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From: Chief of Naval Operations (N45)
To: Distribution

Subj: INTEGRATED NATURAL RESOURCES MANAGEMENT PROGRAM GUIDANCE

Encl: (1) Integrated Natural Resources Management Plan (INRMP)
Guidance

1. Enclosure (1) is the updated Integrated Natural Resources Management Plan (INRMP) Guidance. The INRMP Guidance was developed to provide natural resource managers at Navy installations with information necessary to prepare, update, and implement INRMPs. The Guidance has been revised in close coordination with natural resources staff from Commander, Navy Installation Command and Commander, Naval Facilities Engineering Command. This guidance builds upon previous Navy INRMP Guidance and incorporates requirements contained in the Office of the Deputy Undersecretary of Defense for Installations and Environment (DUSD (I&E)) Memorandum, dated October 10 2002, which promulgates new Department of Defense (DoD) Sikes Act Improvement Act (SAIA) guidance, and other recent DoD guidance.

2. Enclosure (1) also includes, per the SAIA guidance, significant new reporting requirements and measures of merit associated with INRMP development, implementation, and annual review. Please ensure that natural resource managers revise INRMPs with deliberate consideration of these objectives and metrics in order to more accurately measure program success.

3. The Guidance is effective immediately and will be available on the "Department of Navy Natural Resources Data call Station" at <https://clients.emainc.com/dcs/navfac/> seven days after the issuance of this memo.

4. My point of contact for this guidance is Ms. Elizabeth Phelps at (703) 604-5467 or Elizabeth.Phelps@navy.mil or Ms. Amy Thompson at (703) 602-6844 or Amy.A.Thompson.ctr@navy.mil.

A handwritten signature in black ink, appearing to read "J. A. Symonds", is positioned above the typed name.

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Subj: INTEGRATED NATURAL RESOURCES MANAGEMENT PROGRAM GUIDANCE

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INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN GUIDANCE FOR NAVY INSTALLATIONS

***HOW TO PREPARE, IMPLEMENT, AND REVISE INTEGRATED
NATURAL RESOURCE MANAGEMENT PLANS (INRMP)***

April, 2006

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1.0 Purpose

The purpose of this Guidance is to provide natural resource managers at Navy installations with information necessary to prepare, update, and implement Integrated Natural Resource Management Plans (INRMPs). The Guidance has been revised in response to the Office of the Deputy Undersecretary of Defense for Installations and Environment (DUSD (I&E)) Memorandum, dated 10 October 2002, which promulgates new Department of Defense (DOD) Sikes Act Improvement Act (SAIA) guidance and requests a revision of Service-specific INRMP development instructions to correspond with that guidance (Appendix A).

The SAIA requires preparation and implementation of INRMPs at all DOD installations in the U.S. that contain significant natural resources (Appendix B). A successfully implemented INRMP will meet two basic goals:

- a) It will ensure the sustainability of all ecosystems encompassed by an installation; and
- b) It will ensure no net loss of the capability of installation lands to support the DOD mission.

These two goals are closely related and not mutually exclusive. Maintenance of healthy ecosystems supports realistic military training and testing, which in turn promotes mission readiness.

The SAIA guidance, along with an analysis of lessons learned indicates the need to focus on:

- a) Increasing the ties between natural resource management and military readiness.
- b) Establishing a consistent funding policy and project review process.
- c) Improving the efficiency of INRMP review and coordination.
- d) Increasing the effective implementation of INRMPs.
- e) Expanding opportunities for involvement with all INRMP stakeholders.

The SAIA guidance also institutes significant new reporting requirements and measures of merit associated with INRMP development, implementation, and annual review. INRMPs should be revised with deliberate consideration of these objectives and metrics in order to more accurately measure program success.

This Guidance replaces the Chief of Naval Operations (CNO) letter dated 25 September 1998, "Sikes Act Improvement Act with Guidelines for Preparing Integrated Natural Resources Management Plans." Any apparent conflict between this Guidance and other Navy instructions, manuals, and similar directives on environmental and natural resources programs will be forwarded through the chain of command to N45 for resolution.

2.0 Applicability and Scope

Section 101(a)(1)(B) of the Sikes Act requires that each Military Department prepare and implement an INRMP, unless the Secretary determines that the absence of significant natural resources on a particular installation makes preparation of such a plan inappropriate.

The SAIA is applicable to *all* military installations in the U.S., its territories, and possessions. Military installations include those lands, or interest in land, owned by the U.S. and administered by the Navy. Lands that are withdrawn from the public domain for military uses are also included. Therefore, all installation unimproved property (e.g., natural areas), inclusive of any natural resource areas used by lessees and tenants, must be fully covered by and addressed in an installation's INRMP.

Accordingly, INRMPs must address natural resources management on those lands and near-shore areas:

- a. Owned by the U.S. and administered by the Navy;
- b. Used by the Navy via license, permit, or lease for which the Navy has been assigned management responsibility; or
- c. Withdrawn from the public domain for use by the Navy for which the Navy has been assigned management responsibility.

An INRMP must also address leased lands on the installation and areas occupied by non-DOD entities. The May 17, 2005 Office of the Secretary of Defense (OSD) Supplemental Guidance Concerning Leased Lands states that the INRMP must:

“ . . . Address resource management on all of the lands for which the subject installation has real property accountability, including lands occupied by tenants or lessees or being used by others pursuant to a permit, license, right of way, or any other form of permission.”

An installation is responsible for conservation, protection, and management of natural resources on all lands within its boundaries. Even if an Installation Commander requires a tenant, lessee, or permittee to complete natural resource management actions, as part of the terms of occupancy or lease, an installation is still ultimately responsible for those leased or occupied lands and must address management of those lands in an INRMP.

Lands subject to an approved recommendation for closure under the Defense Base Realignment and Closure (BRAC) Act of 1990, as amended, are excluded from SAIA INRMP requirements. Land on Navy installations outside of the U.S., its territories, and possessions are also excluded. However, management for these lands should be consistent with the Final Governing Standards (FGS), Overseas Environmental Baseline Guidance Document (OEBGD), and Chapter 18 of OPNAVINST 5090.1B.

Effort should be made to develop and implement these plans to the standards promulgated in this guidance.

2.1 Provisions

Evaluations to determine an installation's need for an INRMP require the Installation Commander to render an opinion based on a current general assessment of the resources and receive approval by Commander of Navy Installations Command (CNIC). Evaluations take into consideration military uses of the area and capacity to support the mission; acreage, habitat types, and special natural features; aesthetics; outdoor recreational opportunities; the ecological context of the installation within its physiographic region; and the local community context. Even a very small installation might require a plan if it is important to conservation and management of natural resources. For example, an INRMP is justified if an installation provides a habitat that is rare in the area or that is home to threatened or endangered species; contains proposed or designated critical habitat; supports an agricultural outlease program; has sensitive wetland, watershed, or shoreline issues; or is important to the local community for aesthetic reasons.

In most cases, if the installation requires natural resources funding, it should have an INRMP. Waiver procedures are outlined in Office of the Chief of Naval Operations Instruction (OPNAVINST) 5090.1B. Intensely developed installations may not have resources that would benefit from a plan; however, it is important to document this decision by reporting it to the Installation Commander and obtaining approval by CNIC.

Within 12 months of the release of this document, CNIC or other non-CNIC Command and Commander Naval Facilities Engineering Command Headquarters (COMNAVFACENGCOM HQ) will reevaluate and document the need for INRMP implementation at all Navy installations. CNIC or other non-CNIC Command and NAVFAC will submit its recommendations for approval to N45. Following this initial evaluation, all installations without an INRMP will be reevaluated by CNIC or other non-CNIC Command and COMNAVFACENGCOM HQ and forwarded to N45 every five years.

3.0 Requirements

3.1 INRMP Definition and Purpose

An INRMP is a long-term planning document designed to guide a natural resources manager in the management of natural resources to support the installation mission while protecting and enhancing installation resources for multiple use, sustainable yield, and biological integrity.

The SAIA states that an INRMP shall provide for “no net loss in the capability of military installation lands to support the military mission of the installation.” The SAIA also states that the purpose of an INRMP is to “ensure consistency with the use of military

installations to support the preparedness of the Armed Forces, while providing for (1) the conservation and rehabilitation of natural resources on military installations; (2) the sustainable multipurpose use of the resources including hunting, fishing, trapping, and non-consumptive uses; and (3) public access to military installations within safety and military security requirements” (Reference (a)).

An INRMP documents the installation mission, baseline condition of natural resources on the installation, impacts to natural resources due to the military mission, the management approaches to conserve and enhance natural resources, and a list of specific projects to protect and enhance natural resources on the installation. While primarily for day-to-day use by the installation natural resources manager, an INRMP also provides installation planners with baseline information. An INRMP serves as a principal source of information for preparing environmental assessments or environmental impact statements for proposed installation actions. In addition, an INRMP provides the basis for formulating an installation’s natural resources budget.

An important objective to be accomplished through the INRMP preparation process is the development of a proper working relationship with regulators. It is vital that they have a clear understanding and appreciation of the Navy’s mission. It is the responsibility of Navy natural resource managers to cultivate this relationship and promote this awareness among regulatory agencies. The development, revision, and implementation of an INRMP provide the opportunity to do so.

3.2 Sikes Act

The SAIA specifically requires, to the extent appropriate and applicable, that INRMPs provide for:

- a) Fish and wildlife management, land management, forest management, and fish and wildlife-oriented recreation.
- b) Fish and wildlife habitat enhancement or modifications.
- c) Wetlands protection, enhancement, and restoration, where necessary for support of fish, wildlife, or plants.
- d) Integration of and consistency among the various activities conducted under the plan.
- e) Establishment of specific natural resources management goals and objectives and timeframes for proposed actions.
- f) Sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of the fish and wildlife resources.
- g) Public access to the military installation that is necessary and appropriate for the use described in (Reference (f)), subject to requirements necessary to ensure safety and military security.
- h) Enforcement of applicable natural resources laws and regulations.
- i) No net loss in the capability of military installation lands to support the military mission of the installation.
- j) Such other activities as the Secretary of the Navy determines appropriate.

3.3 Mutual Agreement

SAIA requires the Service Secretaries to prepare INRMPs in cooperation with the U.S. Fish and Wildlife Service (USFWS) and appropriate state fish and wildlife agencies. An INRMP reflects mutual agreement of the parties concerning the conservation, protection, and management of fish and wildlife resources.

Mutual agreement should be the goal with respect to the entire Plan. It is only required, however, with respect to fish and wildlife management elements of the Plan. No element of the SAIA is intended to either enlarge or diminish the existing responsibility and authority of the USFWS or state fish and wildlife agencies concerning natural resources management on military lands.

It is not expected to occur often, but, the USFWS or a state fish and wildlife agency may withhold agreement on an INRMP, based on objections to elements of the INRMP, and these may not be within the scope of the particular agency's authority. If this does occur, an installation may; notwithstanding the objections, and in coordination with CNIC, or other budget submitting office, as appropriate, and N45; finalize the INRMP and proceed to manage its natural resources in accordance with the terms of the Plan.

4.0 Policy

4.1 General Requirements

All INRMPs must be prepared, revised, and implemented in accordance with SAIA, DOD, Department of the Navy (DON), and CNO policies and will address the U.S. Navy mission as well as the specific missions of those commands or tenants using the installation. It is Navy policy that all INRMPs comply with the Sikes Act requirements identified in Section 3.2 and ensure that Navy lands and waters are available to support mission-related activities.

4.2 INRMP Requirements

An INRMP shall provide the following:

- a) A description of the installation's military mission in general terms and the natural resource requirements that are necessary to support that mission. The installation should investigate any current and/or ongoing major problem areas that have the greatest impact on ecosystem functions and document any future mission changes or major projects and their potential consequences for natural resources management.
- b) Appropriate management objectives to protect mission capabilities of installation lands (from which annual projects are developed). The effectiveness of the

INRMP in preventing “net loss” shall be evaluated annually. Mission requirements and priorities identified in the INRMP shall, where applicable, be integrated in other environmental programs and policies. It is not intended that natural resources be consumed by mission requirements. Rather, it is intended that they be sustained for the use of mission requirements. In order to achieve this goal, environmental programs and policies must be structured to control encroachment and preserve an unencumbered environment for the purpose of the mission.

- c) All land and water resources that require consultation with a Federal regulatory agency, such as USFWS, National Marine Fisheries Service (NMFS), or the U.S. Army Corps of Engineers (ACOE) (e.g., Federally listed species, critical habitat, Essential Fish Habitat (EFH), or jurisdictional wetlands) must be addressed in the INRMP. If NMFS has jurisdiction over a resource regulated by the ESA (16 U. S. C. 1531 *et seq.*), Marine Mammal Protection Act (MMPA) (16 U. S. C. 1361 *et seq.*), or Magnuson Fishery Conservation and Management Act (16 U. S. C. 1801 *et seq.*) addressed in an INRMP, it is advisable to seek mutual agreement from NMFS on the INRMP as is done with USFWS. OPNAV 5090.1B requires all marine mammal coordination with NMFS to be conducted through CNO N45.
- d) INRMPs must follow CNO N4 Memo of 30 Oct 2002, “Procedures for Introducing/ Actively Attracting Endangered Species onto U.S. Navy Property” (Reference (I)). Mitigation for non-Navy actions or activities should not be suggested for Navy lands or supported in an INRMP unless it has been approved by the chain of command to the CNO level. All components identified in Appendix D are considered essential elements of the INRMP and should be addressed.

4.4 Annual Reviews

On an annual basis, each installation must complete an evaluation of the effectiveness of its INRMP. This evaluation is facilitated by the web-based Metrics Builder tool on the Natural Resources Data Call Station website (<https://clients.emainc.com/dcs/navfac/>).

The Metrics Builder provides the means to evaluate performance in seven areas:

- 1) INRMP Implementation;
- 2) Partnerships/Cooperation and Effectiveness;
- 3) Team Adequacy;
- 4) INRMP Impact on the Installation Mission;
- 5) Status of Federally Listed Species and Critical Habitat (CH);
- 6) Ecosystem Integrity;
- 7) Fish and Wildlife Management and Public Use.

Use of the Metrics Builder to accomplish the INRMP Annual Reviews will also generate Navy conservation program metrics to measure effects of the conservation program on the installation mission and the status of our relationship with the USFWS and state fish and wildlife agencies.

The annual evaluation must be completed in cooperation with the appropriate field-level offices of the USFWS and state fish and wildlife agencies. The cooperating partners will work together to measure both the successes and issues resulting from INRMP implementation.

4.5 Critical Habitat Designation

Under the Endangered Species Act (ESA), the term "critical habitat" is defined as the specific areas within the geographical area occupied by the species, at the time it is listed, on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection. CH also includes specific areas, known as *unoccupied habitat*, that are outside the geographical area occupied by the species at the time it is listed, upon a determination by the Secretary of Interior that such areas are essential for the conservation of the species.

Concurrent with a determination to list a species as threatened or endangered, the Secretary of Interior is required to designate any habitat of the species that is considered to be critical habitat. However, the ESA was revised via the National Defense Authorization Act of 2004, Public Law 108-136 to recognize INRMP conservation measures and species benefit that could obviate the need for critical habitat designation on Navy lands.

Section 4(a)(3) of the revised ESA states that:

"The Secretary [of the Interior] shall not designate as critical habitat any lands or other geographical areas owned or controlled by the Department of Defense, or designated for its use, that are subject to an integrated natural resources management plan prepared under section 101 of the Sikes Act (16 U.S.C. 670a), if the Secretary determines in writing that such plan provides a benefit to the species for which critical habitat is proposed for designation."

All Navy installations with Federally listed threatened or endangered species, proposed Federally listed threatened or endangered species, candidate species, or unoccupied habitat for a listed species where critical habitat may be designated, must structure the INRMP to avoid the designation of critical habitat. The INRMP may obviate the need for critical habitat if it specifically addresses both the benefit provided to the listed species and the provisions made for the long-term conservation of the species. The species benefit must be clearly identifiable in the document and should be referenced as a specific topic in the INRMP table of contents.

The USFWS uses a three-point criteria test, to determine if an INRMP provides a benefit to the species. An installation is strongly encouraged to use these USFWS

criteria, listed below, when structuring its INRMP to avoid the need for critical habitat designation.

- a) *The plan provides a conservation benefit to the species.* The cumulative benefits of the management activities identified in a management plan, for the length of the plan, must maintain or provide for an increase in a species' population, or the enhancement or restoration of its habitat within the area covered by the plan [i.e., those areas deemed essential to the conservation of the species]. A conservation benefit may result from reducing fragmentation of habitat, maintaining or increasing populations, insuring against catastrophic events, enhancing and restoring habitats, buffering protected areas, or testing and implementing new conservation strategies.
- b) *The plan provides certainty that the management plan will be implemented.* Persons charged with plan implementation are capable of accomplishing the objectives of the management plan and have adequate funding for the management plan. They have the authority to implement the plan and have obtained all the necessary authorizations or approvals. An implementation schedule, including completion dates, for the conservation effort is provided in the plan.
- c) *The plan provides certainty that the conservation effort will be effective.* The following criteria will be considered when determining the effectiveness of the conservation effort. The plan includes (1) biological goals (broad guiding principles for the program) and objectives (measurable targets for achieving the goals); (2) quantifiable, scientifically valid parameters that will demonstrate achievement of objectives and standards for these parameters by which progress will be measured are identified; (3) provisions for monitoring and, where appropriate, adaptive management; (4) provisions for reporting progress on implementation (based on compliance with the implementation schedule) and effectiveness (based on evaluation of quantifiable parameters) of the conservation effort are provided; and (5) a duration sufficient to implement the plan and achieve the benefits of its goals and objectives.

