from five southeastern states (Alabama, Florida, Georgia, North Carolina, and South Carolina) and Federal agencies to work collectively on regional planning, conservation, economic, and sustainability issues. SERPPAS strives to add value to the problem solving and prevention of encroachment efforts by providing mutual and multiple benefits to its many partners. In particular, this effort is working to promote improved regional, state and local coordination to identify shared issues to be addressed in the region. Within the southeast region, SERPPAS is carrying out a number of pilot trainings, workshops, and collaborative land management projects.

Building on the success of SERPPAS, DoD is exploring partnering options in the western United States. Developing a Western Regional Partnership (WRP) is deemed vital to the successful sustainment of test and training areas in the rapidly growing western region of the country. The WRP would initially include a southwestern focus area, grouping together California, Utah, Nevada, and Arizona. This region represents a logical clustering of operational, ecological, regulatory and staffing issues.

The WRP will serve as a forum for DoD, Federal and state agencies, and non-governmental stakeholders to identify and address regional issues and further partnership goals. The partnership is intended to help leverage synergies and common interests among these varied stakeholders, and serve as a mechanism through which to address emerging western encroachment concerns.

One example of an emerging encroachment issue that threatens military readiness is the need for energy development. Rapid economic and population growth in many parts of the nation, particularly in the West, have increased demands for energy supplies. These demands are outpacing the development of new energy infrastructure. DoD is working with other agencies to ensure that development or expansion of new or existing energy corridors does not result in energy development that is incompatible with the military mission or will not stimulate additional development that is incompatible or could negatively impact testing and training.

DoD has also buttressed the REPI program with a number of interagency compatible land use initiatives and partnering efforts. In late 2006, DoD signed a Memorandum of Understanding (MOU) with USDA, signaling a groundbreaking partnership between the two agencies that accompanied the protection of 269 acres of precious grasslands near Fort Riley under the REPI program. The MOU pledges that the two agencies will work together to promote compatible land use near installations, and that the USDA NRCS will give special consideration to assisting land conservation efforts that build on the REPI program. The partnership will allow REPI to better harness NRCS programs, which are designed to assist private land owners and managers on conservation concerns.

In addition to working with other Federal agencies, the SRI is working with other divisions within DoD as well as the academic community to support a more robust research agenda to sustain anti-encroachment efforts. DoD partnered with the Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program (ESTCP) to co-sponsor a workshop in April 2007 on regional planning and sustainability in the Southeast. The results of this workshop offer a model for leveraging the resources of the national academic community.

IV. REPI Program Funding

The majority of REPI funds – about 82% of funding since program inception – is applied directly to Service buffer projects. As has been described, these projects have been successful in leveraging additional funds. The remaining REPI funding has been used for REPI program administration, program support and planning projects, and for taxes (Congressionally directed reductions and rescissions; and pro-rata share of undistributed reductions – see also table 5.2.)

The program administration funding ensures that REPI is effectively managed and institutionalized and that the projects are successfully completed. This funding also ensures that the REPI effort is integrated into the broader SRI coordinated through the Range Sustainment IPT.

The “program support and planning projects” refers to the set of activities described in more detail in the preceding subsection. These include: 1) Outreach involving compatible land use and the DoD interests in working with stakeholders; 2) Developing and conducting pilot training sessions and workshops that can be used by installations to improve collaboration and communication; and 3) Standing up multi-stakeholder regional partnership forums to facilitate identification of partnership opportunities, as well as collaborative efforts to leverage resources from other groups/agencies (e.g. private, Federal, State).

Table 5.1 summarizes allocation of FY 2005 and 2006 REPI funding. Table 5.2 provides a summary of REPI administrative costs and percentages, with a comparison to a similar land acquisition program, the Land and Water Conservation Fund (LWCF) program, managed by the Department of the Interior (DOI) and executed through multiple DOI bureaus.

Table 5.1
REPI FY 2005 and 2006
Administrative Costs and Percentages

Category	Total FY05 \$ (K)	FY 05 (%)	Total FY06 \$ (K)	FY 06 (%)
Taxes (Congressionally directed reductions and rescissions; and pro-rata share of undistributed reductions)	\$925.45K	7.40%	\$1690K	4.57%
Service REPI Projects	\$9000K	72.00%	\$31003K	83.79%
Planning and Collaboration Projects	\$788.993K	6.31%	\$2030.446K	5.49%
Program Administration	\$1785.557K	14.28%	\$2276.554K	6.15%
Total	\$12500K	100%	\$37000K	100%

Table 5.2
REPI and Department of Interior (DOI)
Land and Water Conservation Fund (LWCF)
Administrative Costs and Percentage

REPI	Fiscal Year 2005			Fiscal Year 2006			Total FY05-FY06		
REPI Totals	Admin \$*	\$3.00M	25%	Admin \$*	\$5.99M	16%	Admin \$*	\$8.99M	18%
	Total Approp.	\$12.00M		Total Approp.	\$37.00M		Total Approp.	\$49.00M	
Interior Bureaus	Fiscal Year 2005			Fiscal Year 2006			Total FY05-FY06		
Bureau of Land Management	Admin \$	\$2.96M	26%	Admin \$	\$2.29M	26%	Admin \$	\$5.25M	26%
	Total Approp.	\$11.19M		Total Approp.	\$8.71M		Total Approp.	\$19.90M	
Fish and Wildlife Service	Admin \$	\$8.25M	22%	Admin \$	\$8.35M	30%	Admin \$	\$16.60M	25%
	Total Approp.	\$37.01M		Total Approp.	\$28.27M		Total Approp.	\$65.28M	
National Park Service	Admin \$	\$10.37M	19%	Admin \$	\$9.70M	28%	Admin \$	\$20.07M	22%
	Total Approp.	\$55.13M		Total Approp.	\$34.82M		Total Approp.	\$89.95M	
Interior Totals	Admin \$	\$21.58M	21%	Admin \$	\$20.35M	28%	Admin \$	\$41.92M	24%
	Total Approp.	\$103.33M		Total Approp.	\$71.81M		Total Approp.	\$175.13M	