Species management for long-term conservation of the species involves both occupied and unoccupied habitat. For occupied habitat, the installation first determines whether the area contains the physical and biological features essential to the conservation of the species and whether this area has or needs special management or protection. Additional special management is not required if adequate management or protection is already in place.

Land management of unoccupied habitat areas should also be addressed in the INRMP, even if the listed species that could potentially occupy that habitat are not present on the installation. This will help to prevent the designation of critical habitat for species that could occur or historically occurred on the installation but are not currently

present. Again, special management is not required if adequate management or protection is already in place.

The National Defense Authorization Act of 2004, Public Law (PL) 108-136 further revised the ESA via Section 4(b)(2) to preclude critical habitat designation based on impacts to national security.

Section 4(b)(2) of the revised ESA states that:

“The Secretary shall designate critical habitat, and make revisions, thereto, under subsection (a)(3) of this section on the basis of the best scientific data available and after taking into consideration the economic impact, the impact on national security, and any other relevant impact, of specifying any particular area as critical habitat. The Secretary may exclude any area from critical habitat if he determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat, unless he determines, based on the best scientific and commercial data available, that the failure to designate such area as critical habitat will result in the extinction of the species concerned.”

All Navy installations with Federally listed threatened or endangered species, proposed Federally listed threatened or endangered species, candidate species, or unoccupied habitat for a listed species where critical habitat may be designated, should describe potential impacts on national security must be coordinated with mission tenants during the drafting of the INRMP in the INRMP or appropriate appendix.

5.0 INRMP Contents

This section of the Guidance is intended to help create a comprehensive description of an installation's natural resources; it does not supplant (Federal, DOD, or state) regulations or other current instructions, nor does it necessarily provide a format for an INRMP. Appendix D provides the detailed outline that shall be followed during INRMP development. Furthermore, per DODINST 4715.3, (reference b) INRMPs must incorporate the principles of ecosystem management. Each INRMP must contain information needed to make appropriate decisions about natural resources management, and should include and/or address the following:

- a) A summary of known natural resources information;
- b) Identification of the type and location of installation activities that may affect natural resources to ensure that those activities are planned and carried out in ways that protect and enhance the installation's natural resources;
- c) Analysis of the adequacy of existing information on natural resources and associated contexts in order to determine actions necessary to meet compliance requirements;
- d) Identification of unique natural resource issues confronting the installation;
- e) Conservation and mitigation strategies for threatened natural resources;

- f) Identification and prioritization of actions required to implement goals and objectives of the Plan;
- g) Provisions for enforcement of conservation laws and regulations by professionally trained personnel;
- h) Provisions for sharing appropriate natural resources information with Federal, state and tribal agencies, nongovernmental organizations, researchers, and the general public;
- i) Provisions for public access to natural resources, as appropriate;
- j) Standard operating procedures for routine occurrences and any basic processes that can be covered by blanket statements, such as inventories, repetitive ecosystem maintenance and enhancement, and spill responses involving natural resources that are tailored to the specific conditions at the installation.

There are many laws and regulations that may apply to the management of natural resources. A partial list is provided in Appendix E. The installation should review all regulations and instructions that apply to its specific natural resources and management techniques to support the development of the INRMP's content. Because an INRMP is a long-term planning document that directs the management and conservation of natural resources on a day-to-day basis, it may provide the foundation information necessary for ESA consultations (including Biological Assessments (BA)), Migratory Bird permits/resource information, EFH Consultation, Coastal Zone Management Act (CZMA) Federal consistency determinations. INRMPs also provide pertinent information for various planning level documentation, some information applicable to masters plans, Clean Water Act (CWA) permits, Clean Air Act Permits. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Resource Conservation and Recovery Act (RCRA) related information might also be derived and shared with installation planners and environmental engineers.

Consistent general content and format will expedite internal review as well as external agency review of the document. The general content areas to be included in all INRMPs are described below.

5.1 Installation Location and Mission

An INRMP should describe and depict the position, size, and role of the installation in its surroundings in order to characterize both its ecological and human values. The INRMP should also document historical land uses and management practices, the characteristics of surrounding communities and local and regional natural areas, and the current military missions, including those of major tenants.

5.2 Mission Description and Requirements

An installation must first provide its mission statement and then briefly describe all associated training and operational requirements. For these training and operational

requirements, an installation must describe the natural resources that make their execution possible.

The INRMP must provide for "no net loss in the capability of military installation lands to support the military mission of the installation". Through implementing effective planning and conservation measures, the plan also provides a guide for meeting natural resources and conservation compliance requirements. These requirements may present significant challenges to an installation, but an effective INRMP allows the installation to meet mission requirements while still maintaining compliance.

Appropriate management objectives to protect mission capabilities of installation lands (from which annual projects are developed) should be clearly articulated in the planning process and should be high in INRMP funding priorities. The effectiveness of the INRMP in providing for "no net loss" shall be evaluated during the annual INRMP review. Mission requirements and priorities identified in the INRMP shall, where applicable, be integrated into other environmental programs and policies. It is not the intent that natural resources are to be consumed by mission requirements, but rather sustained for the use of mission requirements. In order to achieve this, environmental programs and policies must have the goal of controlling encroachment and preserving an unencumbered environment for the purpose of the mission.

The prevention of encroachment should be a major issue detailed in the INRMP. The FY03 Defense Authorization Act includes a provision, codified as Title 10 U.S.C. 2684a, which provides us with a new tool to help control encroachment by executing agreements with public and private partners to acquire real estate interests near installations to help preclude environmental restrictions on military training and testing operations. Areas suitable for these encroachment partnering agreements should be identified during the development and revision of INRMPs and mapped as a Geographic Information System (GIS) theme and reported up the chain to program needed funding. It is important to work with your installation planners to identify natural areas adjacent to your installation, that if set aside through these agreements, can protect current and future mission requirements. CNIC N46 is the resource sponsor for encroachment partnering projects.

5.3 Ecosystem Management

An ecosystem management approach must be incorporated into the INRMP. The ecosystem approach has the overarching goal of protecting the properties and functions of natural ecosystems. The ecosystem management sections of the INRMP should include: Inventory and Monitoring; Protection and Damage Prevention; Soil, Water, and Vegetation Management; Wildlife Population Management; Research; Enforcement; and Awareness. Within these ecosystem management sections are programs involving the following: fish and wildlife management, grounds maintenance, land restoration, endangered species, noxious plant and animal control, natural resources law enforcement, research programs, and overall conservation education.

5.4 General Physical Environment

The installation should include text and graphics in the INRMP that describe its location, historic and current land uses, climate, topography, geology, hydrology, and soils. The installation should also illustrate the following natural features in a GIS format:

- a) Acreage and general distribution of improved and unimproved lands (including a description of their connectivity to the surrounding physical environment);
- b) Natural resources managed areas;
- c) Coastal and near-shore resources, including coral reefs;
- d) Water resources;
- e) Waterways;
- f) Watersheds;
- g) Wetlands;
- h) Forests;
- i) Impoundments;
- j) Non-point source pollution and drainage patterns;
- k) 100-Year Floodplains.

5.5 General Biological Environment

An INRMP should include information about the historic vegetative and watershed types and native flora and fauna present on the installation and in the surrounding areas. Areas that are found to be rare or biologically unique during biological surveys should be documented. Such areas include those that contain threatened or endangered species, contain sensitive species and seasonal migrants, or require wildlife population management. Wetlands and Submerged Aquatic Vegetation (SAV) beds and coral reef ecosystems should be of particular concern, as they are pollution run-off sinks and nursery grounds for biota.

5.6 Other Considerations

An INRMP should describe other considerations pertaining to an installation's mission and to natural resources management. Common considerations include:

- a) AICUZ;
- b) Explosive Safety Quantity Distance (ESQD) arcs;
- c) High-noise environments;
- d) Accident Potential Zones (APZs);
- e) Ranges;
- f) Endangered species and critical habitat;
- g) Wetlands;
- h) Floodplains;

- i) Coastal issues;
- j) Highly erodible soils;
- k) Steep slopes;
- l) Sensitive plant communities.

These types of considerations can best be illustrated through the use of geographic information system maps. Once documented and illustrated, innovative approaches, such as computer modeling, can be used to manage for such considerations.

5.7 Threatened or Endangered Species and Critical Habitat Requirements

The INRMP should document surveys that have been performed for listed species, species recovery plans, BAs, and biological opinions (BO) and examine the habitat health and mission impacts in the INRMP. The INRMP should also address threatened and endangered species not currently found on the installation for which critical habitat might be declared. All installations with critical habitat or the potential for critical habitat should address the USFWS three-point criteria detailed in Section 4.5.

INRMPs must follow CNO N4 Memo of 30 Oct 2002, "Procedures for Introducing/Actively Attracting Endangered Species onto U.S. Navy Property." Mitigation for non-Navy actions or activities should not be suggested for Navy lands or supported in an INRMP unless it has been approved by the chain of command to the CNO level.

5.8 Migratory Birds

The Migratory Bird Treaty Act (MBTA) of 1918 is the primary legislation in the United States established to conserve migratory birds. It implements the United States' commitment to four bilateral treaties, or conventions, for the protection of a shared migratory bird resource. The MBTA prohibits the taking, killing, or possessing of migratory birds unless permitted by regulation. On December 2, 2002, the President signed the 2003 National Defense Authorization Act. The Act requires the Secretary of Defense, in consultation with the Secretary of the Interior, to identify ways to minimize, mitigate, and monitor take of migratory birds during military readiness activities and requires the Secretary of the Interior to prescribe, with the concurrence of the Secretary of Defense, a regulation that exempts the Armed Forces from the incidental taking of migratory birds during military readiness activities.

Accordingly, Navy installations are to incorporate conservation measures into their INRMPs to address migratory birds. The status of and potential conflicts with migratory birds should be addressed in INRMPs where applicable. Also, during annual reviews of INRMPs, installations will discuss with the USFWS conservation measures implemented and the effectiveness of these measures in avoiding, minimizing, or mitigating the take of migratory birds.

INRMPs are a significant source of baseline conservation information and conservation initiatives used to develop NEPA documents for military readiness activities. This linkage helps to ensure that appropriate conservation measures are incorporated into mitigation actions, where needed, which will protect migratory birds and their habitats.

5.9 Monitoring Requirements

There are many different types of monitoring, but generally all monitoring actions are repeated over time and their results are interpreted by comparison to some standard or goal for the purpose of detecting directional change. Some monitoring may be required by regulation or to fulfill mitigation measures specified in National Environmental Policy Act (NEPA) or ESA documents. Monitoring may also be necessary to determine the effectiveness of INRMP implementation for the annual review. In some cases, monitoring may be necessary to enhance understanding of ecological dynamics.

In designing a monitoring plan, the installation must specify how monitoring will assess success or failure in meeting its management objectives. It should also specify the variables to be measured, the direction and amount of change in those variables considered to be meaningful, and the frequency of measurement. Acceptable levels of sampling error must be specified if sampling is involved in the monitoring process. Monitoring allows installation managers to learn about the resources they are managing, test the assumptions they have made, and determine the effectiveness of the management actions they have taken.

Establishment of an effective monitoring program is a means to demonstrate progress and to identify when the final objective has been met. This measure of progress is important because the success of the INRMP hinges upon constant, steady progress towards the objective. Monitoring should be clearly identified in the INRMP. If monitoring is not addressed in the current INRMP, plans for a revision of the INRMP to include monitoring should be discussed with coordinating agencies during the annual INRMP review. Monitoring plans that require additional resources must be coordinated through the chain of command prior to inclusion in the INRMP in accordance Section 6 of this INRMP guide.

The methods by which success will be measured should include a measure of how well the project is meeting the purposes of the INRMP. Measures of success can be either qualitative or quantitative, but should focus on the broad categories on which the natural resources management goals were formed. For example, removal of an exotic/non-native species may be done in accordance with existing natural resources laws and regulations. However, this action may also benefit a Federally listed species, improve the use of training lands on the site, and/or allow for public access. A quantitative measure of success would be successful removal of a percentage of the species, a percent increase in available training land, a percent increase in available habitat for a Federally listed species on the installation, a percent increase in areas available for public access, and/or a percent increase in the available habitat of the species regionally. A qualitative measure of success would be successful removal of the

exotic/non-native species, the suitability of the site for training, providing potential habitat for Federally listed species, and/or availability for public access. A qualitative approach to monitoring may be appropriate when the project is initiated and a quantitative approach to monitoring may be appropriate when the initial implementation is complete.

5.10 Land Management

The principal purpose of DOD lands and waters is to support mission related activities. Land management is the most important component of an INRMP, providing the foundation for all other natural resources programs. Land management principles cover soil and water conservation, lake or pond management, non-point source pollution, agricultural outleashing, erosion control, landscaping, grounds maintenance, floodplain protection, estuary and coastal zone management, and weed and invasive species management. Land management also requires land classification to identify the level of maintenance required and to budget in a responsible way. Additionally, public access issues are addressed through land management. Lands and waters should be made available to the public for educational or recreational use of natural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness.

5.11 Resource Management Area Requirements

Resource management areas must be identified, evaluated, and included as appropriate in an INRMP. The requirements under each resource management area are described below.

Wetlands, Watershed, and Estuary Protection

- a) Identify any jurisdictional wetlands, surveys, or pending 401, 402, and 404 permits and mitigation projects.
- b) Document the health of existing wetlands and any applicable wetlands banking.
- c) Address non-point source pollution plans as they relate to soil erosion prevention and pesticide and fertilizer use.
- d) Address wastewater or stormwater management issues.
- e) Discuss regional programs for estuary and watershed protection as well as local watershed protection initiatives.
- f) Reference installation spill plans as they relate to watershed protection and natural resources damage.

Fish and Wildlife Management

- a) Develop maps of managed fish and wildlife areas and document existing management practices such as stocking, food plots, permits and fees, and any animal damage control procedures or Bird Aircraft Strike Hazard issues.
- b) Research any possible local diseases found in animals (Lyme disease, chronic wasting disease, rabies, encephalitis, etc.)
- c) Analyze the current demand for installation resources and any existing programs for Watchable Wildlife, Recreational Fisheries, or protection of neotropical migratory birds.

Forest Management

- a) Document the current status of commercial and non-commercial forestry management and ecosystem management within forest areas.
- b) Document current forest resource inventory data and statistical summaries by stands or compartments.
- c) Assemble maps and detailed descriptions of individual forest stands with timber access roads.
- d) Describe silvicultural management practices and plans such as timber stand improvement techniques, harvesting methodologies, reforestation practices, fire protection methods, and endangered species and cultural resources protection initiatives.
- e) Describe the markets for applicable forest products.

Agricultural Outleasing

- a) Document coordination and cooperative agreements with the Natural Resources Conservation Service and discuss the suitability and availability of land for agricultural outlease.
- b) Assemble maps and detailed descriptions of current or potential outleased land, prime and unique farmlands, including soil types, erodibility, fertility, productivity potential, and current vegetative cover.
- c) Document the need for an Outlease Conservation Plan with monitoring systems and schedules for lease compliance, applicable land use controls, pest management practices, and specifications for construction and maintenance of improvements.

Outdoor Recreation

- a) Document cooperative agreements and coordination with the National Park Service for outdoor recreation.
- b) Include maps and detailed descriptions of current and potential outdoor recreation areas.
- c) Address public accessibility for hunting, fishing, and trapping and future demands for outdoor recreation, boating access, and off-road vehicles.
- d) Include specifications and/or constraints about construction techniques, materials, or signage.
- e) Determine the appropriate interface with the installation's program for Morale, Welfare and Recreation (MWR).

Grounds Maintenance

- a) Address installation landscape plans and the sections of the integrated pest management plan pertaining to outdoor pest management.
- b) Describe best management practices for erosion control, non-point source pollution, low maintenance landscaping, reduced mowing procedures, and water conservation.
- c) Investigate the feasibility of creating or expanding the installation urban forestry program.
- d) Describe best management practices for the control of pests and noxious weeds.
- e) Integrate low-maintenance indigenous species in landscape planning and projects.
- f) Describe best management practices for the selection of plant materials for land rehabilitation.

Coastal & Near-shore Areas

- a) Address the state coastal zone management plan and consistency determinations.
- b) Address non-point source pollution that may impact coastal and near-shore areas.
- c) Include maps, inventories, and assessments of significant coastal resources such as coral reef ecosystems and other benthic habitats and resources.
- d) Address important marine species and littoral zones issues.

5.12 Use of Geographic Information Systems (GIS)

As a complete picture of the installation's resources is developed, the installation should begin grouping land uses and constraints by location. This compilation of physical information can best be captured, stored, updated, manipulated, displayed, and analyzed in a GIS database. The natural resources data should be integrated into the installation's GIS system and made available to planners and land managers to aid in decision-making. When combined with operational and infrastructure information, natural resources GIS data will provide installation commanders and public works officers the situational awareness information they need to make sound decisions. Integration of natural resources data into the GIS database will also ensure that the installation is not using conflicting resource management techniques or planning land uses that conflict with natural resources preservation or the installation's mission.

The installation must ensure that newly acquired or updated natural resources information is integrated into the installation GIS database on a regular basis. Compatibility with regional systems is vital when collecting and processing new information or updating old information. Compatibility is of particular concern when a contractor is carrying out GIS data collection and entry.

5.13 Relationship to Other Installation Planning Efforts

INRMPs must be prepared in coordination with installation range plans, training plans, Integrated Cultural Resource Management Plans (ICRMPs), Integrated Pest Management Plans (IPMP), installation-restoration plans that address contaminants covered by CERCLA, RCRA, and related provisions, and other appropriate plans and offices (reference (d)). Proper coordination is of particular concern at an installation with an associated range. Such an installation must coordinate with the range manager and mission claimants to ensure that the current and future management strategies outlined in the Range Complex Management Plan (RCMP) are reflected in the INRMP. However, an INRMP is not intended to function as a comprehensive compilation of detailed information on all related topics. It should briefly summarize the key interrelationships with these plans, reference where the plans may be obtained, and describe where detailed information can be found.