*Note: For REPI, admin funds include DoD tax, program planning and administration costs

6 CONCLUSIONS AND RECOMMENDATIONS

The REPI program, as enabled by 10 U.S.C. § 2684(a) authority and funded annually by Congress, has been of great help to DoD in the ongoing effort to mitigate the effects of encroachment on range operations and to sustain military test and training capabilities well into the future. In just two years, a significant and growing number of installations have been able to protect future mission flexibility through conservation partnering. These same projects have also benefited our neighbors, addressing important partner habitat conservation and open space goals, or otherwise helping to meet community land use planning objectives. While still a formative program, REPI has attracted wide interest from other Federal agencies, states, localities and NGOs, and 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 furthering their own goals.

DoD fully supports and is committed to the continuation of the REPI program, and welcomes Congressional interest and assistance in furthering REPI goals and improving its implementation. As part of the REPI Congressional reporting requirement, Congress has asked for any recommendations DoD may have to improve the efficiency and effectiveness of the REPI program. Several policy considerations are discussed below, along with some potential legislative topics that could be further developed for future consideration.

I. Policy Considerations

- **Improved Program Policy Guidance and Focus.** Existing program guidance needs to expand to be an overarching program implementation guidance document. Such guidance should include consistent approaches across the Services for how the program should be implemented with reasonable flexibilities built in to facilitate creativeness, dealing with local situations, and enabling more rapid response to opportunities.
- **Improved Community Outreach.** Outreach and engagement guidance would greatly complement REPI program

implementation. For example, having installation staff members participate in local community planning, instituting planning coordination and collaboration with local and state governments, presenting encroachment programs to local audiences as a way of illustrating the importance of the test and training missions and the effect encroachment has on them, and educating the installation staff to accomplish outreach objectives. All of these efforts are fundamental enablers of successful partnerships, which in turn help to determine the success of buffering projects.

- **Increased Multi-partner Funding.** A way needs to be found to invest more multi-source resources in buffering now. Such resources should include Federal, state, local, private, and non-profit sources that work more effectively to meet mutual mission objectives. REPI funds and/or Service contributions are the lynchpin for many projects.

II. Future Legislative Considerations

DoD legislative proposals are developed and submitted to Congress through an established annual process. The following subject areas are therefore not official legislative recommendations, but could be potential topics for further development and consideration:

- Matching Funds
- Multi-Year Funding
- Reconsideration of Fair Market Value Investment Limit

DoD plans to address these and other prospective legislative or administrative issues, in concert with REPI lessons learned to date, and will provide any legislative proposals as part of the FY2009 NDAA legislative program.

A **REPORTING REQUIREMENTS (CONGRESSIONAL NDAA FY 2006 LANGUAGE)**

- (1) No 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 and Management Center, submit to the Committees on Armed Services of the Senate and 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 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.

B SERVICE BUFFERING AND COMPATIBLE LAND USE PROGRAMS

I. Army Program

A. Strategy

The Army has recently published three major strategy documents over the last several years that speak both directly and indirectly to encroachment issues. The Army Strategic Planning Guidance outlines the Army's strategy for supporting the National Defense and Security Strategies. The Army Strategy for the Environment, which supports the Army Strategic Planning Guidance, promotes a triple bottom line for sustainability, with the three interrelating components of mission, community, and environment.¹¹ The Army Installation Strategic Plan, issued in March 2005, is the Army's companion strategy for the Defense Installation Strategic Plan (DISP). Like the DISP, the Army's plan addresses the potential problems posed by encroachment and options for reducing the threat to readiness and training requirements.

B. Policy

The Army policy on encroachment is the Army Compatible Use Buffer Policy Guidance Memorandum, which was issued on 19 May 2003. The memo, which was the Army implementation for the 10 U.S.C. § 2684(a) legislation, established the Army's ACUB program.

C. Implementation

The ACUB program, established through the ACUB Policy Guidance Memo, is the Army's newest tool to address encroachment. The program provides a long-term and comprehensive plan to support compatible land uses in critical areas outside the Army's installations. It establishes agreements with eligible entities that purchase land or interests in land from willing sellers to create buffers around Army installations. These

¹¹ United States Army. The Army Strategy for the Environment. (Washington D.C.: Department of the Army, 2004).

buffers help limit the effect of encroachment and maximize the land resources in support of the installation's mission. In addition to creating these buffers, the ACUB helps facilitate partnerships between the Army and state, regional, and local governments and other conservation organizations.

An installation's ACUB proposal begins with a description of the purpose and need for the creation of buffers near Army installations. From this initial description, lists of alternative actions are developed. These alternatives include a "no-action" option. Once the alternatives have been established, the funding requirements, which include cost estimates and budgeting, are explained. Additional controversial issues are described, as is their potential Army-wide impact. The final three elements of the ACUB proposal include the timeline for completing the project, a community engagement strategy, and a map of the proposed action.

To evaluate an installation's ACUB proposal and to prioritize resource allocation, the Army developed five weighted metrics. These evaluation metrics include:

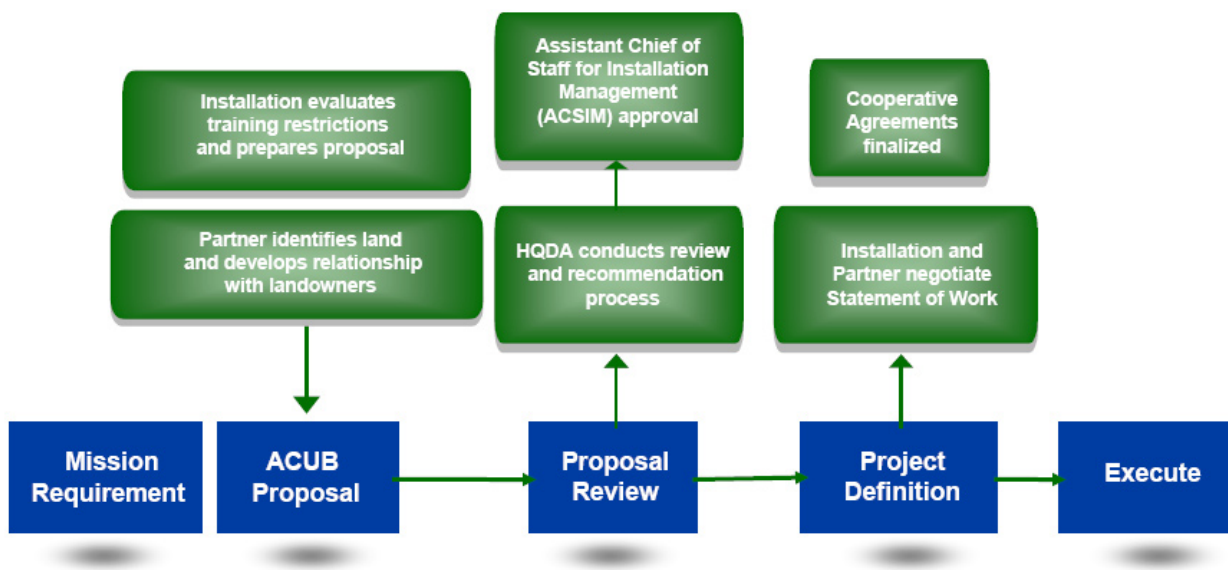
- (1) Sustainability Considerations
- (2) Availability of the Land
- (3) Time Sensitivity
- (4) Level of Regulatory Support
- (5) Level of Public Support

Based on this analysis, the Army Chief of Staff for Installation Management (ACSIM), with input from G-3 and TEMA/ATEC, allocate funding to the training and testing sites with the greatest potential to reduce or prevent encroachment through the implementation of an ACUB.¹²

The ACUB proposal is developed by an integrated, multi-disciplinary installation team. Team members include public affairs officers, range operators and trainers, installation master planners, environmental and natural resources professionals, and the Staff Judge Advocate. While the ACUB proposal is developed at the local level, the individual proposals are centrally reviewed, approved and funded at the headquarters level. Army funding for the program is allocated by Operation and Management (O&M), while OSD allocates additional funds. The following illustration (figure B.1) details the ACUB program.

Outreach is an important component of the ACUB program. The ACUB program not only encourages partnerships, it requires them for execution. Because the ACUB is a public document upon completion, the ACUB program has succeeded in strengthening the partnerships between the installation and the local community.

12 Office, Secretary of Defense. 2006 Sustainable Ranges Report (Washington D.C.: Department of Defense, March 10, 2006) p. 4-9.



D. Acquisition

The Department of Army has elected to use a natural resources cooperative agreement approach to provide funds to conservation organizations to acquire off-base real estate interests on its behalf. The Army's approach has its origins in the Sikes Act (Title 16 U.S.C. 670a-670f, as amended), which authorizes the military departments to enter into natural resources cooperative agreements with non-Federal entities to protect and enhance wildlife habitat on or in the vicinity of a military installation.

Figure B.1
ACUB Proposal Process

The Army Environmental Center (AEC) first used this authority to create a prototype program to relieve constraints on military training at Fort Bragg as described in previous chapters of this report.

The use of a third party conservator to acquire this habitat and the natural resources focus of this approach made it suitable for using a cooperative agreement. It also offered the Army the advantage of depositing annual operations and maintenance funds into an account that the Army's conservation partners could use for the duration of the cooperative agreement to acquire pre-identified real estate interests. AEC continued to use the cooperative agreement process once 10 U.S.C. § 2684(a) was enacted because it provided some distinct advantages. First, funds could accumulate in the account until they reached the amount needed to acquire a parcel. Second, the account enabled the Army's conservation partners to quickly shift their focus from acquiring one parcel to another if negotiations failed for the first parcel.

The Cooperative Agreement approach is particularly useful for large, multi-parcel, multi-year base buffering projects where the Army and its conservation partners desire flexibility in the timing and phasing of their individual parcel acquisitions. Under this approach, Army's conservation partners have the primary responsibility for appraising, negotiating, purchasing and managing the parcels they acquire, and for enforcing the terms of the restrictive easements they obtain from land owners. The cooperative agreements include transfer limitations and requirements on Army's conservation partners to ensure that the

property will continue to be used for purposes compatible with Army's needs if it is conveyed to another entity.

The Army typically does not participate in the appraisal of real estate interests or negotiate with property owners, nor does it have a primary role in enforcing the terms of restrictive easements acquired by its partners. Cooperative agreements typically include a "contingent right" by Army to enforce restrictive easement terms and to prevent transfers of land that are incompatible with military requirements. Army believes that this approach is consistent with the provision of 10 U.S.C. § 2684(a) that requires conservation partners to transfer all or a portion of the real estate interests they acquire under this authority to the Secretary of a military department, upon his or her request.

II. Navy Program

A. Strategy

The Navy's global vision/strategy is titled Sea Power 21. The strategy addresses the warfighting capabilities and broad mission requirements our Navy will face in the 21st century. The Navy Ashore Vision 2030 (NAV2030), which supports the vision outlined in Sea Power 21, provides a roadmap for transforming the Navy's shore installations. NAV2030 promulgated several Guiding Principles to guide ashore planning including the following for encroachment: Proactively protect against all forms of encroachment at our installations, ranges, and operating areas to enhance our ability to train, test, and operate. Included in the aforementioned guiding principle is the recognition that Navy should invest in real estate when critical to protect against encroachment, and to ensure that encroachment partnering is widely accepted and implemented.