With regard to Installation Restoration Programs (IRPs), the following language is to be cited in all INRMPs:

- a) The installation recognizes that adverse impacts to natural resources addressed in this INRMP may result from the release of hazardous substances, pollutants, and contaminants into the environment. The DON IRP is responsible for identifying CERCLA releases, RCRA releases, and releases under related provisions; considering risks and assessing impacts to human health and the environment, including impacts to endangered

species, migratory birds, and biotic communities; and developing and selecting response actions when a release may result in an unacceptable risk to human health and the environment.

- b) When appropriate, the regional or installation's natural resources management staff will help the Installation Restoration Program Remedial Project Manager (RPM) identify potential impacts to natural resources caused by the release of these contaminants.
- c) Regional or installation natural resources staff will also participate, as appropriate, in the IRP decision-making process by communicating natural resource issues on the installation to the RPM, attending Restoration Advisory Board (RAB) meetings, reviewing and commenting on IRP documents (e.g., Remedial Investigation, Ecological Risk Assessment), and ensuring that response actions, to the maximum extent practicable, are undertaken in a manner that minimizes impacts to natural resources on the installation.
- d) When appropriate, the regional or installation natural resources staff will make recommendations to the Installation Restoration Program (RPM) regarding cleanup strategies and site restoration. During initial monitoring protocols, the natural resources manager may suggest sampling and testing be accomplished so as to not impact sensitive or critical areas. Also during site restoration, the natural resources manager has the opportunity to recommend site restoration practices that are outlined within the INRMP. Examples include, landfill caps restored to grasslands, excavation areas restore to wetland/pond areas, and treated water located to enhance a pond area.
- e) No other information regarding the IRP is to be included, except for maps that show the locations of Installation Restoration Sites and a specific citation of or reference to the most up-to-date IRP program documents and their location.

The installation's ICRMP addresses cultural resources management. The ICRMP should be referenced in the INRMP, where appropriate and where management issues overlap. The Integrated Pest Management Plan should also be referenced as it applies to several natural resources program management areas.

5.14 Federal Anti-Deficiency Act

The installation's INRMP must include the following language regarding funding limitations:

“All actions contemplated in this INRMP are subject to the availability of funds properly authorized and appropriated under Federal law. Nothing in this INRMP is intended to be nor must be construed to be a violation of the Anti-Deficiency Act (31 U.S.C. 1341 *et seq.*)”

6.0 INRMP Implementation

Because INRMPs must be implemented and the status of implementation reported to Congress, the INRMP must reflect an annual strategy that addresses legal, regulatory, and DOD, DON, and CNO directive or policy requirements; funding; and manpower. “Implementation” anticipates the execution of all Environmental Readiness Level (ERL) 4 projects and activities (see Section 6.2) in accordance with specific timeframes identified in the INRMP. The INRMP is considered implemented if the installation:

- a) Actively requests, receives, and uses funds for all Level 4 projects and activities;
- b) Ensures that sufficient numbers of professionally trained natural resources management staff are available to perform the tasks required by the INRMP.
- c) Coordinates annually with all cooperating offices; and
- d) Documents specific INRMP action accomplishments undertaken each year.

6.1 NEPA Compliance

Prior to the passage of SAIA, implementation of natural resources management plans on military lands was largely discretionary. While a requirement existed to prepare natural resources plans on applicable installations, there was no legal requirement to implement those plans. The only required natural resources management activities were those associated with the ESA, CWA, other statutory requirements, and DOD directives. The SAIA added a requirement for natural resource plan implementation. The SAIA requires “the Secretary of each military department to prepare and implement an integrated natural resources management plan for each military installation in the United States under the jurisdiction of the Secretary.”

The Council on Environmental Quality (CEQ) defines an INRMP as a major Federal action requiring NEPA analysis. As a result, the Navy Office of General Counsel (I&E) has determined that SAIA requirements for INRMP implementation necessitate the preparation of NEPA documentation prior to INRMP approval. The preparation of an Environmental Assessment (EA) may suffice for most installation INRMPs. However, in

cases where implementation of the INRMP will have significant impact on the environment, the preparation of an Environmental Impact Statement (EIS) is required. It is expected that annual updates and revisions would be covered under the original NEPA documentation unless there has been a major change in installation mission or program scope.

Coordination with the installation Environmental Planning Office (or appropriate NEPA group) will ensure that the appropriate document is prepared. The installation manager should not presume that only the implementation of the INRMP, rather than the projects the INRMP represents, would have an environmental impact and therefore require NEPA analysis. If decisions affecting future land or resource use are being made in an INRMP, NEPA is required. The installation natural resource manager should refer to Secretary of the Navy Instruction (SECNAVINST) 5090.6A and Chapter 2 of the OPNAVINST 5090.1B for basic guidance on the preparation of NEPA documents. CEQ's "Regulations for Implementing NEPA" and "NEPA's 40 Most Asked Questions" provide further information. These documents are available at: <http://ceq.eh.doe.gov/nepa/nepanet.htm>.

The INRMP and associated NEPA documentation should be prepared as individual documents to ensure that the viability, integrity, and intent of each are maintained. The intent of the INRMP is to outline projects that would fulfill U.S. Navy compliance and stewardship obligations, while the intent of the NEPA documentation is to analyze the impacts of the various program management options outlined within the INRMP. While physically separate documents, they should be prepared simultaneously. It is also important for installation natural resource managers to coordinate the two documents at the earliest possible stage to ensure that decisions reflect current environmental values and avoid potential conflicts. Preparation of the NEPA documentation should be completed early to accommodate Navy decision-makers. If a comment period or public notice is required for NEPA process, public notice and comment periods should be coordinated and integrated with the INRMP. A finding of no significant impact must be achieved before an INRMP may be signed. If a FONSI is not achievable, the NEPA process must proceed to an Environmental Impact Statement.

One of the first steps in the NEPA process is to define the proposed action and explain its purpose and need. Briefly stated, the proposed action is to develop and implement an INRMP that integrates natural resources management with the installation's military use in a manner that ensures military readiness and provides for sustainable multipurpose uses and conservation of natural resources. The purpose and need for the INRMP is to meet statutory requirements imposed by the SAIA as well as the requirements of various DOD, DON, and Navy Instructions. The Purpose and Need section can be further clarified with a brief discussion of the required plan elements (as outlined in the SAIA) applicable to the installation.

The majority of the NEPA document should be devoted to the discussion of relevant environmental issues and reasonable alternatives. Alternatives that are not feasible because they are inconsistent with the installation mission, unreasonably expensive, too

technically or logistically complex should be eliminated from analysis. In addition, any alternative that has significant environmental impacts cannot be analyzed in an EA. Preparation of an EIS would be required to examine such an alternative. The CEQ has defined reasonable alternatives as those that are economically and technically feasible and show evidence of common sense. Feasibility is an initial measure of whether the alternative makes sense and is achievable.

The analysis process should be focused on the alternatives and methodologies for the accomplishment of the management objectives/program elements. CNO's "NEPA Guidance for INRMPs" (Appendix E) states:

A "programmatic" approach will provide opportunities for the installation to accommodate unforeseen projects that meet pre-established criteria for significance evaluation, as well as changes to the projects, as long as impacts are covered within the overall scope and analysis for the selected alternative. Analysis in the NEPA document will focus on evaluation and comparison of alternative plans in terms of the four management objectives - not the individual projects or practices except in the cases of controversial projects (as identified by the stakeholders) or those projects considered outside the scope of or a major deviation from a previously existing INRMP. The projects/practices list will provide a framework for reviewing on-going activities, and will also assist in reviewing changes for unforeseen projects or modifications in the future. Again, it is important to distinguish that this NEPA analysis for evaluating plans/programs and is different from the project level of analysis used for project-specific actions.

The range of alternatives for preparation of the INRMP should always include the No Action Alternative. The No Action Alternative describes the impacts that would be incurred if the installation did not implement a new INRMP and continued to operate using the existing plan or no plan. The No Action Alternative serves as a baseline to which all other alternatives are compared. Each alternative should describe the general geographical extent where each management objective/program element would occur. Each reasonable alternative might only reflect a difference in the intensity in one of the management objectives/program elements over another (i.e. forest management or fish and wildlife management or outdoor recreation). Variations in project funding levels by themselves do not comprise a valid range of alternatives; therefore it is not acceptable to say that only "compliance" projects is one alternative. It is recommended that there be a brief discussion of the alternatives considered, within the INRMP, to indicate to the review agencies and local community that various management schemes were analyzed.

While it is not required that specific projects be analyzed in the NEPA document, there must be a complete project list with description, cost estimate, funding priority designation, and implementation schedule in the INRMP in order to provide a basis for the NEPA proposed action. However, if agency stakeholders and the Navy determine potential projects to be controversial, sufficient detail must be provided in the INRMP such that a decision can be made regarding significance in the NEPA process. Further,

if a project is considered controversial, or outside the scope or intent of the INRMP, a tiered or amended NEPA document for that specific project may be required. The projects must be consistent with the methodologies analyzed in the NEPA document. The installation should ensure however, that INRMP NEPA documentation is prepared in a way that will accommodate unforeseen projects as well as changes to original projects. Specific CNO guidance on the development of NEPA documents for INRMPs is included in Appendix E.

6.2 Project Development and Classification

An INRMP is a public document that requires the mutual agreement of the installation, USFWS, and state fish and wildlife agencies; therefore it is crucial that a common understanding be reached regarding which projects contained in a draft INRMP are most likely to be funded under existing policy. INRMP funding must reflect an annual strategy that addresses legal requirements.

6.2.1 Programming Hierarchy

The Navy programming hierarchy is based on DOD funding level classifications; therefore, the DOD programming hierarchy is described first, followed by the Navy programming hierarchy.

DOD Programming Hierarchy:

- a) Class 0 - Recurring Natural and Cultural Resources Conservation Management Requirement: Must contain INRMP actions necessary to rehabilitate or prevent resource degradation that may affect military readiness.
- b) Class 1 - Current Compliance: contains requirements to manage species and habitats of concern to prevent listing of species that could affect military readiness.
- c) Class 2 - Maintenance Requirements: includes projects and activities needed that are not currently out of compliance, but will be out of compliance if projects or activities are not implemented in time to meet an established deadline.
- d) Class 3 - Enhancement Actions Beyond Compliance: includes projects and activities that enhance conservation resources or the integrity of the installation mission, or are needed to address overall environmental goals and objectives, but are not specifically required under a regulation or Executive Orders (EO) and are not of an immediate nature.

The Navy funding classification of recurring and non-recurring projects consists of four ERLs:

The Navy Programming Hierarchy:

a) Environmental Readiness Level 4:

- Supports all actions specifically required by law, regulation or Executive Order (DOD Class I and II requirements) just in time.
- Supports all DOD Class 0 requirements as they relate to a specific statute such as hazardous waste disposal, permits, fees, monitoring, sampling and analysis, reporting and record keeping.
- Supports recurring administrative, personnel and other costs associated with managing environmental programs that are necessary to meet applicable compliance requirements (DOD Class 0).
- Supports DOD policy requirement to comply with overseas FGS and OEBGD.
- Supports minimum feasible Navy executive agent responsibilities, participation in OSD sponsored inter-department and inter-agency efforts, and OSD mandated regional coordination efforts.

b) Environmental Readiness Level 3:

- Supports all capabilities provided by ERL4.
- Supports existing level of Navy executive agent responsibilities, participation in OSD sponsored inter-department and inter-agency efforts, and OSD mandated regional coordination efforts.
- Supports proactive involvement in the legislative and regulatory process to identify and mitigate requirements that will impose excessive costs or restrictions on operations and training.
- Supports proactive initiatives critical to the protection of Navy operational readiness.

c) Environmental Readiness Level 2:

- Supports all capabilities provided under ERL3.
- Supports enhanced proactive initiatives critical to the protection of Navy operational readiness.
- Supports all Navy and DOD policy requirements.
- Supports investments in pollution reduction, compliance enhancement, energy conservation and cost reduction.

d) Environmental Readiness Level 1:

- Supports all capabilities provided under ERL2.
- Supports proactive actions required to ensure compliance with pending/strong anticipated laws and regulations in a timely manner and/or to prevent adverse impact to Navy mission.
- Supports investments that demonstrate Navy environmental leadership and proactive environmental stewardship.

6.2.2 Project Classification

As the INRMP Working Group members define objectives, identify legal drivers, and collaborate to develop land management goals, they can begin to develop a list of projects necessary to implement the INRMP. This list of projects will consist of both “must fund,” compliance-type projects and stewardship-type projects.

“Must fund” conservation requirements are those projects and activities that are required to meet recurring natural and cultural resources conservation management requirements or current legal compliance needs, including EOs. These projects are designated ERL 4 or 3 in the Navy funding classification system, which is described in detail above. “Must fund” or ERL 4 or 3 projects could include:

- a) Developing, updating, and revising INRMPs.
- b) Salaries and annual training of professional personnel, in accordance with Individual Development Plans (IDP), involved in the development and implementation of INRMPs.
- c) Terms and conditions of BOs.
- d) Baseline surveys to keep INRMPs current.
- e) Biological surveys to determine population status of endangered, threatened and sensitive species.
- f) Survey and monitoring programs to support the migratory bird rule.
- g) Wetland surveys for planning, monitoring and/or permit applications.
- h) Erosion control measures required in order to remain in compliance with natural resources protection regulations and to maintain land condition for realistic training operations.
- i) Support of leadership roles or executive agent responsibilities for the Coastal America, Coral Reef Protection, Chesapeake Bay, and Mojave Desert Ecosystem Management Initiative.
- j) Memorandums Of Agreement/Understanding (MOA/MOU) commitments.

This list is not meant to be all-inclusive, rather it is meant to give an indication of the types of projects that could be classified as compliance or must fund projects. The projects that the INRMP Working Group develops will be based on the unique circumstances facing the installation.

INRMPs should also include valid projects and programs that enhance an installation's natural resources, promote proactive conservation measures, and support investments that demonstrate Navy environmental leadership and proactive environmental stewardship. These projects are considered “stewardship” projects and will fall under ERL 1 or 2 in the Navy classification system. Examples of these stewardship-type projects could include:

- k) Community outreach activities, such as Earth Day and Migratory Bird Day activities.

- l) Educational and public awareness projects, such as interpretive displays, oral histories, watchable wildlife areas, nature trails, wildlife checklists, and conservation teaching materials.
- m) Biological surveys or habitat protection for non-listed species.
- n) Management and execution of volunteer and partnership programs.
- o) Demonstration plantings of native plant materials.
- p) Experimental conservation techniques.
- q) Agriculture Outlease improvements.
- r) Forest stand improvements and other management efforts.
- s) Wildlife management efforts.

In addition to this Guidance, the installation natural resource manager should also utilize the Navy Environmental Requirements Guidebook, which assists project originators in preparing environmental program requirement submissions for consideration during the development of the Shore Environmental Quality (EQ) Program Memorandum (POM) or Program Review (PR).

All INRMP projects must be entered into EPR-web and receive approval up the chain of command prior to soliciting any signatures on the INRMP. CNO N45 is the final authority for designating the appropriate ERL.

6.3 Funding Sources

Once validated, and entered into EPR-web, typically, funding for all ERL Level 3 and 4 projects will be programmed. Projects that are ERL 1 and 2 should seek alternate funding sources, which are listed below. Executed funding should be entered into EPR-web. There are restrictions on how different Navy funding sources for natural resources management can be used. It is important, therefore, that appropriate funding sources are used and that EPR entries clearly justify funding requests so that: (1) natural resource funds are distributed wisely and (2) funding levels are not threatened by the use of funds in ways that are inconsistent with funding program rules. The following are the primary funding sources for Navy natural resources programs:

- 1) *O&MN Environmental Funds*. The majority of natural resource projects are funded with Operations and Maintenance, Navy (O&MN) environmental funds. These appropriated funds are the primary source of resources to support must-fund, just-in-time environmental compliance (i.e., Navy ERL 4 projects). O&MN funds are generally not available for Navy Environmental Readiness Level 3 - 1 projects. In addition to the restriction to Environmental Readiness Level 4 requirements, there are other limitations placed on the use of O&MN funds:
 - a) Only the initial procurement, construction, and modification of a facility or project are considered valid environmental funding requirements. The subsequent operation, modification due to mission requirements, maintenance, repair, and eventual replacement is considered a Real Property Maintenance (RPM) funding requirement. For example, the cost of initially installing a best management

practice (BMP) can be funded through O&MN, but future maintenance or repair of that BMP must be paid by RPM funds.

- b) When natural resource requirements are tied to a specific construction project or other action, funds for the natural resource requirements should be included in the overall project costs. For example, if a permit for filling wetlands is required as part of a military construction (MILCON) project, the costs of obtaining the permit and implementing required mitigation should be paid by MILCON funds as part of the overall construction project costs.

2) *Legacy Funds.* The Legacy Resource Management Program (Legacy Program) is a special Congressionally mandated initiative to fund military conservation projects. Although the Legacy Program was originally funded from 1991 to 1996 only, funds for new projects have continued to be available through this program. The Legacy Program can provide funding for a variety of conservation projects, such as regional ecosystem management initiatives, habitat preservation efforts, archaeological investigations, invasive species control, monitoring and predicting migratory patterns of birds and animals, and National partnerships and initiatives, such as National Public Lands Day. If the installation plans to request Legacy Program funds, it should be aware of the following:

- a) The availability of Legacy funds is generally uncertain early in the year.
- b) Pre-proposals for Legacy projects are due in March and submitted using the Legacy Tracker Website: <http://www.dodlegacy.org/>.
- c) Project proposals are reviewed by the Navy chain of command before being submitted to the DOD Legacy Resources Management Office for final project selection.
- d) The Legacy Website provides further guidance on the proposal process and types of projects requested.