The Commander Navy Installations Command (CNIC) Strategic Plan was issued in March 2005 to outline the strategic plan for the new CNIC. Like other Installations Strategic Plans, the Navy version delineates specific objectives for addressing the mission and readiness requirements threatened by encroachment.

B. Policy

The Navy's policy guidance is embodied in a Chief of Naval Operations (CNO) instruction (OPNAVINST 11010.40 Encroachment Management) that forms the foundation of the Navy's Encroachment Management Program. This Instruction was signed out by the CNO on 26 March 2007.

The Navy defines encroachment as "any non-Navy action planned or executed which inhibits, curtails, or possesses the potential to impede the performance of Navy activities. Additionally, the lack of action by the Navy to work with local communities and to monitor development plans, or to adequately manage our facilities and real property can also impact the Navy's ability to meet its mission requirements and result in

encroachment.”¹³

The Encroachment Management Program envisions a multi-faceted process to include:

- Establishment of regional teams consisting of diverse operational, planning, real estate, environmental, legal, security, and public affairs disciplines to become the focal point to address and resolve encroachment issues in support of Mission Component Commands
- Establishment and maintenance of a Navy-wide encroachment database to identify and quantify encroachment challenges
- Development of installation and range EAPs to provide short-, mid-, and long-term encroachment management strategies to implement encroachment solutions – operational changes, land acquisition, rezoning requests, partnerships, outreach, environmental changes, legislative initiatives, and other means to establish mechanisms that enable/sustain the Navy’s mission and provides operational assurance
- Execution of the acquisition authority set out in 10 U.S.C. § 2684(a) to build EP projects to acquire minimal real property interests in lands in the vicinity of, or ecologically related to, a military installation (including range complexes) or military airspace: (1) where local planning and zoning initiatives are deemed insufficient to protect the long-term viability of an installation, range, military training route (MTR), and special use airspace; and (2) preserve off-base habitat to relieve current or avoid future environmental restrictions on operations

C. Implementation

The Navy’s primary tool used to identify, quantify, prevent and correct encroachment threats at installations and ranges is the EAP. Where a range has completed a Range Complex Management Plan (RCMP), the EAP would expand on the prevention and corrective actions needed to be undertaken by the Navy.

An EAP identifies and quantifies all encroachment challenges faced by a Navy installation, range, special use airspace, or training area. Producing a successful and effective EAP requires a team effort. EAPs should include the following information:

- (1) Background
 - Current and potential future mission of the installation or range
 - Current status and summary of Navy planning, environmental, and operational documents
 - Current status and future plans for community development
- (2) Challenges of Encroachment

13 United States Navy. OPNAV INSTRUCTION 11010.40: Encroachment Management Program. (Washington D.C.: Chief of Naval Operations, 26 March 2007).

- Examine all the encroachment challenges at the installation or range
- Document whether the challenges exist, or do not exist at the installation or range

(3) Analysis

- Determine if a potential encroachment issue currently impacts the mission or could impact future mission requirements
- Document the mission impacts from identified encroachment challenges

(4) The Action Plan

- Prepare and document all corrective and preventive strategies to encroachment impacts
- Identify and document encroachment costs that cannot be corrected or prevented
- Develop comprehensive short, mid, and long-term encroachment strategies and outreach plans in order to address encroachment impacts
- Develop (if necessary) a comprehensive land acquisition strategy to address encroachment impacts
- Monitor and update the strategies and recommendations of the plan

CNIC resources the EAP and EP programs for the Navy, and is responsible for developing an annual Integrated Priority List (IPL) for EAPs nominated by the Navy Regions and based on the encroachment challenges identified by Navy installations. In addition, CNIC is responsible for developing an annual IPL for EP projects and works to obtain centrally managed DoD REPI funds to add to Navy Encroachment Management funds to execute listed projects (see figure B.2).

NAVFAC supports CNIC by managing the CNO Encroachment Management Program as well as the AICUZ and Range Air Installations Compatible Use Zone (RAICUZ) programs for airfields and ranges, respectively. NAVFAC also executes all real estate transactions for the Navy and the Marine Corps.

The Navy Regional Commanders are responsible for managing and executing the Encroachment Management Program within their region. Their responsibilities include:

- Coordinate with Mission Component Commands to prioritize encroachment issues;
- Awareness of encroachment threats facing their region;
- Communicate with regional/local organizations and agencies to resolve encroachment issues;
- Provide annual progress reports to CNIC;
- Nominating EAPs and EP projects within their region.

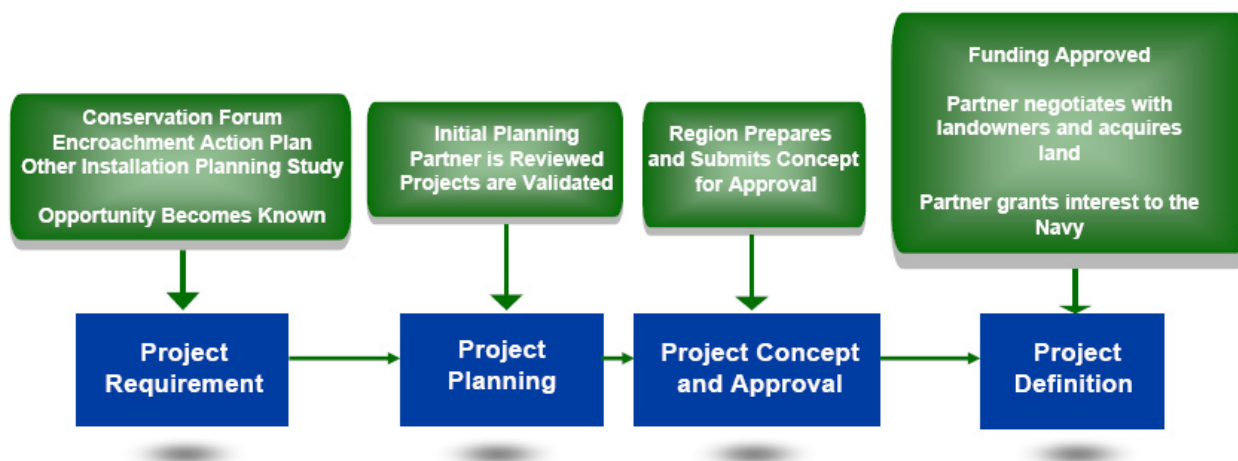
On the installations and range level, Installation Commanding Officers

(ICOs), Range Commanding Officers (RCOs), and Regional Commands are responsible for identifying and assessing the potential readiness threats posed by encroachment. Their specific responsibilities include:

- Identify potential encroachment challenges at their installation;
- Monitor local conditions and issues that could result in encroachment;
- Execute the actions recommended in the EAP;
- Establish a working relationship with local government and develop knowledge of local land use plans, zoning regulations, regional plans, and other programs that could impact the installation's mission;
- Understand the effects of encroachment on a regional scale.

The EAP includes metrics that can be used to assess the impact of encroachment on Navy installations. Requirements for identifying potential encroachment factors include: determining the extent to which encroachment challenges influence land use on and off the base, evaluating current Navy encroachment management, planning and outreach efforts designed to minimize the negative impacts of encroachment, the regulatory framework impacting encroachment, and the socioeconomic factors that could result in increased encroachment.

Figure B.2
Navy Encroachment Partnering Process



The Navy's installation and outreach efforts are based on the execution of an EAP and its companion studies for ranges, a RCMP and RAICUZ, and an AICUZ study for airfields.

During the EAP production process, the EAP team might identify potential development projects that threaten mission sustainment. At the conclusion of the EAP process, Commanders use the document to respond to encroachment threats and develop a strategy to address the threats.

D. Acquisition

DON has elected to use a real estate-based process for the Navy and Marine Corps EP programs. This approach reflects the Navy's 25 year history of acquiring fee-simple land acquisitions and restrictive use easements to support the AICUZ program.

Similar to the AICUZ Program, the terms of the Navy's encroachment partnering easements are individually tailored to the specific operational requirements of the installations they support. Easements for air installations, for example, may include prohibitions against incompatible development or tall structures (e.g., antennas, cell towers, wind energy turbines, etc.) or light sources that could interfere with flight operations or night flight training. Easements for ground installations may include restrictions on residential development that could otherwise lead to noise complaints about live-fire combat training.

DON encroachment partnering easements provide the Navy and Marine Corps with the explicit right to enforce the terms of the easements against the underlying land owner. If its conservation partner acquires fee title to the property, DON will obtain a perpetual easement or deed covenant from the partner to ensure the use restrictions and enforcement rights that the Navy or Marine Corps desires. If the conservation partner is only acquiring a restrictive easement, the Navy or Marine Corps will demand the transfer of that property interest or similar interest. This active enforcement role reflects DON's past experience in defending challenges by underlying land owners to void or modify existing AICUZ restrictions.

The Navy and Marine Corps play an active role in reviewing the transaction process associated with the property interests they acquire with their partners, which include title searches, appraisals, and the actual real estate acquisition costs. The Navy negotiates the shared cost for each project or agreement, depending upon the particulars of the project. The Marine Corps has an objective to generally limit their cost share to 50% or less of the total purchase price, not to exceed the fair market value of the interest being acquired. The goal is realistic and achievable in most transactions, and when it is not, the individual transaction will be assessed by Headquarters Marine Corps (HQMC).

DON encroachment partnering projects are linked to specific parcels of land identified in an installation-level Navy (EAP) or Marine Corps Encroachment Control Plan (ECP). These individual projects are ranked and funded in priority order and are approved by the Navy Secretariat. This process allows the Navy and Marine Corps to evaluate the site-specific value of each EP project and its strategic contribution to encroachment control at the installation and to the Service as a whole. The Navy's EP project analysis to date has focused primarily on preventing incompatible land uses, while the Marine Corps process also considers the impact of natural resources restrictions on their installations and potential relief from those restrictions to enhance on-base training opportunities. However, both processes emphasize mission support more than any other factor in selecting proposed projects.

The use of annually-expiring O&M funds requires the Navy and Marine Corps to screen and monitor each EP project for executability within the

fiscal year that is funded. EP funds can be shifted from one DON project to another if a selected project cannot be executed within the fiscal year. The Navy and Marine Corps maintain a close working relationship with their conservation partners to encourage the use of purchase options and other agreements to ensure that property interests can be acquired within their projected cost estimates and timeframes.

In FY 2006, DON began to employ a new EP vehicle wherein DON enters into a binding multi-year EP agreement with an encroachment partner to acquire fee or a lesser interest (restrictive easement) in identified parcels of property of mutual interest and provides a funding process that allows Navy or Marine Corps funds to be obligated and deposited in an escrow account for the purpose of providing DON's share of EP project costs to its encroachment partners. This multi-year EP agreement effectively provides DON with the benefit of multi-year funding authority for EP projects, similar to the Department of the Army's use of natural resources cooperative agreements. DON plays an active role in the EP parcel selection and acquisition process, including review and approval of real estate appraisals and easement terms obtained by its conservation partners, and acquisition of an enforceable real estate interest.