3) *Forestry Revenues.* Revenues from the sale of forest products on Navy lands are a source of funding for forestry and potentially other natural resources management programs. Forestry revenues provide funds for two different funding programs:

- a) *Annual Navy Forestry Funds.* These funds support commercial forestry operations at installations. Borrowed from NAVFACENGCOM Headquarters (NAVFAC HQ) O&MN funds at the beginning of each fiscal year, the funds are reimbursed when the forestry revenues are received. The NAVFAC field offices solicit funding needs each year from installations with commercial forestry programs in place. Forestry operations must be commercially viable to be eligible for these funds. The NAVFAC field offices can work with installations to make a work plan, known as an annual increment, for the commercial forestry program and ensure that all funding needs are included. Funding recommendations are forwarded from the field offices to NAVFAC HQ for final approval and disbursement of funds, based on revenue from timber sales.
- b) *DOD Forestry Reserve Account.* Forestry revenues are first used to reimburse commercial forestry expenses. Then, as directed by DOD Financial Management Regulation 7000.14-R Volume 11A, 40 percent of installation net proceeds for the fiscal year are distributed to the state that contains the

installation. The funding is used to support road systems and schools. Once the commercial forestry expenses are reimbursed and a portion of the proceeds are distributed among the state counties, any remaining amount is transferred to a holding account known as the DOD Forestry Reserve Account. Reserve account funds can be used for the following:

- c) Improvement of forest lands;
- d) Unanticipated contingencies in the administration of forest lands and the production of forest products for which other funding sources are not available within an acceptable timeframe (e.g., actions necessary as a result of a storm or wildfire); and
- e) Natural resources management that implements approved plans and agreements. To be eligible for funding, these project must (1) be specifically included in an approved management plan, such as an INRMP, and (2) provide for at least one of the following purposes: fish and wildlife habitat improvements or modifications; range rehabilitation where necessary for support of wildlife; control of off-road vehicle traffic; specific habitat improvement projects and related activities; and adequate protection for species of fish, wildlife, and plants considered threatened or endangered.

Projects included in a) and b) are generally given preference in the allocation of these funds. The amount available through this account varies from year to year, but the amount remaining for natural resources management as described in c) is relatively small. The NAVFAC field offices usually solicit project proposals for the Forestry Reserve Account once there is an indication of the level of funding available (usually January or February). Installations need not harvest timber to be eligible for Reserve Account funds. Proposals are submitted to NAVFACHQ via the field office where they are reviewed and forwarded to the DUSD (I&E) for final selection. The installation should contact a NAVFAC field office or consult reference (f) for more information on funding availability and timelines. It is important to note that these funds may not be used for “must fund” projects.

- 4) *Agricultural Outleasing.* Money collected through the leasing of Navy-owned property for agricultural use is directed back into the natural resources program and reallocated throughout the Navy by NAVFAC HQ. These funds are available to natural resource managers primarily for agricultural outlease improvements, and potentially for natural resources management and stewardship projects once the primary objective is met. Agricultural and grazing leases revenues from agricultural outleasing are available for the following:
 - a) Administrative expenses of agricultural lease (salaries of professional and technical support of the grazing and cropland programs in direct support of agricultural outlease which meet INRMP goals and objectives, training, scientific meetings, parts and supplies);
 - b) Initiation, improvement, and perpetuation of agricultural outleases (increased productivity, reduced soil erosion, and fencing);
 - c) Implementation of INRMP Stewardship Projects (compliance measures should be budgeted from O&MN Conservation POM process).

The NAVFAC field office sends a request for project proposals for agricultural outleasing funds to the regions and installations in November of each year. Proposals are submitted to the field office and reviewed. Recommended projects are forwarded to NAVFAC HQ for final review and project selection. While the available funding varies from year to year, this is one of the more consistent funding sources for implementing INRMP projects that are not Level 1 requirements. The installation should contact the field office for additional information on funding availability and timeline.

- 5) *Fish and Wildlife Fees.* User fees collected for the privilege of hunting, fishing, or trapping will be collected, deposited and used in accordance with the Sikes Act and the DOD financial management regulations. The Sikes Act specifies that user fees collected for hunting, fishing or trapping shall be used only on the installation where collected. Further, collections will be used exclusively for fish and wildlife conservation and management on the installation where collected.

The same fee schedule will be used for all participants with the exception of senior citizens, children and the handicapped. Membership in an installation conservation organization will not give members priority in participating in hunting, fishing and trapping programs. Efforts should be made to utilize the services of the installations MWR function to collect and administer these funds locally in accordance with Sikes Act authorization.

- 6) *Recycling Funds.* An installation with a Qualified Recycling Program (QRP) may use proceeds for some types of natural resource projects. Proceeds must first be used to cover QRP costs. Up to 50 percent of net proceeds may then be used for pollution abatement, pollution prevention, composting, alternative fueled vehicle infrastructure support, vehicle conversion, energy conversion, or occupational safety and health projects, with first consideration given to projects included in the installation's pollution-prevention plans. Remaining funds may be transferred to the non-appropriated MWR account for approved programs, or retained to cover anticipated future program costs. Natural resource projects can be funded as pollution prevention/abatement (e.g., wetlands or riparian forest restoration) or MWR projects (e.g., trail construction and maintenance).
- 7) *Strategic Environmental Research and Development Program (SERDP) Funds:* SERDP is DOD's corporate environmental research and development (R&D) program, planned and executing in full partnership with the Department of Energy (DOE) and Environmental Protection Agency (EPA), with participation by numerous other Federal and non-Federal organizations. SERDP funds for environmental and conservation are allocated through a competitive process. Within its broad areas of interest the SERDP focuses on Cleanup, Compliance, Conservation, and Pollution Preventions technologies. The purpose of the conservation technology program is to use research and development to provide improved inventory and monitoring capabilities; develop more effective impact and risk assessment techniques; and

provide improved mitigation and rehabilitation capabilities. Recently, the program solicited Statements of Need for conservation technology proposals to research indicators of stress on threatened and endangered species and to develop techniques to inventory and monitor threatened and endangered species in accessible areas.

- 8) *Non-DOD Funds.* Many grant programs are available for natural resources management projects, such as watershed management and restoration, habitat restoration, and wetland and riparian area restoration. When Federally funded, these programs typically require non-Federal matching funds. However, installations may partner with other groups to propose eligible projects. Below is one example of a grant program:
- a) The Five-Star Restoration Challenge Grants Program is sponsored by the National Association of Counties, National Association of Service and Conservation Corps, National Fish and Wildlife Foundation, and Wildlife Habitat Council in cooperation with EPA, NMFS, and other sponsors. This program provides modest financial assistance (\$5,000–\$20,000) on a competitive basis to support community-based wetland and riparian restoration projects that build diverse partnerships and foster local natural resource stewardship. Installations would need to partner with other groups to be eligible for this type of program. Applications are due in March. Information is available on the Web at <http://www.epa.gov/owow/wetlands/restore/5star/>. INRMPs should include valid Class 2 and 3 projects and actions that would enhance an installation's natural resources. Nontraditional sources of funding for natural resources programs include non-appropriated reimbursable funds (i.e., agricultural outleasing, forestry, hunting and fishing fees), and appropriated reimbursable funds (e.g., DOD Legacy Program, U.S. Department of Agriculture (USDA) Pest Management Program). These accounts are sources of funds for Class 3 projects. Installations, however, should not depend on reimbursable programs to fund their natural resources management programs.

6.4 Commitment

Formal adoption of an INRMP by a Regional Commander or Installation Commanding Officer constitutes a commitment to seek funding and execute, subject to the availability of funding, all Level 4 projects and activities in accordance with specific timeframes identified in the INRMP.

6.5 Use of Cooperative Agreements

A Cooperative Agreement is used to acquire goods or services or stimulate an activity undertaken for the public good. Use of cooperative agreements requires substantial involvement between the Federal agency and recipient during performance of the activity. Sikes Act Cooperative agreements may be used to accomplish work identified

in the INRMP and may be entered into with states, local governments, non-governmental organizations, and individuals to provide for the maintenance and improvement of natural resources or to benefit natural resources research on DOD installations. Cooperative Agreements authorized by the Sikes Act are not subject to the provisions of the Federal Grant and Cooperative Agreement Act, but must comply with the procedural requirements of the DOD Grant and Cooperative Agreement Regulations. Funds approved for a particular fiscal year may be obligated to cover the costs of goods and services provided under a Cooperative Agreement during any 18-month period beginning in that fiscal year in accordance with the Sikes Act. Using cooperative agreements to accomplish projects is an efficient means to implement INRMPs and can be administered through the NAVFAC field offices.

7.0 Procedures

7.1 INRMP Preparation, Revision, and Coordination

The need to prepare an INRMP is determined by the installation commander and approved by CNIC. Within 12 months of the release of this Guidance, CNIC will evaluate the need for an INRMP at all installations that currently do not have an INRMP. Following this initial evaluation, installations that do not maintain an INRMP will undergo reevaluation by CNIC every five years.

An installation that currently has an INRMP is not required to revise the document within a specific time interval. An installation is required to conduct informal INRMP reviews each year and formal INRMP reviews every five years with USFWS and state partners. During these reviews, it may be determined that an installation's current INRMP is effective and is not in need of revision. With agreement from USFWS and state partners, thorough written documentation of the annual informal reviews may be used to substitute for the five-year formal review, thereby reducing the demands on installation commanders. In addition, minor changes can be made to the INRMP following annual reviews that will prevent the need for a more costly and time-consuming revision following the five-year review. Therefore, it is the Navy's intent that each installation fully document annual reviews and work with USFWS and state partners to utilize the annual review process to meet the five-year formal review requirement whenever possible.

An annual review with USFWS and state partners shall verify that:

- a) All ERL 4 projects and activities have been budgeted for and implementation is on schedule.
- b) All required trained natural resources positions are filled or in the process of being filled.
- c) Projects and activities for the upcoming year have been identified and included in the INRMP (an updated project list does not necessitate revising the INRMP).

- d) All required coordination has occurred.
- e) All significant changes to the installation's mission requirements or its natural resources have been identified.

Certain developments may necessitate an INRMP revision. These developments include, but are not limited to the following:

- a) A change in mission requirements or intensity of land use.
- b) Significant change in natural resource baseline condition. For example, a substantial change in population for a listed species or a new invasive species.
- c) Old INRMP has proven inadequate, was unable to be implemented, or monitoring has shown projects to be ineffective in meeting natural resource management goals.
- d) Natural resource management goals have changed or planning horizon of previous INRMP has expired.
- e) BRAC actions.

If any such developments are currently taking place at an installation or are predicted to take place in the near future, they should be brought to the attention of USFWS and state partners during the review process.

Necessary INRMP modifications and updates that are identified during an annual review can usually be accomplished under the initial EA. Upon presentation of a proposed INRMP update, the NEPA practitioner may consider the proposal as a within-scope modification. Thus, the responsible command would be comparing a proposed revision against the original action as documented (per existing NEPA processes). Under many circumstances, the conclusion may be that the update is not out of scope and the update action is covered by the original NEPA documentation. Proposed INRMP updates with "significant" differences from the original INRMP would call for additional NEPA analysis via revision or new documentation, usually at the EA level.

7.1.1 Assembling the INRMP Working Group

Preparation and/or revision of an INRMP draws from many disciplines and sources. The various internal stakeholders should compose the core of an INRMP working group that drafts and revises the INRMP. It is imperative that a cross-section of land users and land managers take part in INRMP preparation and/or revision in order to meet legal requirements.

Identify a small group of individuals representing the critical interests at the installation to serve as the core of the Working Group. The Group should include representatives from the military operators and trainers and major tenants who use natural resource areas, as well as natural resources managers, facility planners, and environmental counsel. Initially, the Working Group identifies mission and supporting land uses, legal and guidance drivers, and natural resources management goals and develops natural

resources management courses of action and monitoring. The Group should agree on the purpose of the planning process, underlying assumptions, a protocol for meetings, legal review, the role of stakeholders, and command support for conservation priorities and strategies. Effective leadership is important and should therefore be the responsibility of the Commanding Officer or Officer-in-Charge (OIC) of the installation. If the group is too large or contentious, the installation should consider using a facilitator.

The Working Group should comprise, but not be limited to, the following:

- a) Managers of military operations/training activities;
- b) Environmental managers;
- c) Facility Planning staff;
- d) Regional Environmental staff;
- e) Federal and state agencies (at a minimum the USFWS and/or NMFS, state fish and game departments);
- f) Agricultural lessees;
- g) Recreational groups;
- h) Environmental and conservation groups involved in local conservation activities;
- i) Federally Recognized Indian Tribes and tribal interest groups, as appropriate;
- j) Neighboring land owners;
- k) Local government planning groups;
- l) Scientists with expertise relevant to installation ecosystems.

This is not a comprehensive list and the group membership should be tailored to the installation's situation. In many cases it is appropriate to involve NMFS as a primary stakeholder, much the same as with USFWS. The installation should identify the key stakeholders and determine the level of interest of each. All appropriate internal and external stakeholders must be advised of the intent to prepare or revise an INRMP within 30 days of starting such an action. When providing this notification to USFWS and state fish and wildlife agencies, the installation shall concurrently request that USFWS and state fish and wildlife agencies participate in the development or revision of the INRMP. In order to ensure stakeholder involvement, the installation can hold a meeting with stakeholders to discuss its initial concepts, learn about stakeholder viewpoints, and articulate the Navy's intention to include stakeholders throughout the process. Another way the installation can ensure stakeholder involvement is to arrange specific interviews to obtain stakeholder input. Involvement with stakeholders may require a substantial time investment, but it is a critical part of the planning process.

7.1.2 Cooperative Preparation Requirement

The installation must invite USFWS and/or NMFS and the state fish and wildlife agency to participate cooperatively in the INRMP's scoping, design, and preparation. Although not required by statute, it is expected that the entire INRMP will be developed in cooperation with these agencies - not just those portions of the INRMP that specifically

address fish and wildlife conservation and management. This will serve to inform these offices about the DOD mission, invite them to consider solutions to difficult resource management problems, and expedite final INRMP coordination. The comment period for the draft INRMP should not be the first opportunity the USFWS and state fish and wildlife agency has had to provide input into the INRMP. Instead, the review period for the draft INRMP should give the USFWS and state agencies an opportunity to make sure that their concerns have been addressed in the document.

7.1.3 Format for Navy INRMPs

Navy INRMPs are to follow a standard format. Standardization is to assist with chain of command and regulatory agency review. The format for Navy INRMPs is being changed as the result of lessons learned over the last several years. Feedback from various state and USFWS partners, as well as those inside the Navy chain-of-command that prepare and review INRMPs, have suggested that a standardized format would be beneficial. All INRMPs will now be required to follow the standard format described in Appendix D. Furthermore, all Navy INRMPs will be prepared utilizing the electronic template found on the Data Call Station INRMP Builder. This includes all INRMPs whether prepared in-house, through a Cooperative Agreement, or by contract.

The INRMP Builder is available online through the NAVFAC Natural Resources Data Call Station, available at <https://clients.emainc.com/navfac/index.htm>. The electronic template has been designed to accommodate all varieties of INRMPs. If a specific template section is not applicable to your situation, it can simply be skipped or annotated with "N/A." One of the most important components of the electronic template is the INRMP Project Table. The Project Table has been linked directly to EPR-web to ensure that all INRMP projects are submitted appropriately. Special care must be taken to develop the Project Table accurately and completely.

7.1.4 Specific Coordination and Documentation

Involvement of stakeholders is a critical part of the planning process. Their input may provide valuable information that can be used in developing management strategies. Also, addressing stakeholder concerns early in the INRMP development process will save time during the final stages of INRMP preparation/revision. The installation should use the following guidelines when describing stakeholder coordination in its INRMP:

- 1) "Mutual agreement" with respect to those elements of the INRMP concerning the conservation, protection, and management of fish and wildlife resources (see Section 3.3) shall be presumed only upon receipt of written concurrence on those elements of the INRMP from:
 - a) The USFWS Regional Director (For installations in California and Nevada, the Manager of the California/Nevada Operations office will coordinate on INRMPs).
 - b) The Director of the appropriate state fish and wildlife agency
 - c) The installation commander.

- 2) The INRMP Title page shall include a signature block for the installation commanding officer, installation natural resources manager/coordinator, regional commander, or the NAVFAC field office natural resources manager, when serving as the primary advisor to the CO on natural resource issues, to reflect concurrence and acceptance of the Plan.
- 3) An MOU among the installation, USFWS, and the state may be used to address the responsibilities, expectations, and commitments of the partners. The MOU or signatures of the appropriate USFWS and state officials on the INRMP title page will satisfy the Sikes Act mutual agreement requirement. In addition, letters of endorsement from the USFWS and state can be put in the INRMP appendix to indicate concurrence and mutual agreement.

Once identified, a plan of action should be developed and implemented to collect the partners' concerns and comments on INRMP development and preparation and/or revision. This collection of comments is analogous to the scoping process followed during NEPA compliance. As such, stakeholder comments can be collected via a formal meeting (e.g., a formal scoping meeting), through one-on-one interviews, or through written comment. This collection of external stakeholder inputs will likely be the first time that the intentions of the Navy regarding natural resources management will be made known.