DON requires that a site-specific multi-year EP agreement be negotiated and executed with a conservation partner that defines the geographic areas (or specific parcels, if known) around the target Navy or Marine Corps installation. This conceptual EP plan is approved by the Navy or Marine Corps chain of command, up to and including the Office of the Assistant Secretary of the Navy (Installations & Environment). Upon execution of the multi-year EP agreement, funds are obligated and deposited with an escrow agent selected by the Navy's regional FEC to disburse funds for EP projects at that specific installation. The multi-year agreement can be modified to add any additional funding authorized by 10 U.S.C. § 2684(a) for EP projects with such funds being deposited in the escrow account. Funds can only be disbursed by the escrow agent for a specific EP project within the scope of the multi-year EP agreement upon direction by the FEC real estate contracting officer.

DON believes that this new multi-year EP agreement will provide it with the proper balance of EP funding flexibility and project oversight to effectively execute its EP Program.

III. Marine Corps Program

A. Strategy

Similar to the Navy's strategy, the Marine Corps Strategy 21 is the strategic guidance for all Marine Corps actions. The document provides the basis for the Marine Corps' war fighting concepts and guides the process of innovation and change to ensure that the United States Marine Corps is ready to defend the United States at all times.

To satisfy the goals and aims of the Marine Corps Strategy 21, Marine Corps Installations 2020 sets the framework upon which programs and policies are developed; it also sets the aiming stake for regional

and installation master plans that fully address long-term operational requirements and range access.

As the subsequent strategy for Marine Corps Strategy 21 and the Marine Corps Installations 2020 strategy, the Installation Strategic Plan outlines the Marine Corps strategy for alleviating encroachment impacts. The Installation Strategic Plan's encroachment-specific goals include: 1) support current and future training requirements, and 2) guard against encroachment.

B. Policy

The Marine Corps policy on encroachment is outlined in Marine Corps Order 11011.22A, Encroachment Control. The order, which was approved on 25 November 1987, is currently being updated and will include aspects of the newly organized regional Community Plans and Liaison Officer (CP&LO), whose job is primarily to interface with states and between installations on beyond the fenceline issues. The original order provides an excellent foundation for the Marine Corp's encroachment control program.

According to Marine Corps Order 11011.22A, encroachment is defined as "any action planned or executed in the vicinity of a Marine Corps installation's normal area of operations which inhibits, curtails, or possesses the potential to impede Marine Corps interests. Further, encroachment is not limited to the immediate civilian community. Although physical development in conflict with military operations is the most often cited source of encroachment, the actions of more removed entities, such as counties, States, and other Federal agencies that determine land use and occupancy, are equal potential sources."

The Marine Corps Order also outlines how installations should engage with the local community to address potential encroachment conflicts. The order calls for the ICO to assign a staff member, the CP&LO, to monitor encroachment, promote dialogue between the installation staff and the local community, and represent the Marine Corps at important public meetings.

The Marine Corps is in the process of developing a unifying policy framework and comprehensive strategy for Marines at all levels to identify, mitigate, and prevent encroachment problems. This document, currently in draft form, is titled the Marine Corps Encroachment Control Campaign Plan. The Plan will provide guidance to installation commanders on establishing outreach efforts with state, regional, and local agencies, elected officials, communities and conservation organizations. It will also help promote compatible land uses around Marine Corps installations and to leverage the Marine Corps' existing land use, air space, radio frequency spectrum, and environmental and natural resources management programs.

C. Implementation

Based on the requirements outlined in these policies and strategies and the authority granted in 10 U.S.C. § 2684(a), the Marine Corps established an Encroachment Partnering Program.

The ECP is the primary tool used by the Marine Corps to address encroachment concerns. The ECP has two major parts; the first is an analysis of the current and future encroachment threats and how these threats impact the installation's mission and relationship with the civilian community. The second part is an action plan that includes strategies the installation can use to guide its decision making with regards to encroachment pressures. The encroachment issues listed by the Office of the Secretary of Defense (OSD) are the basis for analysis of encroachment impacts in the ECP.

In addition to the written report, the ECP process allows for engagement between the installation and the local community. These outreach efforts include: Information briefings to installation staff and community leaders; interviews with decision makers in the local communities; an analysis of the economic, social, and political trends near the installation; a Mission Sustainment Analysis of environmental issues, impacts to training and a review of available tools; and a Jointly Developed Action Plan, which provides objectives, measures, and specific requirements for the installation and the community to achieve.

The context for developing the action plan's encroachment management program is outlined in the ECP.

- Current Operations – the ECP reviews the current status of operations at each installation. This includes an analysis of the units currently stationed on the installation and any future units or projected scenarios that could affect land use.
- Socioeconomic Analysis – the ECP uses the predicted population and job growth rates to study the impact of an installation on the local community as well as measures the contributions of the installation to the total economic activity and the total employment activity in the region near the installation.
- Governance Analysis – the ECP also provides a review of the key national, state, regional, and local organizations which have an implicit or partial impact on encroachment. Representative examples include Military Advisory Committees, State Agencies, and Councils of Government.

In addition to the Installation ECP, the Marine Corps also develops an internal Encroachment Partnering (EP) Strategic Plan. The objective of the EP Strategy is to identify and prioritize potential land acquisition targets in order to protect mission capabilities from encroachment. Land acquisitions may be important for protecting the military mission in the face of a number of possible issues, including urban development, safety, threatened and endangered species, frequency spectrum, height obstructions, and water quality and wetland protection. While there are many other factors, including the political environment, market forces, and socioeconomics that should be considered, the EP Strategic Plan serves as a guide and framework for making specific land acquisition decisions.

The Regional Conservation Forum is a complementary element to the ECP's community outreach and engagement. These forums enable the

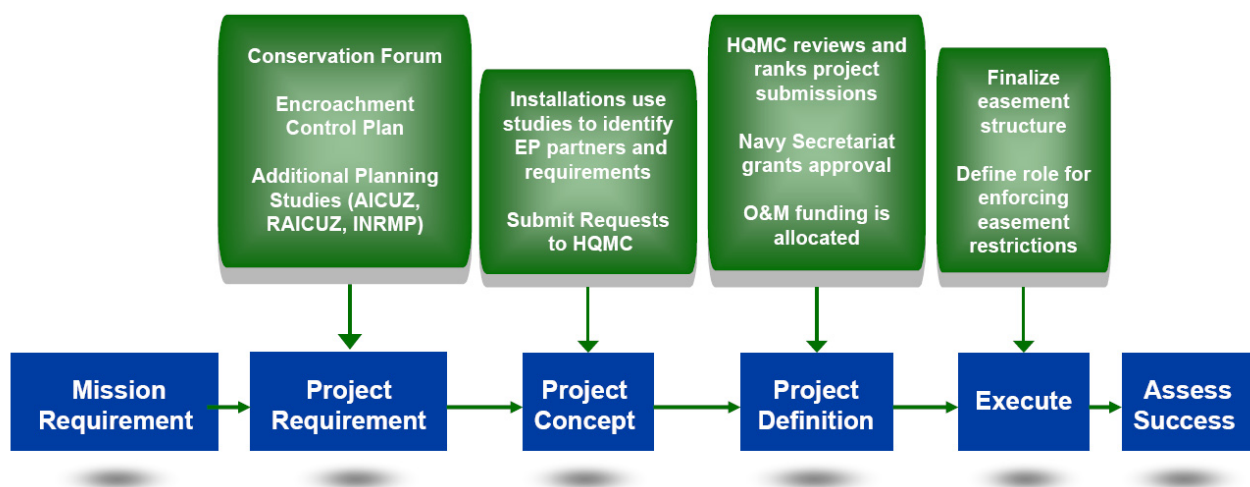
Marine Corps to establish ties with potential conservation partners. Once the partners are identified, the Marine Corps can work with these organizations to implement common land use and conservation goals, develop long-term strategies for implementing these goals, and define specific encroachment partnering opportunities.

The Land Use and Military Construction Branch at HQMC is responsible for managing the planning, programming, and budgeting for the Marine Corp's encroachment program and includes a dedicated Community Plans and Liaison Officer (CP&LO) program manager on staff. The mission of the branch is to ensure that the Marine Corps has sufficient land resources and facilities to accomplish its mission and that the land is managed in an environmentally responsible manner.

On the installation level, a variety of individuals manage encroachment control efforts. Installation commanders serve as the primary advocates for encroachment projects with their staffs, the local community, and to their superiors at HQMC. The CP&LO represents the installation in discussions with elected officials, professional staff of local governments, landowners, and developers, and in project discussions.¹⁴

Like the Navy, the Marine Corps has adopted a real-estate based process. This program acquires land through fee simple acquisitions, non-possessory restrictive easements and the purchase of development rights that protect the Marine Corps' mission and training requirements. Restrictive easements are designed to limit incompatible land use development and may also include conservation provisions pursuant to a USFWS crediting plan that allows an installation to expand its use of on-base training areas that were previously off-limits due to threatened and endangered species. Specific examples of restrictive easements at air facilities include prohibitions against tall antennas or light sources that could interfere with landing patterns or night flight training. Easements for ground installations may include restrictions on all residential development that could otherwise lead to noise complaints about live-fire combat training. Enforcing these easements against the underlying landowner is the Marine Corps' responsibility (see figure B.3).

Figure B.3
Marine Corps Encroachment Partnering Process



¹⁴ United States Marine Corps. United States Marine Corps Installation Commanders' Guide to Encroachment Partnering. (Washington, DC: Headquarters, United States Marine Corps, 2006).

The Marine Corps encroachment partnering projects are linked to specific parcels of land identified in the installation-level encroachment control plan. The review process includes discussion with potential partners. The Marine Corps generally limits its financial involvement to approximately 50 percent or less of the total purchase price, not to exceed fair market value of the interest being acquired. HQMC considers alternate cost sharing on a case-by-case basis in relationship to the partner's overall objectives and resources and other associated factors.

The Marine Corps EP project analysis focuses primarily on preventing incompatible land uses and obtaining natural resources benefits. Annually expiring O&M funds require the Marine Corps to monitor and review potential EP projects during the fiscal year. While funds can be shifted between projects, the project receiving the funding must be executable within the current fiscal year or during the term of the five year agreement. The Marine Corps works closely with their conservation partners to ensure that approved projects will be completed during the fiscal year or in accordance with the multi-year agreement that allows funds to be obligated in the current year and spent in subsequent years.

D. Acquisition

The acquisition process for the Marine Corps is described in the previous Navy section. In addition, HQMC has published an Installation Commanders' Guide to Encroachment Partnering which provides a succinct summary of the encroachment partnering and acquisition process for senior leadership at installations.

IV. Air Force Program

A. Strategy

The Air Force Strategic Plan 2006-2008 is the highest strategy document in the United States Air Force. All HQ USAF two-letter organizations within the Air Force and MAJCOMS will create/update organizational strategic plans to align and support the air Force Strategic Plan. The A3/A5 (DCS for Air, Space and Information Operations, Plans and Requirements) and A4/A7 (DCS for Logistics, Installations, and Mission Support) strategic plans will be the ones most likely to address AF encroachment concerns. Within the A4/A7 organization, HQ USAF A7C (Civil Engineering) will update their organizational strategic plan to align and support both the AF Strategic Plan and the DoD Installation Strategic Plan.