7.1.5 Consultation with Federally Recognized Indian Tribes

The Navy installation must consult with Federally recognized Indian tribes whose interests may be affected by INRMP implementation. Natural resource management can affect traditional subsistence and medicinal resources as well as the character of sacred and religious sites. Tribes may need to be consulted on issues as diverse as timber thinning, prescribed burning, recreational access to DON lands, view issues, and agricultural practices. Some tribal groups may have access to fish, game, and other resources guaranteed by treaty on or adjacent to Navy-owned lands and may need to be consulted regarding the effects of Navy land management on these resources. The INRMP may also need to address management of specific game and plant species that are culturally important to American Indian tribes (e.g., herbicide use in gathering areas, and site access).

7.1.6 Coordination Timelines

The installation must invite USFWS and the state fish and wildlife agency to participate cooperatively in INRMP scoping, design, and preparation. The following timeline is suggested for coordination throughout the INRMP process.

- 1) The installation shall advise all appropriate internal and external stakeholders of the intent to prepare or revise the INRMP within 30 days of starting such an

action. When providing this notification to USFWS and state fish and wildlife agencies, the installation shall concurrently request that the USFWS and state fish and wildlife agencies participate cooperatively in the scoping, design, and preparation/revision of the INRMP. In addition, a request for the number of copies and the preferred form of transmittal of the draft, draft final, and final INRMP shall be made.

- 2) The installation shall notify appropriate USFWS and state fish and wildlife offices of its intent to provide a draft INRMP for review and coordination at least 60 days prior to delivering such document.
- 3) The installation shall provide the public with a meaningful opportunity to review and comment upon the initial draft INRMP and initial draft INRMP revision (other than minor technical amendments). Concerning the length of public review, barring extraordinary circumstances, the public should be afforded a minimum of 30 days to review and comment.
- 4) The installation shall send an initial draft INRMP to the USFWS field office and state fish and wildlife agency office for review and comment. A copy of the forwarding letter shall be sent to the Sikes Act Coordinator at the USFWS regional office to inform the USFWS that the review process has begun.
- 5) The installation shall request a written acknowledgement of the receipt of the draft INRMP within 15 days of its arrival.
- 6) The USFWS field office will provide written comments to the installation and to the state fish and wildlife agency director's office and will furnish copies of the letter to the Sikes Act Coordinator at the USFWS regional office.
- 7) The state fish and wildlife office will provide written comments to the installation and furnish copies of the letter to the Sikes Act Coordinator at the FWS regional office.
- 8) The installation shall consider all comments received and shall send a final draft of the INRMP to the FWS regional office and the state director's office with a letter documenting the actions taken on the draft comments. The installation shall furnish a copy of the letter to the FWS field office.
- 9) The installation shall request that the USFWS and the state director provide an opportunity for all appropriate offices and divisions to review the final draft INRMP within 60 days of receipt, unless the participants mutually agree upon a longer review period because the installation has a particularly large or complex INRMP. The installation shall also request written concurrence from the USFWS Regional Director or California/Nevada Operations office (for installations in California and Nevada) and the appropriate Director for state fish and wildlife agency at this time. Written concurrence will constitute "Mutual Agreement."

If after 120 days final comments are not received from the appropriate state and USFWS offices, the installation should request an expedited review of its INRMP. The installation should submit a written request to the USFWS and to the director of the appropriate state fish and wildlife agency, as required.

7.1.7 Distribution of Final INRMPs

The natural resources manager shall ensure that electronic copies of the final INRMP are distributed to all INRMP working group members and stakeholders. The installation should consider the costs associated with producing INRMP copies when developing the government cost estimate for INRMP development and revisions. Electronic copies of all final INRMPs and environmental documentation should also be sent to:

- a) Chief of Naval Operations, N45
- b) Commander Naval Installations
- c) Fleet Forces Command/COMPACFLEET or other BSOs
- d) NAVFACENGCOM Headquarters

NAVFAC will post copies of all INRMPs and associated NEPA documents on the Natural Resources Data Call Station. The installation natural resources manager is encouraged to study other INRMPs to learn more about management techniques. Posting the INRMP will also contribute to a library of INRMP information that facilitates information exchange among INRMP stakeholders. The Data Call Station INRMP Library will also serve as a source for baseline data to fuel the production of NEPA and other planning documents, Biological Assessments, and outreach materials.

7.2 Generating INRMP Project Proposals

The INRMP must list and describe projects in sufficient detail to determine project priority, schedule, and fund source planning and implementation requirements. Many INRMP projects are associated with a legal driver and are appropriately funded through the CNO POM/Program Review Baseline Assessment Memorandum (PR BAM) process. The Navy's Environmental Requirements Guidebook (Chapter 12, Natural Resources Requirements, see reference (m)) will help estimate costs and determine the class/level for compliance projects (see Section 10).

All INRMP projects must be accounted for in the EPR-web system. If all INRMP projects are entered in EPR-web, all INRMP conservation project requirements will automatically be submitted for consideration and tracked during the development of the Shore Environmental Quality (Shore EQ) program Baseline Assessment Memorandum (BAM) and annual review process. It is mandatory that all conservation, compliance, and stewardship projects be entered into the EPR-web process in order to receive proper chain of command review and to report total conservation requirements to DOD. All readiness levels will be reported to DOD; however, projects earmarked for separate stewardship funding will not be considered within the Environmental O&MN funding program.

The process of entering projects has been automated through the INRMP Builder. This electronic template for developing and updating an INRMP will guide the installation natural resource manager through the INRMP-building process, allowing the manager to simultaneously build an INRMP project table and enter each project into EPR-web

(<https://eprportal.cnrnw.navy.mil/logon.aspx>), the Navy's system for submitting environmental funding requests. The INRMP Builder may be accessed at the NAVFAC Natural Resources Data Call Station, available at: <https://clients.emainc.com/navfac/index.htmh>

It is important to maintain current project information in the Natural Resources Data Call Station, which will be used to monitor/measure INRMP implementation and other measures of merit. Project information should be updated a minimum of two times per year.

7.3 Reporting INRMP Conservation Metrics to Chain of Command

The Secretary of Defense is required by the SAIA to submit a report to Congress by 1 March annually, detailing the number of INRMPs in effect, the amounts expended on conservation activities pursuant to the INRMPs, and an assessment of the extent to which the INRMPs comply with the SAIA. DOD has established the following formal measures of merit to produce the end-of-year Interim Progress Review (IPR) and annual Environmental Quality Report (EQR) to Congress to meet both internal and Congressional requirements:

- a) The installation name and state.
- b) The year the most recent INRMP was completed or revised.
- c) Date of next planned revision.
- d) Was the INRMP coordinated with the appropriate military trainers and operators?
- e) Were projects added to the INRMP as a result of comments from military trainers and operators?
- f) Has annual feedback been requested from military trainers and operators?
- g) Has annual feedback been received from military trainers and operators?
- h) Were segments of the INRMP concerning the conservation, protection, and management of fish and wildlife resources agreed to by the USFWS Regional Director (USFWS coordination)?
- i) Were projects added to the INRMP as a result of USFWS comments?
- j) Has annual feedback been requested from the USFWS?
- k) Has annual feedback been received from the USFWS?
- l) Were segments of the INRMP concerning the conservation, protection, and management of fish and wildlife resources agreed to by the state fish and wildlife agency Director (state coordination)?
- m) Were projects added to the INRMP as a result of state comments?
- n) Has annual feedback been requested from the state fish and wildlife agency?
- o) Has annual feedback been received from the state fish and wildlife agency?
- p) Does the INRMP contain a list of projects necessary to meet plan goals and objectives, as well as timeframes for implementation of any such projects?
- q) Funding requirements in reporting FY to implement the INRMP:
 - a. Amount required for Class 0 and 1 projects
 - b. Amount funded for Class 0 and 1 requirements
 - c. Amount unfunded for Class 0 and 1 requirements

- d. Amount funded for Class 2 and 3 projects.
- e. Amount unfunded for Class 2 and 3 projects
- r) List of unfunded Class 0 and 1 projects greater than \$50,000
- s) Did the installation seek public comment on the draft INRMP?
- t) Were projects added to the INRMP as a result of public comments?

This information is obtained through the Natural Resources Data Call Station and provided to Assistant Secretary of the Navy (ASN) via CNIC and CNO N45 for submission to DOD by 15 October annually.

In addition to the measures of merit described above, installations shall use the web-based Metrics Builder tool on the Natural Resources Data Call Station to provide Deputy Assistant Secretary of the Navy (Environment) (DASN(E)) with data on installation performance, as described in Section 4.4.

7.4 Tracking Project Implementation

It is imperative that the installation continues to report on INRMP projects after their approval. Follow-up reporting will include the date funds were received at the installation and the progress made towards completion of the project. This information should be recorded at the annual INRMP review via the Metrics Builder.

8.0 Responsibilities

The responsibility for development, revision, and implementation of INRMPs is shared at every level among many different command elements. Ultimate responsibility for INRMPs will now rest with CNIC for CNIC installations and other BSOs as appropriate. The roles and responsibilities described below are related to INRMP development and implementation. The overall roles and responsibilities for Navy natural resources management are described in detail in the OPNAVINST 5090.1B.

8.1 Chief of Naval Operations Environmental Readiness Division

CNO shall serve as principal leader and overall Navy program manager for the development, revision, and implementation of INRMPs and shall:

- a) Provide policy, guidance, and resources for the development, revision, and implementation of INRMPs and associated NEPA documents.
- b) Represent the Navy on issues regarding development and implementation of INRMPs and delegate responsibility in writing.
- c) Resolve high-level conflicts associated with development and implementation of INRMPs.
- d) Approve all INRMP projects before INRMPs are submitted to regulatory agencies for signature.

8.2 Commander Navy Installations

CNIC shall ensure that installations under their command develop, revise, and implement INRMPs if required, and shall:

- a) Ensure that this Guidance is utilized by installations to develop, revise, and implement INRMPs.
 - a. Within 12 months of the release of this Guidance, evaluate the need for an INRMP at all installations that currently do not have an INRMP.
 - b. Following the initial evaluation, reevaluate all remaining installations that do not have an INRMP every five years.
- b) Ensure that installations comply with DOD, DON, and CNO policy on INRMPs and associated NEPA document preparation, revision, and implementation.
- c) Ensure the programming of resources necessary to maintain and implement INRMPs, which involves:
 - a. The review of and endorsement of projects recommended for INRMP implementation prior to submittal for signature.
 - b. The evaluation and validation of EPR-web project proposals.
- d) Participate in the development and revision of INRMPs, which involves the maintenance of a close liaison with N45, NAVFAC, and other budget submitting offices.
- e) Provide overall program management oversight for all natural resources program elements.

8.3 Regional Commanders

Regional Commanders shall:

- a) Ensure that installations comply with DOD, DON, and CNO policy on INRMP and associated NEPA document preparation, revision, and implementation.
- b) Ensure that installations under their control undergo annual informal reviews as well as formal five-year evaluations.
- c) Ensure the programming of resources necessary to maintain and implement INRMPs, which involves:
 - a. The evaluation and validation of EPR-web project proposals.
 - b. The funding of installation natural resources management staff.
- d) Participate in the development and revision of INRMPs, which involves:
 - a. Maintenance of a close liaison with the local/regional USFWS and appropriate state fish and wildlife Agency and other INRMP stakeholders.
 - b. Endorsement of the INRMP by Regional Commander signature.

8.4 Other Budget Submitting Offices

Other land-holding budget submitting offices shall ensure that impacts on military operations testing and training are properly addressed in INRMPs to ensure no net loss of military capabilities by:

- a) Designating a responsible party to participate as a stakeholder in the development, revision, and implementation of INRMPs.
- b) Ensure the programming of resources necessary to maintain and implement INRMPs, which involves:
 - a. The review of and endorsement of projects recommended for INRMP implementation.
 - b. The evaluation and validation of EPR-web project proposals.
 - c. The funding of installation natural resources management staff.

8.5 Commander Naval Facilities Engineering Command and Field Offices

NAVFAC shall serve as the technical and contracting support command to N45, CNIC, regions, and installations. NAVFAC and their field offices shall, as requested by the above commands:

- a) Provide technical and contractual support to Regional and Installation Commanders for the preparation, development and implementation of INRMPs and associated NEPA documents.
- b) Facilitate and coordinate the issuance of INRMP related NEPA documentation.
- c) Represent and/or assist N45 with the Sikes Act Coordination Group.
- d) Evaluate and disseminate information concerning new technology, methods, policies, and procedures for use in the development and implementation of INRMPs.
- e) Assist with the development of the INRMP Project Implementation Table, EPR and Legacy project proposals.
- f) Provide technical and administrative guidance for the development and execution of contracts and cooperative agreements to develop and implement INRMPs.
- g) Facilitate the acquisition of INRMP “mutual agreement” between the Navy, USFWS, and state fish and wildlife agencies.
- h) Facilitate resolution of conflicts between the Navy, USFWS, and state fish and wildlife agencies and other stakeholders if necessary.

Independent of command requests, NAVFAC shall:

- a) Provide technical oversight and resources for forest management and agricultural outlease projects.
- b) Provide technical oversight and budget approval of installation fish and wildlife/hunting and fishing fee and permit projects.

- c) Compile, track, and maintain INRMP metrics on the Natural Resources Data Call Station.
- d) Review and sign INRMPs via FAC/FEC Natural Resources Managers to ensure technical sufficiency.

8.6 Installation Commanding Officers or Officers-in-Charge

Installation Commanding Officers or Officers-in-Charge shall ensure the preparation, completion, and implementation of INRMPs and associated NEPA documentation for their installations and should systematically apply the conservation practices set forth in the Plans. Their role is to:

- a) Act as stewards of natural resources under their jurisdiction and integrate natural resources requirements into the day-to-day decision-making process.
- b) Ensure natural resources management and INRMPs comply with all natural resources-related legislation; EOs and Executive Memorandums; and DOD, SECNAV, DON, and CNO directives, instructions, and policies.
- c) Involve appropriate tenant, operational, training, or R&D commands in the INRMP review process to ensure no net loss of military mission.
- d) Designate a Natural Resources Manager/Coordinator responsible for the management efforts related to the preparation, revision, implementation, and funding for INRMPs, as well as coordination with subordinate commands and installations.
- e) Involve appropriate Navy Judge Advocate General (JAG) or Office of the General Counsel (OGC) Legal Counsel to provide advice and counsel with respect to legal matters related to natural resources management and INRMPs.
- f) Endorse INRMPs via Commanding Officer signature.

9.0 References

- a) Sikes Act Improvement Act of 1997(16 U.S.C. 670(a) *et seq.*), including all amendments, up to and including PL 105-85, the Sikes Act Improvement Amendments of 1997.
- b) DODINST 4715.3 of 3 May 1996, Environmental Conservation Program.
- c) OPNAVINST 5090.1B Change 3 of 17 October 2002, Environmental and Natural Resources Program Manual (Chapter 22: Natural Resources Management).
- d) Deputy Under Secretary of Defense (I&E) Memorandum, 10 October 2002, Implementation of Sikes Act Improvement Act: Updated Guidance with Attachment (see Appendix B).
- e) Commandant of the Marine Corps Letter, 12 May 2003, Integrated Natural Resources Management Planning Guidance.

- f) Naval Facilities Engineering Command (NAVFACENGCOM) Natural Resources Management Procedural Manual, P-73, Vol. II of May 1987.
- g) NAVFACENGCOM Real Estate Procedural Manual, P-73, Volume 1 of September 1989.
- h) Assistant Secretary of the Navy (Installation & Environment) Memorandum of 12 August 1998, Department of the Navy (DON) Policy Memorandum 98-06: Review of INRMPs Under the National Environmental Policy Act (NEPA).
- i) CNO Letter of 30 November 1998, Guidance on Preparing NEPA Documents for INRMP.
- j) Conserving Biodiversity on Military Lands—A Handbook for Natural Resources Managers, 1996.
- k) USFWS Memo of 8 June 2001 on Guidance for Coordination on DOD Sikes Act INRMPs.
- l) CNO N4 Memo of 30 Oct 2002, Procedures for Introducing/Actively Attracting Endangered Species onto Navy Property.
- m) Navy Environmental Requirements Guidebook Updated Fiscal Year 2002 (see http://155.252.252.6/wrs/guidebook/WRSGB_TOC.HTM).
- n) *Resources for INRMP Implementation: A Handbook for the Natural Resources Manager* from the Legacy Resource Management Program, January 2002.

APPENDIX A: DOD INRMP GUIDANCE

When and How to Prepare and Revise INRMPs

Legislative Language

The Secretary of each military department must “prepare and implement an INRMP for each military installation in the United States . . . unless the Secretary determines that the absence of significant natural resources on a particular installation makes preparation of such a plan inappropriate.” (Per Section 101(a)(1)(B) of the Sikes Act.)

The Secretary of each military department must prepare and begin implementing INRMPs for those installations where an INRMP is appropriate by November 18, 2001. In the case of any installation for which there was in effect a cooperative plan under Section 101(a) of the Sikes Act as of November 17, 1997, the Secretary of each military department may “complete negotiations with the Secretary of the Interior and the heads

of the appropriate state agencies regarding changes to the plan that are necessary for the plan to constitute an INRMP.” (Per Section 2905(c) of the SAIA.)

House Report 105-340 states that “The conferees intend that the plans that meet the criteria established under this provision should not be subject to renegotiation and re-accomplishment.”

Each plan must be reviewed “on a regular basis, but not less often than every five years.” (Per Section 101(b)(2) of the Sikes Act.)

DOD Policy

All installations that require INRMPs must complete and begin execution of new SAIA-compliant INRMPs by November 18, 2002.