B. Policy

The Air Force does not have a specific policy document that addresses the full range of encroachment challenges. However, there are a number of Air Force policy letters that speak to encroachment related issues. These various policy documents are spread across the environmental, planning, and range sustainment sector within the Air Force. On the environmental side, these policies include: the Natural Infrastructure Management and Encroachment Prevention Policy; Air Force Policy Directive 90-8, "Environment, Safety and Occupational Health;" and Air

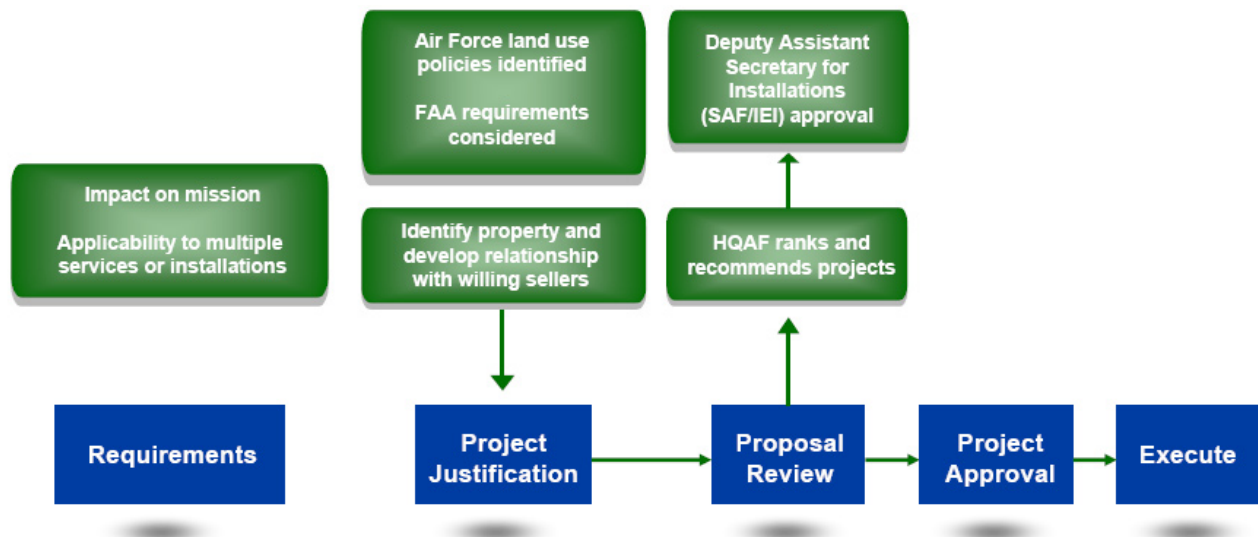
Force Policy Directive 32-70, “Environmental Quality.” The planning policy for the Air Force’s encroachment control efforts include: Air Force Instruction 2-7062, “Air Force Comprehensive Planning” and Air Force Instruction 32-7063, “The Air Installation Compatible Use Zone Program.” Air Force policy on Air Force Airspace and Ranges is spelled out in AF PD 13-2, “Air Traffic Control, Airspace, Airfield, and Range Management.” These policies are implemented through the following Air Force instructions: AFI-13-201, “Air Force Airspace Management,” AFI 13-212, Vol 1 and 2, “Range Planning and Operations, Range Construction and Maintenance” (this document is currently under revision as a single volume AFI 13-212 “Range Planning and Operations”), and Air Force Pamphlet, AFPAM, 13-223, “Range Management.”

C. Implementation

The Air Force is not establishing a centrally funded Encroachment Partnering Projects program. Bases wishing to use Air Force funds for these projects must program the projects using normal programming procedures. All agreements for proposed projects must be approved by the Deputy Assistant Secretary of the Air Force for Installations (SAF/IEI).

The Air Force strategy is to use a full range of available tools and authorities to prevent incompatible development or minimize regulatory restrictions on military activities. The preference is to first take advantage of strategies that are no or low cost. These include working with local governments to achieve compatible development through the AICUZ program; working with other Federal, State, and local governments through formal interagency and intergovernmental coordination agreements; land swaps with other federal agencies; or in some cases legislation. Once these strategies have been exhausted and the integrity of the mission is threatened, authorities for acquiring interest in land may be employed. These include the Military Construction Program, Urgent Land Acquisition Authority, 10 U.S.C. § 2684(a), and any other appropriate authority.

Figure B.4
Air Force Encroachment Partnering Process



Outreach is the primary strategy in Air Force sustainable ranges, with additional strategies being used as appropriate.

Air Force participation in REPI prior to FY06 was restricted in the interest of protecting the integrity of the BRAC process, specifically, to prevent the misconception that the Air Force was posturing to insulate installations from realignment and closure and to refrain from addressing encroachment based on current capabilities that risked change and forecasted capabilities that were nebulous. In 2005, the Air Force solicited projects for the FY2006 funding cycle. However the candidate projects were not forwarded to OSD due to concerns at the senior leadership level.

D. Acquisition

The Air Force encroachment partnering guidelines state that proposed projects should seek to acquire the minimum interest necessary to protect the Service's mission. If the projects propose that the Air Force acquire a fee simple interest in the property, place management responsibilities with the Service, or require that the Air Force provide its partner with a financial contribution for the management of the property, then this must be justified by the installation. The current position is that land needed to directly support operation requirements should be purchased using funds from the traditional authorities such as the Military Construction Program and the minor land acquisition authority.

Air Force REPI project proposal content mirrors the OSD guidelines:

- Military Readiness Value
- Limiting Incompatible Development and Leveraging Strategic Planning
- Preserving Habitat
- Advancing a Viable Agreement

Additionally, the Air Force requests information on past efforts to try to achieve compatible land use or protect habitat. The Service reviews how the project will bring the installation into compliance with Air Force policies and whether or not the installation has programmed money for the project in the Air Force budget. For projects that are designed to protect habitat, installations are asked to provide specific information regarding the Integrated Natural Resources Management Plan (INRMP) goals and objectives relative to the project and whether or not there has been buy-in from the appropriate scientific communities. Examples include the USFWS and State Departments of Conservation.

The Air Force is currently developing guidelines regarding the content of the agreements, reporting and other aspects of establishing and executing partnerships.