All INRMPs must be reviewed annually by the DOD installation with the cooperation of USFWS and the state fish and wildlife agency. Annual reviews must verify that:

Current information on all conservation metrics is available. All “must fund” projects and activities have been budgeted for and implementation is on schedule. All required trained natural resources positions are filled or are in the process of being filled. Projects and activities for the upcoming year have been identified and included in the INRMP. An updated project list does not necessitate revising the INRMP. All required coordination has occurred. All significant changes to the installation’s mission requirements or its natural resources have been identified.

All INRMPs must be revised, if necessary, at intervals of not more than 5 years, and more frequently if warranted by significant changes to the installation’s mission requirements or its natural resources.

How to Accommodate Public Access

Legislative Language

Section 101(b)(1)(G) of the Sikes Act states that each INRMP must provide, to the extent appropriate and applicable, for public access to military installations that is necessary or appropriate for the “sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of fish-and-wildlife resources” and “subject to requirements necessary to ensure safety and military security.”

DOD Policy

Policies articulated in DOD Instruction 4715.3 apply. This document states, in part, that:

“The principal purpose of DOD lands and waters is to support mission-related activities. Those lands and waters must be made available to the public for

educational or recreational use of natural and cultural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness. Opportunities for such access must be equitably and impartially allocated. INRMPs and integrated cultural resource management plans must describe areas appropriate for public access.” American Indians must have reasonable access to DOD sites and resources that are of religious importance, or that are important to the continuance of their cultures, or where treaties allow.

How to Address “No Net Loss” Capability of Military Lands to Support Mission Requirements

Legislative Language

Section 101(b)(1)(I) of the Sikes Act states that each INRMP must, to the extent appropriate and applicable, and consistent with the use of the installation to ensure the preparedness of the Armed Forces, provide for “no net loss in the capability of military installation lands to support the military mission of the installation.”

DOD Policy

Appropriate management objectives to protect mission capabilities of installation lands (from which annual projects are developed) should be clearly articulated in the planning process and should be high in INRMP-resourcing priorities. The effectiveness of the INRMP in preventing “net loss” must be evaluated annually. Mission requirements and priorities identified in the INRMP must, where applicable, be integrated in other environmental programs and policies. It is not the intent that natural resources are to be consumed by mission requirements, but sustained for the use of mission requirements. To achieve this, environmental programs and policies must have the goal of preserving the environment for the purpose of the mission.

There may be, however, instances in which a “net loss” may be unavoidable to fulfill regulatory requirements other than the Sikes Act, such as complying with a Biological Opinion under the provisions of the ESA or the protection of wetlands under the provisions of the Clean Water Act. Loss of mission capability in these instances will be identified in the INRMP and a discussion included of measures being undertaken to recapture the net loss.

When to Prepare INRMPs for Closed or Closing Bases

Legislative Language

Section 101(1)(C) of the Sikes Act defines a “military installation” so that closed or closing bases under the Defense Base Closure and Realignment Act of 1990, as amended (Public Law 101-510) are *not* included.

DOD Policy

INRMPs as defined by the SAIA are not required for closed and closing bases. Many closing installations, however, should retain existing plans in place to cover appropriate natural resources management issues that will require ongoing active management during the closure process. These plans need not be revised during the closure process. Each Military Service must provide a separate annual list of its installations that require this level of management.

Funds Authorization for 18 Months for the Cost of Goods and Services Provided under a Cooperative Agreement

Legislative Language

Section 103a(b) of the Sikes Act states that funds appropriated to DOD for a particular fiscal year may be obligated to cover the cost of goods and services provided under a cooperative agreement during any 18-month period beginning in that fiscal year.

DOD Policy

This authorization facilitates the execution of seasonal conservation projects that are funded through cooperative agreements. The terms of Section 103a authorize the obligation of current fiscal year funds under the provisions of a cooperative agreement for 18 months from the date that the cooperative agreement is executed. DOD Components should develop policies that delegate cooperative agreement authority to the installation level and convey the authority to obligate funds beyond the current fiscal year.

Authorizing Cooperative Agreements for Land Management on DOD Lands

Legislative Language

Section 103a(a) of the Sikes Act states that the Secretary of a military department may enter into cooperative agreements with state and local governments, nongovernmental organizations, and individuals to provide for the maintenance and improvement of natural resources on or to benefit natural and historical research on military installations.

DOD Policy

This authorization is intended to facilitate the acquisition of ecological services on military installations, to include monitoring and the transfer of funds for services provided.

APPENDIX B: THE SIKES ACT AS AMENDED BY PUBLIC LAW 108-136, THE NATIONAL DEFENSE AUTHORIZATION ACT OF 2004

An Act to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations, approved September 15, 1960, commonly referred to as the “Sikes Act.”

TITLE 16 - CONSERVATION

CHAPTER 5C – CONSERVATION PROGRAMS ON GOVERNMENT LANDS

SUBCHAPTER I – CONSERVATION PROGRAMS ON MILITARY INSTALLATIONS

Sec. 670 [SECTION 1.] SHORT TITLE.

This Act may be cited as the “Sikes Act.”

Sec. 670-1. [SECTION 100.] DEFINITIONS.

In this title:

(1) Military installation. The term “military installation”—

(A) Means any land or interest in land owned by the United States and administered by the Secretary of Defense or the Secretary of a military department, except land under the jurisdiction of the Assistant Secretary of the Army having responsibility for civil works;

(B) Includes all public lands withdrawn from all forms of appropriation under public land laws and reserved for use by the Secretary of Defense or the Secretary of a military department; and

(C) Does not include any land described in subparagraph (A) or (B) that is subject to an approved recommendation for closure under the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510; 10 U.S.C 2687 note).

(2) State fish and wildlife agency - The term “state fish and wildlife agency” means the one or more agencies of state government that are responsible under state law for managing fish or wildlife resources.

(3) United States -The term “United States” means the states, the District of Columbia, and the territories and possessions of the United States.

Sec. 670a. [SECTION 101.] COOPERATIVE PLAN FOR CONSERVATION AND REHABILITATION

(a) Authority of Secretary of Defense.

(1) Program.

(A) In general. The Secretary of Defense shall carry out a program to provide for the conservation and rehabilitation of natural resources on military installations.

(B) Integrated natural resources management plan. To facilitate the program, the Secretary of each military department shall prepare and implement an integrated natural resources management plan for each military installation in the United States under the jurisdiction of the Secretary, unless the Secretary determines that the absence of significant natural resources on a particular installation makes the preparation of such a plan inappropriate.

(2) Cooperative preparation. The Secretary of a military department shall prepare each integrated natural resources management plan for which the Secretary is responsible in cooperation with the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, and the head of each appropriate state fish and wildlife agency for the state in which the military installation concerned is located. Consistent with paragraph (4), the resulting plan for the military installation shall reflect the mutual agreement of the parties concerning conservation, protection, and management of fish and wildlife resources.

(3) Purposes of program. Consistent with the use of military installations to ensure the preparedness of the Armed Forces, the Secretaries of the military departments shall carry out the program required by this subsection to provide for—

(A) The conservation and rehabilitation of natural resources on military installations;

(B) The sustainable multipurpose use of the resources, which shall include hunting, fishing, trapping, and nonconsumptive uses; and

(C) Subject to safety requirements and military security, public access to military installations to facilitate the use.

(4) Effect on other law. Nothing in this title—

(A)(i) Affects any provision of a Federal law governing the conservation or protection of fish and wildlife resources; or

(A)(ii) Enlarges or diminishes the responsibility and authority of any state for the protection and management of fish and resident wildlife; or

(B) Except as specifically provided in the other provisions of this section and in section 102, authorizes the Secretary of a military department to require a Federal license or permit to hunt, fish, or trap on a military installation.

(b) Required elements of the plans - Consistent with the use of military installations to ensure the preparedness of the Armed Forces, each integrated natural resources management plan prepared under subsection (a)--

(1) Shall, where appropriate and applicable, provide for--

(A) Fish and wildlife management, land management, forest management, and fish and wildlife-oriented recreation;

(B) Fish and wildlife habitat enhancement or modifications;

(C) Wetland protection, enhancement, and restoration, where necessary for support of fish or wildlife;

(D) Integration of, and consistency among, the various activities conducted under the plan;

(E) Establishment of specific natural resource management objectives and time frames for proposed action;

(F) Sustained use by the public of natural resources to the extent such use is not inconsistent with the needs of fish and wildlife resources management;

(G) Public access to the military installation that is necessary or appropriate for the use described in subparagraph;

(F), subject to requirements necessary to ensure safety and military security;

(H) Enforcement of natural resource laws and regulations;

(I) No net loss in the capability of military installation lands to support the military mission of the installation;

(J) Such other activities as the Secretary of the military department considers appropriate;

(K) Must be reviewed as to operation and effect by the parties thereto on a regular basis, but not less often than every 5 years; and

(3) May stipulate the issuance of special state hunting and fishing permits to individuals and require payment of nominal fees therefore, which fees shall be utilized for the protection, conservation, and management of fish and wildlife, including habitat improvement and related activities in accordance with the integrated natural resources management plan; except that - a. the Commanding Officer of the installation or persons designated by that Officer are authorized to enforce such special hunting and fishing permits and to collect, spend,

administer, and account for fees for the permits, acting as agent or agents of the state if the cooperative plan so provides, and

(B) The fees collected under this paragraph may not be expended with respect to other than the military installation on which collected, unless the military installation is subsequently closed, in which case the fees may be transferred to another military installation to be used for the same purposes.

(c) Prohibitions on sale and lease of lands unless effects compatible with plan. After an integrated natural resources management plan is agreed to under subsection (a) of this section—

(1) No sale of land, or forest products from land, that is within a military installation covered by that plan may be made under section 2665(a) or (b) of title 10; and

(2) No leasing of land that is within the installation may be made under section 2667 of such title 10; unless the effects of that sale or leasing are compatible with the purposes of the plan.

(d) Implementation and enforcement of integrated natural resources management plans. With regard to the implementation and enforcement of integrated natural resources management plans agreed to under subsection (a) of this section—

(1) Neither Office of Management and Budget Circular A-76 nor any successor circular thereto applies to the procurement of services that are necessary for that implementation and enforcement; and

(2) Priority shall be given to the entering into of contracts for the procurement of such implementation and enforcement services with Federal and state agencies having responsibility for the conservation or management of fish or wildlife.

(e) Applicability of other laws. Integrated natural resources management plans agreed to under the authority of this section and section 670b [Section 102] of this title shall not be deemed to be, nor treated as, cooperative agreements to which chapter 63 of title 31 applies.

(f) Reviews and reports.

(1) Secretary of Defense. Not later than March 1 of each year, the Secretary of Defense shall review the extent to which integrated natural resources management plans were prepared or were in effect and implemented in accordance with this subchapter in the preceding year, and submit a report on the findings of the review to the committees.

Each report shall include--

(A) The number of integrated natural resources management plans in effect in the year covered by the report, including the date on which each plan was issued in final form or most recently revised;

(B) The amounts expended on conservation activities conducted pursuant to the plans in the year covered by the report; and

(C) An assessment of the extent to which the plans comply with this title.

(2) Secretary of the Interior - Not later than March 1 of each year and in consultation with the heads of state fish and wildlife agencies, the Secretary of the Interior shall submit a report to the committees on the amounts expended by the Department of the Interior and the state fish and wildlife agencies in the year covered by the report on conservation activities conducted pursuant to integrated natural resources management plans.

(3) Definition of committees - In this subsection, the term "committees" means--

(A) The Committee on Resources and the Committee on Armed Services of the House of Representatives; and

(B) The Committee on Armed Services and the Committee on Environment and Public Works of the Senate.

(g) Pilot Program for Invasive Species Management for Military Installations in Guam -

(1) Inclusion of Invasive Species Management - During fiscal years 2004 through 2008, the Secretary of Defense shall, to the extent practicable and conducive to military readiness, incorporate in integrated natural resources management plans for military installations in Guam the management, control, and eradication of invasive species--

(A) That are not native to the ecosystem of the military installation; and

(B) The introduction of which cause or may cause harm to military readiness, the environment, or human health and safety.

(2) Consultation - The Secretary of Defense shall carry out this subsection in consultation with the Secretary of the Interior.

Sec. 670b. [Section 102.] MIGRATORY GAME BIRDS; PERMITS; FEES; STAMP ACT AND STATE LAW REQUIREMENTS

The Secretary of Defense in cooperation with the Secretary of the Interior and the appropriate state agency is authorized to carry out a program for the conservation, restoration and management of migratory game birds on military installations, including the issuance of special hunting permits and the collection of fees therefore, in

accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior and the appropriate state agency: Provided, That possession of a special permit for hunting migratory game birds issued pursuant to this subchapter shall not relieve the permittee of the requirements of the Migratory Bird Hunting Stamp Act as amended [16 U.S.C. 718 et seq.] nor of the requirements pertaining to state law set forth in Public Law 85-337.

Sec. 670c. [SECTION 103.] PROGRAM FOR PUBLIC RECREATION

(a) Program authorized - The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military installations in accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense and the Secretary of the Interior, in consultation with the appropriate state agency designated by the state in which the installations are located.

(b) Access for disabled veterans, military dependents with disabilities, and other persons with disabilities--

(1) In developing facilities and conducting programs for public outdoor recreation at military installations, consistent with the primary military mission of the installations, the Secretary of Defense shall ensure, to the extent reasonably practicable, that outdoor recreation opportunities (including fishing, hunting, trapping, wildlife viewing, boating, and camping) made available to the public also provide access for persons described in paragraph (2) when topographic, vegetative, and water resources allow access for such persons without substantial modification to the natural environment.

(2) Persons referred to in paragraph (1) are the following:

(A) Disabled veterans.

(B) Military dependents with disabilities.

(C) Other persons with disabilities, when access to a military installation for such persons and other civilians is not otherwise restricted.

(3) The Secretary of Defense shall carry out this subsection in consultation with the Secretary of Veterans Affairs, national service, military, and veterans organizations, and sporting organizations in the private sector that participate in outdoor recreation projects for persons described in paragraph (2).

(c) Acceptance of donations - In connection with the facilities and programs for public outdoor recreation at military installations, in particular the requirement under

subsection (b) of this section to provide access for persons described in paragraph (2) of such subsection, the Secretary of Defense may accept--

(1) The voluntary services of individuals and organizations; and

(2) Donations of property, whether real or personal.

(d) Treatment of volunteers - A volunteer under subsection (c) of this section shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that--

(1) For the purposes of the tort claims provisions of chapter 171 of title 28, the volunteer shall be considered to be a Federal employee; and

(2) For the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, the volunteer shall be considered to be an employee, as defined in section 8101(1)(B) of title 5, and the provisions of such subchapter shall apply.

Sec. 670c-1. [SECTION 103a.] COOPERATIVE AGREEMENTS FOR LAND MANAGEMENT ON DEPARTMENT OF DEFENSE INSTALLATIONS

(a) Authority of Secretary of a military department. The Secretary of a military department may enter into cooperative agreements with states, local governments, nongovernmental organizations, and individuals to provide for the maintenance and improvement of natural resources on, or to benefit natural and historic research on, Department of Defense installations.

(b) Multiyear agreements. Funds appropriated to the Department of Defense for a fiscal year may be obligated to cover the cost of goods and services provided under a cooperative agreement entered into under subsection (a) of this section or through an agency agreement under section 1535 of title 31 during any 18-month period beginning in that fiscal year, without regard to whether the agreement crosses fiscal years.

(c) Availability of funds; agreements under other laws. Cooperative agreements entered into under this section shall be subject to the availability of funds and shall not be considered, nor be treated as, cooperative agreements to which chapter 63 of title 31 applies.

Sec. 670d. [SECTION 104.] LIABILITY FOR FUNDS; ACCOUNTING TO COMPTROLLER GENERAL

The Department of Defense is held free from any liability to pay into the Treasury of the

United States upon the operation of the program or programs authorized by this subchapter any funds which may have been or may hereafter be collected, received or expended pursuant to, and for the purposes of, this subchapter, and which collections, receipts and expenditures have been properly accounted for to the Comptroller General of the United States.

Sec. 670e. [SECTION 105.] APPLICABILITY TO OTHER LAWS; NATIONAL FOREST LANDS

Nothing herein contained shall be construed to modify, amend or repeal any provision of Public Law 85-337, nor as applying to national forest lands administered pursuant to the provisions of section 9 of the Act of June 7, 1924 (43 Stat. 655), nor section 315m of title 43. Sec. 670e-1.

[SECTION 106.] FEDERAL ENFORCEMENT OF OTHER LAWS

All Federal laws relating to the management of natural resources on Federal land may be enforced by the Secretary of Defense with respect to violations of the laws that occur on military installations within the United States.

Sec. 670e-2. [SECTION 107.] NATURAL RESOURCES MANAGEMENT SERVICES

To the extent practicable using available resources, the Secretary of each military department shall ensure that sufficient numbers of professionally trained natural resources management personnel and natural resources law enforcement personnel are available and assigned responsibility to perform tasks necessary to carry out this subchapter, including the preparation and implementation of integrated natural resources management plans.

SENSE OF CONGRESS REGARDING SECTION 107-

(1) Congress finds the following:

(A) The Department of Defense maintains over 25,000,000 acres of valuable fish and wildlife habitat on approximately 400 military installations nationwide.

(B) These lands contain a wealth of plant and animal life, vital wetlands for migratory birds, and nearly 300 Federally listed threatened species and endangered species.

(C) Increasingly, land surrounding military bases are being developed with residential and commercial infrastructure that fragments fish and wildlife habitat and decreases its ability to support a diversity of species.

(D) Comprehensive conservation plans, such as integrated natural resource management plans under the Sikes Act (16 U.S.C. 670 et seq.), can ensure that

these ecosystem values can be protected and enhanced while allowing these lands to meet the needs of military operations.

(E) Section 107 of the Sikes Act (16 U.S.C. 670e-2) requires sufficient numbers of professionally trained natural resources management personnel and natural resources law enforcement personnel to be available and assigned responsibility to perform tasks necessary to carry out title I of the Sikes Act, including the preparation and implementation of integrated natural resource management plans.

(F) Managerial and policymaking functions performed by Department of Defense on-site professionally trained natural resource management personnel on military installations are appropriate governmental functions.

(G) Professionally trained civilian biologists in permanent Federal Government career managerial positions are essential to oversee fish and wildlife and natural resource conservation programs and are essential to the conservation of wildlife species on military land.

(2) It is the sense of Congress that the Secretary of Defense should take whatever steps are necessary to ensure that section 107 of the Sikes Act (16 U.S.C. 670e-2) is fully implemented consistent with the findings made in paragraph (1).

Sec. 670f. [SECTION 108.] APPROPRIATIONS AND EXPENDITURES

(a) Expenditures exclusively under plans; availability of funds until expended.

The Secretary of Defense shall expend such funds as may be collected in accordance with the integrated natural resources management plans agreed to under sections 670a and 670b of this title and cooperative agreements agreed to under section 670c-1 of this title and for no other purpose. All funds that are so collected shall remain available until expended.

(b) Authorization of appropriations to Secretary of Defense. There are authorized to be appropriated to the Secretary of Defense not to exceed \$1,500,000 for each of the fiscal years 2004 through 2008, to carry out this subchapter, including the enhancement of fish and wildlife habitat and the development of public recreation and other facilities, and to carry out such functions and responsibilities as the Secretary may have under cooperative agreements entered into under section 670c-1 of this title. The Secretary of Defense shall, to the greatest extent practicable, enter into agreements to utilize the services, personnel, equipment, and facilities, with or without reimbursement, of the Secretary of the Interior in carrying out the provisions of this section.

(c) Authorization of appropriations to Secretary of the Interior. There are authorized to be appropriated to the Secretary of the Interior not to exceed \$3,000,000 for each of the fiscal years 2004 through 2008, to carry out such functions and responsibilities as the

Secretary may have under integrated natural resources management plans to which such Secretary is a party under this section, including those for the enhancement of fish and wildlife habitat and the development of public recreation and other facilities.

(d) Use of other conservation or rehabilitation authorities. The Secretary of Defense and the Secretary of the Interior may each use any authority available to him under other laws relating to fish, wildlife, or plant conservation or rehabilitation for purposes of carrying out the provisions of this subchapter.

**APPENDIX C – MEMO AND ATTACHMENT FROM ASSISTANT
SECRETARY OF DEFENSE, ENVIRONMENT, SAFETY AND
OCCUPATIONAL HEALTH ON SUPPLEMENTAL SIKES ACT
GUIDANCE CONCERNING LEASED LANDS**



ACQUISITION
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

MAY 17 2005

MEMORANDUM FOR DEPUTY ASSISTANT SECRETARY OF THE ARMY
(ENVIRONMENT, SAFETY AND OCCUPATIONAL
HEALTH)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ENVIRONMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(ENVIRONMENT, SAFETY AND OCCUPATIONAL
HEALTH)
DIRECTOR, DEFENSE LOGISTICS AGENCY

SUBJECT: Implementation of Sikes Act Improvement Amendments: Supplemental
Guidance concerning Leased Lands

This memo provides supplemental guidance for implementing Sikes Act
Improvement Amendments requirements consistently throughout the Department of
Defense. It adds to implementing guidance dated October 10, 2002 and November 1,
2004 same subject.

The attached guidance covers lands occupied by tenants or lessees or being used by
others pursuant to a permit, license, right of way, or any other form of permission.

These guidelines are effective immediately. If you have any questions, please
contact Mr. Peter Boice at (703) 604-0524.

Alex A. Beehler
Assistant Deputy Under Secretary of Defense
(Environment, Safety and Occupational Health)

Attachment:
As stated

SUPPLEMENTAL GUIDANCE FOR IMPLEMENTATION OF THE SIKES ACT IMPROVEMENT ACT*

Additional Guidance Concerning INRMP Reviews

Scope of the Review

Legislative Language

Section 101(b)(2) of the Sikes Act [16 U.S.C. 670a(b)(2)] states that each INRMP “must be reviewed as to operation and effect by the parties thereto on a regular basis, but not less often than every 5 years.”

DOD Policy

The requirement to “review” the INRMPs “on a regular basis, but not less often than every 5 years” does not mean that every INRMP necessarily needs to be revised. The Sikes Act specifically directs that the INRMPs be reviewed “as to operation and effect,” emphasizing that the review is intended to determine whether existing INRMPs are being implemented to meet the requirements of the Sikes Act and contribute to the conservation and rehabilitation of natural resources on military installations. We expect that many existing INRMPs will be determined to be adequate and not in need of revision.

These reviews must be performed by “the parties.” This means that no less frequently than every 5 years, all three parties to the INRMP must complete a review of the INRMP. Although not expressly required by the Sikes Act, installations should document the outcome of this joint review in a memorandum or letter summarizing the rationale for the conclusions the parties have reached. This written documentation should be jointly executed or in some other way reflect the parties’ mutual agreement.

Although the Sikes Act specifies only that a formal review must be completed no less often than every 5 years, DOD policy requires installations to review INRMPs annually in cooperation with the other parties to the INRMP. Annual reviews facilitate “adaptive management” by providing an opportunity for the parties to review the goals and objectives of the plan, as well as establish a realistic schedule for undertaking proposed actions. Although not required by the Sikes Act, installations will likely find it useful to memorialize these less formal reviews through an exchange of letters or a jointly executed memorandum. These documented annual (or otherwise) reviews may be useful in developing the *ex parte* reports required by Section 101(f) of the Sikes Act, as well as expedite—or, in appropriate cases, substitute for—the more formal 5-year reviews (provided these “regular” reviews are reasonably comprehensive and the written documentation evidences the parties’ mutual agreement).

Public Comment On INRMP Reviews

Legislative Language

Section 2905 of the Sikes Act Improvement Act of 1997 [16 U.S.C. 670a note] required the Secretary of each Military Department to provide the public an opportunity for the submission of comments on the initial INRMPs prepared pursuant to new Section 101(a)(2) of the Sikes Act [16 U.S.C. 670a(a)(2)].

DOD Policy

There is no legal obligation to invite the public either to review or to comment upon the parties' mutually agreed upon decision to continue implementation of an existing INRMP without revision.

If the parties determine that revisions to an INRMP are necessary, public comment shall be invited in conjunction with any required National Environmental Policy Act analysis:

If only limited revisions to an existing INRMP are thought to be required, and these revisions are not expected to result in biophysical consequences materially different from those anticipated in the existing INRMP and analyzed in an existing NEPA document, then neither additional NEPA analysis nor an opportunity for public comment should be necessary.

If more substantial revisions to an INRMP are thought to be required, and these revisions are expected to result in biophysical consequences materially different from those anticipated in the existing INRMP and analyzed in an existing NEPA document, then a new or supplemental NEPA analysis must be prepared and the public provided a reasonable opportunity to comment on the revised INRMP.

Endangered Species Act Consultation

Legislative Language

The Sikes Act is silent regarding the necessity for ESA consultation on INRMPs.

DOD Policy

It is expected that in most cases INRMPs will incorporate by reference the results of an installation's previous species-by-species ESA consultations, including any reasonable and prudent measures that may have been identified in an incidental take statement. As a consequence, neither a separate biological assessment nor a separate formal consultation should be necessary concerning most INRMPs or INRMP revisions. Nonetheless, because the INRMP may include management strategies or other actions designed to balance the potentially competing needs of multiple species, listed or not, it

may be prudent to engage in informal consultation with the Fish & Wildlife Service during the INRMP revision process to confirm that these proposed actions will not affect listed species or designated critical habitat. If the INRMP does include management strategies or other actions that may affect listed species or designated critical habitat and these actions have not been the subject of previous consultations, then Section 7 consultation on these actions will be necessary before the actions may be implemented.

*This guidance should be used in conjunction with OSD policy memo "Implementation of Sikes Act Improvement Act: Updated Guidance, dated October 10, 2002.

APPENDIX D: DOD INRMP TEMPLATE (PROPOSED DRAFT)

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Commander's/Executive Summary

Table of Contents

1. Overview:

- a. Purpose – to develop a plan which integrates installation NR management with the military mission
- b. Scope - to cover all lands, ranges, near shore areas and leased areas
- c. Goals and objectives – summarize goals and objectives
- d. Responsibilities - describe the responsibilities of the stakeholders (including off-base stakeholders, if appropriate) and their roles in the implementation of the INRMP.
- e. Authority – describe the authority behind the INRMP (Sikes Act, applicable DOD and Service policies)
- f. Military Mission - provide concise description of current installation mission
- g. Stewardship and Compliance Discussion – ensure that the definition between stewardship and compliance is clear and tie in the definition of implementation.
- h. Review and Revision Process - briefly discuss Sikes Act and DOD requirements for review and revision. Discuss methodology for keeping INRMPs current via Annual INRMP Reviews. (This may be a boilerplate for all installations.)
- i. Commitment of U. S. Fish and Wildlife Service (FWS) and state - summarize USFWS and state fish and wildlife agency roles in regard to INRMP development, reviews and revisions. [i.e., Per Sikes Act requirements, the USFWS and states agree to cooperate in the development of the INRMP and to review the INRMP as to operation and effect at least once every five years. In addition to the formal five-year review, DOD policy calls for annual INRMP reviews conducted in coordination with the Sikes Act partners.]
- j. Management Strategy – as appropriate, include discussion of ecosystem management and adaptive management

2. Current Conditions and Use:

- a. Installation Information
 - (1) Location Description - general description of where the installation is located.
 - (2) Constraints Map - a map that shows all the areas on the installation where restrictions on training occur, due to natural resources-related issues.

- (3) Opportunities Map (to include potential buffer areas and corridors) - the opposite of a constraints map. Show all the areas where there are little to no restrictions on training. This map should also illustrate potential encroachment partnering areas.
- (4) Operations and Activities – describe operations and activities that may affect the natural environment
- (5) Abbreviated History and Pre-Military Land Use - briefly describe.
- (6) Regional Land Uses - general description of the region land area and uses adjacent to the installation.
- b. General Physical Environment (Concise Summary) - general description of the physical environment that makes up the installation. For example, does it contain prairie, desert, mountainous, etc. Should include basic type map.
- c. General Biotic Environment.
 - (1) Threatened and Endangered Species and Species of Concern - do any T&E species exist on the installation? Include map of Critical Habitat if designated.
 - (2) Wetlands - do wetlands occur on the installation? Include Wetland Delineation Map.
 - (3) Ecosystems - provide a brief description of the different ecosystems that occur on the installation.
 - (4) Fish and Wildlife - a brief description of the sensitive or keystone species of fish and wildlife that are found on the installation. You do not want to start listing all the species found. Special attention should be focused on migratory birds to address our commitments under the Rule and MOU.
 - (5) Vegetation - a brief description of the sensitive or keystone species that exist on the installation. Also include general information on vegetative communities. You do not want to start listing all the species found. Special attention should be focused on invasive species.

3. Environmental Management Strategy and Mission Sustainability:

- a. Cooperative Management – define and describe relative to installation INRMP.
- b. Adaptive Management – define and describe relative to installation INRMP.
- c. Ecosystem Management – define and describe relative to installation INRMP.
- d. Achieving No Net Loss to the Military Mission.
 - (1) Integrated Land Use and Natural Resource Decisions.
- e. Supporting Sustainability of the Military Mission and the Natural Environment.
 - (1) Military Mission and Sustainable Land Use.
 - (2) Defining Impact to the Military Mission.
 - (3) Relationship to Range Complex Management Plan or other operational area plans.
- f. Natural Resources Consultation Requirements – discuss any current or planned consultations (such as: section 7, Essential Fish Habitat, Migratory Bird Rule, etc).
- g. Planning for National Environmental Policy Act (NEPA) Compliance
 - (1) Coordination and Planning for Construction and Facility Maintenance

- (2) Mitigation Planning
 - h. Beneficial Partnerships and Collaborative Resource Planning – discuss existing or potential opportunities.
 - i. Public Access and Outreach
 - (1) Public Access and Outdoor Recreation - describe what public access is available and any restrictions that apply.
 - (2) Public Outreach - describe installation public outreach efforts related to natural resources.
 - j. Encroachment Partnering - discuss encroachment issues that the installation faces.
 - k. GIS Management, Data Integration, Access, and Reporting
 - l. Training of Natural Resource Personnel – discuss requirements, achievements and opportunities.
4. **Program Elements:** Describe applicable elements and integrate goals and objectives here. (Note: all program elements will not apply to all installations across all Services. Use N/A as place holder and perhaps add unique elements to bottom of list.)
- a. Threatened and Endangered Species, Critical Habitat, and Species of Concern;
 - b. Wetlands;
 - c. Fish and Wildlife;
 - d. Forests;
 - e. Vegetation;
 - f. Coastal/Marine;
 - g. Invasive Species;
 - h. Wildland Fire;
 - i. Land Management;
 - j. Floodplains;
 - k. Outdoor Recreation;
 - l. Bird Aircraft Strike Hazard;
 - m. Law Enforcement;
 - n. Agricultural Outleasing;
 - o. Other Leases;
 - p. Migratory Birds;
 - q. Research Needs;
 - r. Use of Geographical Information Systems;
5. **Implementation:** Brief discussion of how the INRMP will be implemented. (Adaptive and flexible part of the INRMP)
- a. Detailed prescriptions that drive the projects, written by the military installation/FWS/state Team – should be in tabular format (as an Appendix) with cost estimates, funding classification, and projected timeframe.
 - b. Environmental Planning and Mission Sustainability

- c. Achieving No Net Loss – describe whether, and if so how, the installation is achieving no net loss of training land through the implementation of the INRMP.
- d. Use of Cooperative Agreements (CA) - discuss CA as tool for implementation of INRMPs and list cooperative agreements the installation is utilizing.
- e. National Environmental Policy Act Compliance – discuss NEPA compliance in relation to this INRMP.
- f. Funding - briefly describe the funding process and INRMP implementation. This is for the benefit of the USFWS, states and public who may not understand how money is requested years in advance.

APPENDICES: (Total number of Appendices will be Service specific, but should include the following)

Appendix A. - List of Projects: A list of all the projects that the installation intends on conducting to implement the INRMP.

Appendix B. - Surveys: Results of Planning Level Surveys should be inserted here.

Appendix C. - Research Requirements

Appendix D. - Critical Habitat Issues

Appendix E. - Migratory Bird Management

APPENDIX E: LAWS AND REGULATIONS IN THIS GUIDANCE AND STANDARDS FOR NAVY INRMPS

The Environmental and Natural Resources Program Manual (Chief of Naval Operations Instruction (OPNAVINST) 5090.1B Change 3 of 17 Oct 2002) provides administrative guidelines and responsibilities for the Navy to protect the environment and conserve natural resources. This Guide compiles the requirements of several acts, regulations, policies, executive orders (EOs), and other legislation governing the natural and cultural resources on land under Navy jurisdiction. The most pertinent legislation and regulations are described below.

Federal Laws

Abandoned Shipwreck Act of 1987 (43 U.S.C. 2101).

American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996) (PL 95–341).

Anadromous Fish Conservation Act of 1965 (16 U.S.C. 757).

Anti-Deficiency Act (31 U.S.C. 1341 *et seq.*).

Antiquities Act of 1906 (16 U.S.C. 431–433).

Archaeological and Historic Data Preservation Act of 1974 (16 U.S.C. 469 *et seq.*).

Archaeological Resources Protection Act (ARPA) of 1979 (16 U.S.C. 1982 *et seq.*).

Bald Eagle Protection Act (BEPA) of 1940, as amended (16 U.S.C. 668 *et seq.*).

Base Closure and Realignment Act (BRAC) of 1990 (Part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

Clean Air Act (CAA) of 1955 (42 U.S.C. 7401). (Major amendments enacted in 1977 and 1990 made significant changes to the program but continued to build on the program as designed in 1970.)

Clean Water Act (CWA) of 1977 (see Federal Water Pollution Control Act).

Coastal Barriers Resources Act of 1982 (16 U.S.C. 3501 *et seq.*).

Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. 1451 *et seq.*).

Community Environmental Response Facilitation Act (CERFA) of 1992 (see **Comprehensive Environmental Response, Compensation, and Liability Act of 1980**).

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) of 1980, as amended (42 U.S.C. 9601 *et seq.*).

Community Environmental Response Facilitation Act (CERFA) of 1992 (see **Comprehensive Environmental Response, Compensation, and Liability Act of 1980**) (Public Law 102–426).

Conservation Programs on Military Reservations (see **Sikes Act**).

Conservation and Rehabilitation Program on Military and Public Lands (PL 93-452). Amends Wildlife Conservation on Military Reservations ((PL 86–797).

Department of Defense Appropriations Act of 1991 (Public Law 102–396).

Defense Environmental Restoration Program of 1991 (10 U.S.C. 2701).

Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 (42 U.S.C. 11001 *et seq.*).

Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3901–3932).

Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 *et seq.*).

Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 *et seq.*).

Erosion Protection Act (33 U.S.C. 426).

Estuary Protection Act of 1968 (16 U.S.C. 1221, PL 90-454), as amended.

Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 *et seq.*).

Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301–4310, 1988, as amended 1990).

Federal Facilities Compliance Act of 1992 (Public Law 102–386).

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) of 1947, as amended (Public Law 92–516, 7 U.S.C. 136 *et seq.*).

Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701).

Federal Noxious Weed Act of 1974 (7 U.S.C. 2801 *et seq.*).

Federal Plant Protection Act (2000).

Federal Plant Pest Act (7 U.S.C. 150aa *et seq.*).

Federal Water Pollution Control Act (FWPCA) of 1972, as amended (33 U.S.C. 1251 *et seq.*).

Clean Water Act (CWA) of 1977, as amended (Public Law 95–217, 33 U.S.C. 1251 *et seq.*).

Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901 *et seq.*).

Fish and Wildlife Coordination Act (Public Law 85–624; 16 U.S.C. 661 *et seq.*).

Food, Agricultural, Conservation and Trade Act of 1990 (Pesticide Reporting) (7 U.S.C. 1361).

Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620 *et seq.*).

Freedom of Information Act (FOIA) (5 U.S.C. 552).

Government Performance and Results Act (GPRA) (5 U.S.C. 306).

Historic Sites, Buildings, and Antiquities Act of 1935 (Public Law 74–292, 16 U.S.C. 461 *et seq.*).

Intergovernmental Coordination Act of 1968 (42 U.S.C. 4231) (PL 90–577).

Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 (Public Law 102–240).

Transportation Equity Act for the 21st Century (TEA-21) (Public Law 105–178).

TEA-21 Restoration Act.

Lacey Act.

Lacey Act Amendments of 1981 (16 U.S.C. 3371–3378, 16 Nov 81, as amended 1984 and 1988).

Lacey Act, as amended (18 U.S.C. 42).

Magnuson Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 *et seq.*).

Magnuson-Stevens Fishery Conservation and Management Act as amended through 11 October 1996 (Public Law 94–265; 16 U.S.C. 1801).

Marine Mammal Protection Act (MMPA) of 1972 as amended (16 U.S.C. 1361 *et seq.*).

Marine Mammal Protection Act Amendments of 1994 (Public Law 103–238).

Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972, as amended (33 U.S.C. 1401 *et seq.* and 16 U.S.C. 1431 *et seq.*).

Migratory Bird Conservation Act (16 U.S.C. 715–715d, 715e, 715f–715r) of 18 Feb 29, (45 Stat. 1222).

Migratory Bird Treaty Act (MBTA) of 1918 as amended, (16 U.S.C. 703 *et seq.*).

Military Construction Authorization Act (Public Law 97–321, 10 U.S.C. 2665 *et seq.*).

Military Reservation and Facilities: Hunting, Fishing and Trapping (10 U.S.C. 2671).

Multiple-Use Sustained Yield Act of 1960 (16 U.S.C. 528).

National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*).

National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. 470 *et seq.*).

National Marine Sanctuaries Act (16 U.S.C. 1431, *et seq.*). (See also Marine Protection, Research, and Sanctuaries Act of 1972.)

National Marine Sanctuaries Amendments Act of 2000 (Public Law 106–513).

National Park Service Organic Act (16 U.S.C. 1, *et seq.*).

National Trails System Act of 1968 (16 U.S.C. 1271).

National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–ee).

Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 (25 U.S.C. 3001 *et seq.*).

Noise Control Act of 1972 (42 U.S.C. 4903, 4901 *et seq.*, as amended by the Quiet Communities Act).

Quiet Communities Act of 1978 Public Law 95–609, 92 Statute 3079, (42 U.S.C. 4901–4918).

Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended (16 U.S.C. 4701 *et seq.*, 1991, 1992 and 1996).

North American Wetlands Conservation Act (16 U.S.C. 4401).

Noxious Plant Control Act of 1968 (43 U.S.C. 1241 *et seq.*).

Occupational Safety and Health Act of 1970 (OSHA) (29 U.S.C. 651 *et seq.*).

Oil Pollution Act (OPA) of 1990 (Public Law 101–380, 33 U.S.C. 2701 *et seq.*).

Outdoor Recreation, Federal/state Program Act (16 U.S.C. 460(L) *et seq.*).

Outleasing for Grazing and Agriculture on Military Lands (10 U.S.C. 2667).

Plant Quarantine Act (7 U.S.C. 151–167, August 20, 1912, as amended 1917, 1920, 1926, 1928, 1932, 1934, 1942, 1947, 1963, 1970, 1978, 1983, 1988, and 1994).

Pollution Prevention Act of 1990 (42 U.S.C. 13101 *et seq.*).

Religious Freedom Restoration Act (42 U.S.C. 2000bb-1).

Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 U.S.C. 6901 *et seq.*).

Rivers and Harbors Act of 1889 (see also Clean Water Act) (33 U.S.C. 401 *et seq.*).

Safe Drinking Water Act (SDWA) of 1974 (42 U.S.C. 300(f) *et seq.*).

Salmon and Steelhead Conservation and Enhancement Act of 1980 (16 U.S.C. 3301–3345).

Sikes Act Improvement Act (SAIA) (see also **Conservation Programs on Military Reservations of 1960**), as amended (16 U.S.C. 670(a) *et seq.*).

Conservation and Rehabilitation Program on Military and Public Lands (Public Law 93–452; 16 U.S.C. 670 *et seq.*).

Soil Conservation Act of 1938 (16 U.S.C. 5901 *et seq.*).

Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001).

Solid Waste Disposal Act (SWDA) of 1965, as amended (42 U.S.C. 3251 *et seq.*).

Taylor Grazing Act (1934) (43 U.S.C. 315) (PL 73-482).

Timber Sales on Military Lands (10 U.S.C. 2665).

Toxic Substances Control Act (TSCA) of 1976 (15 U.S.C. 2601 *et seq.*).

Water Resources Planning Act (42 U.S.C. 1962).

Watershed Protection and Flood Prevention Act (16 U.S.C. 1001; 33 U.S.C. 701).

Wild and Scenic River Act (Public Law 90–542; 16 U.S.C. 1274).

Youth Conservation Corps Act of 1972 (Public Law 93–408, as amended; 16 U.S.C. 1701).

Federal Regulations

The *Code of Federal Regulations* (CFR) comprises 50 titles representing broad areas subject to Federal regulation. All general and permanent regulations published in the daily *Federal Register* by executive Agencies and departments of the Federal Government appear in the CFR, which is updated annually. For example, all regulations issued by the EPA under the subject heading “Protection of the Environment” are codified in Title 40 of the CFR.

Relevant CFR Titles

Title 10= Energy

Title 15= Commerce and Foreign Trade

TITLE 18= CONSERVATION OF POWER AND WATER RESOURCES

Title 29= Judicial Administration

Title 32= National Defense

Title 33= Navigation and Navigable Waters

Title 36= Parks, Forest, Public Property

Title 40= Protection of Environment

Title 41= Public Contracts, Property Management

Title 43= Public Lands, Interior

Title 50= Wildlife and Fisheries

Relevant CFR Parts (in Alphabetical Order)

18 CFR 1312

Archaeological Resource Protection Act Regulations

40 CFR 68

Chemical Accident Prevention Provisions

16 CFR 3501	Coastal Barrier Resources
40 CFR 86	Control of Air Pollution from New and In-Use Motor Vehicle Engines: Certification and Test Procedures
40 CFR 1500–1508	Council on Environmental Quality Regulations on Implementing NEPA Procedures
36 CFR 79	Curation of Federally Owned and Administered Archaeological Collections
32 CFR 172	Department of Defense Regulations for the Disposition of Proceeds from Sales of Surplus Property
32 CFR 775	Department of Navy Procedures for Implementing NEPA. Department of the Navy policy to supplement DOD regulations (32 CFR 214) by providing policy and assigning responsibilities to the Navy and Marine Corps for implementing Council on Environmental Quality regulations and implementing NEPA
49 CFR 100–199	Department of Transportation Hazardous Materials Regulations
49 CFR 194	Department of Transportation Research and Special Programs Administration Oil Pollution Prevention Regulations for Onshore Pipelines
36 CFR 63	Determination of Eligibility for Inclusion in the National Register of Historic Places
41 CFR 41–47	Disposal Regulations
40 CFR 58	EPA Ambient Air Quality Surveillance Regulations
40 CFR 302	EPA Designation, Reportable Quantities, and Notification Requirements for Hazardous Substances under CERCLA
40 CFR 413	EPA Effluent Guidelines and Standards for Electroplating
40 CFR 433	EPA Effluent Guidelines and Standards for Metal Finishing
40 CFR 414	EPA Effluent Guidelines and Standards for Organic Chemicals
40 CFR 417	EPA Effluent Guidelines and Standards for Soaps and Detergents
40 CFR 415	EPA Guidelines and Standards for Inorganic Chemicals
40 CFR 248	EPA Guidelines for Federal Procurement of Building Insulation Products Containing Recovered Materials
40 CFR 249	EPA Guidelines for Federal Procurement of Cement and Concrete Containing Fly Ash
40 CFR 252	EPA Guidelines for Federal Procurement of Lubricating Oils Containing Re-refined Oil
40 CFR 250	EPA Guidelines for Federal Procurement of Paper and Paper Products Containing Recovered Materials
40 CFR 253	EPA Guidelines for Federal Procurement of Retread Tires
40 CFR 255	EPA Guidelines for Identification of Regions and Agencies for Solid Waste Management
40 CFR 247	EPA Guidelines for Procurement of Products That Contain Recycled Material

40 CFR 245	EPA Guidelines for Resource Recovery Facilities
40 CFR 244	EPA Guidelines for Solid Waste Management of Beverage Containers
40 CFR 243	EPA Guidelines for Solid Waste Storage and Collection
40 CFR 246	EPA Guidelines for Source Separation for Materials Recovery
40 CFR 240–241	EPA Guidelines for the Thermal Processing of Solid Wastes and for the Land Disposal of Solid Wastes
40 CFR 370	EPA Hazardous Chemical Reporting and Community Right-to-Know Requirements
40 CFR 259	EPA Medical Waste Regulations
40 CFR 141–143	EPA National Drinking Water Regulations
40 CFR 122	EPA National Pollutant Discharge Elimination System Permit Regulations
50 CFR 18, 216, 218	EPA Regulations Concerning Marine Mammals
40 CFR 81	EPA Regulations Designating Areas for Air Quality Planning
40 CFR 53	EPA Regulations for Ambient Air Monitoring Reference and Equivalent Methods
40 CFR 66	EPA Regulations for Assessment and Collection of Noncompliance Penalties
40 CFR 760–761	EPA Regulations for Controlling Polychlorinated Biphenyls
40 CFR 355	EPA Regulations for Emergency Planning and Notification under CERCLA
40 CFR 262	EPA Regulations for Hazardous Waste Generators
40 CFR 264	EPA Regulations for Owners and Operators of Permitted Hazardous Waste Facilities
40 CFR 150–186	EPA Regulations for Pesticide Programs
40 CFR 373	EPA Regulations for Real Property Transactions under CERCLA
40 CFR 260–270	EPA Regulations Implementing the Resource Conservation and Recovery Act
40 CFR 87	EPA Regulations on Control of Air Pollution and Aircraft and Aircraft Engines
40 CFR 125	EPA Regulations on Criteria and Standards for the National Pollutant Discharge Elimination System
40 CFR 257	EPA Regulations on Criteria for Classification of Solid Waste Disposal Facilities and Practices
40 CFR 109	EPA Regulations on Criteria for state, Local, and Regional Oil Removal Contingency Plans
40 CFR 65	EPA Regulations on Delayed Compliance Orders under the Clean Air Act
40 CFR 110	EPA Regulations on Discharge of Oil
40 CFR 231	EPA Regulations on Disposal Site Determination under the CWA
40 CFR 116–117	EPA Regulations on Hazardous Substances

40 CFR 148	EPA Regulations on Hazardous Waste Disposal Restrictions for Class I Wells
40 CFR 6	EPA Regulations on Implementation of NEPA Procedures
40 CFR 162	EPA Regulations on Insecticide, Fungicide, and Rodenticide Use
40 CFR 268	EPA Regulations on Land Disposal Restrictions
40 CFR 113	EPA Regulations on Liability for Small Onshore Oil Storage Facilities
40 CFR 50	EPA Regulations on National Primary and Secondary Ambient Air Quality Standards
40 CFR 60	EPA Regulations on New Source Performance Standards
40 CFR 112	EPA Regulations on Oil Pollution Prevention
40 CFR 104	EPA Regulations on Public Hearings on Effluent Standards for Toxic Pollutants
40 CFR 56	EPA Regulations on Regional Consistency under the Clean Air Act
40 CFR 62	EPA Regulations on state Plans for Designated Facilities and Pollutants
40 CFR 51–52	EPA Requirements for Preparation, Adoption, Submittal, Approval, and Promulgation of Implementation Plans
40 CFR 130	EPA Requirements for Water Quality Planning and Management
40 CFR 69	EPA Special Exemptions from Requirements of the Clean Air Act
40 CFR 82	EPA Stratospheric Ozone Protection Regulations
40 CFR 372	EPA Toxic Chemical Release Reporting Regulations
40 CFR 129	EPA Toxic Pollutant Effluent Standard
32 CFR 188	Environmental Effects in the United States of DOD Actions
32 CFR 650	Environmental Effects Abroad of Major Federal Actions—Environmental Protection and Enhancement: Subpart H, Historic Preservation
15 CFR 930	Federal Consistency with Approved Coastal Management Programs
10 CFR 436	Federal Energy Management and Planning Programs
50 CFR 17	Fish and Wildlife Service List of Endangered and Threatened Wildlife
40 CFR 403	General Pretreatment Regulations for Existing and New Sources of Pollution
50 CFR 10	General Provisions for Statutes Administered by the USFWS
40 CFR 230	Guidelines for Specification of Disposal Sites for Dredged or Fill Material
29 CFR 1910.1200	Hazard Communication Standard
29 CFR 1910.120	Hazardous Waste and Emergency Response
36 CFR 67	Historic Preservation Certificates
50 CFR 402	Interagency Cooperation—Endangered Species Act of 1973
as	amended

50 CFR 17.11, 17.12	List of Endangered and Threatened Wildlife
50 CFR 10.13	List of Migratory Birds
50 CFR 18, 216, 228	Marine Mammals
40 CFR 61	National Emissions Standards for Hazardous Air Pollutants
36 CFR 65	National Historic Landmarks Program
36 CFR 800	National Historic Preservation Act Regulations for the Protection of Historic Properties
15 CFR 923	National Oceanic and Atmospheric Administration Coastal Zone Management Program Development and Approval Regulation
40 CFR 300	National Oil and Hazardous Substances Pollution Contingency Plan under CERCLA and CWA
40 CFR 300.600	National Oil and Hazardous Substances Pollution Contingency Plan, Designation of Federal Trustees
36 CFR 60	National Register of Historic Places
33 CFR 330	Nationwide Permit Program
43 CFR 10	Native American Graves Protection and Repatriation Act Regulations
43 CFR 11	Natural Resource Damage Assessments
15 CFR 990	Natural Resource Damage Assessments
32 CFR 190	Natural Resources Management Program
29 CFR 1910.120	Occupational Safety and Health Administration (OSHA) Regulations on Hazardous Waste and Emergency Response
29 CFR 1910	Occupational Safety and Health Standards
40 CFR 220, 227	Ocean Dumping Regulations and Criteria
33 CFR 156	Oil and Hazardous Material Transfer Operations
33 CFR 154	Oil Pollution Prevention Regulations for Marine Oil Transfer Facilities
49 CFR 194	Oil Pollution Prevention Regulations for Onshore Pipelines
29 CFR 1910.1200	OSHA Hazard Communication Standard
40 CFR 55	Outer Continental Shelf Air Regulations
49 CFR 126	Pesticide Transportation
43 CFR 3	Preservation of American Antiquities
32 CFR 229	Protection of Archaeological Resources: Uniform Regulations
36 CFR 800	Protection of Historic and Cultural Properties
40 CFR 80	Regulation of Fuels and Fuel Additives
50 CFR 10	Regulations Concerning Marine Mammals
33 CFR 320–330	Regulatory Programs of the Corps of Engineers
49 CFR 126	Requires Training and Written Examination of Personnel That Transport Pesticides on Public Highways
40 CFR 300.615	Responsibilities of Trustees
40 CFR 70	State Operating Permit Programs
40 CFR 504	State Sludge Management Program Regulations
40 CFR 280	Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks

36 CFR 68	The Secretary of Interior's Standards for Historic Preservation Projects
40 CFR 273	Universal Waste Management Standards
40 CFR 279	Used Oil Management Standards
36 CFR 78	Waiver of Federal Agency Responsibility under Section 110 of the National Historic Preservation Act

Executive Orders (EOs) (in Numerical Order)

- EO 11017** **Providing For Coordination with Respect to Outdoor Recreation Resources and Establishing the Recreation Advisory Council (27 Apr 62).** Amended by **EO 11069** (see below) and superseded by **EO 11278** (see below).
- EO 11069** **Designating the Secretary of Commerce as a Member of the Recreation Advisory Council (28 Nov 62).** Amends **EO 11017** (see above) and superseded by **EO 11278** (see below).
- EO 11218** **Amending EO 11017 (see above) So as to make the Chairman of the Tennessee Valley Authority a member of the Recreation Advisory Council (24 Apr 65).**
- EO 11278** **Establishing a President's Council and a Committee on Recreation and Natural Beauty (4 May 66)** amended by **EO 11359A** (see below) and **EO 11402** (see below), revoked by **EO 11472** (see below), as well as supersedes **EO 11017** (27 Apr 62) (see above), **EO 11069** (28 Nov 62) (see above), and **EO 11218** (24 Apr 65) (see above).
- EO 11296** **Floodplain Management (10 Aug 66).** Revoked by **EO 11988** (see below).
- EO 11359A** **Adding the Secretary of Transportation to the Membership of the President's Council on Recreation and Natural Beauty (29 Jun 67).** Amends **EO 11278** (see above) and is revoked by **EO 11472** (see below).
- EO 11402** **Making the Vice President of the United States the Chairman of the President's Council on Recreation and Natural Beauty (29 Mar 68).** Amends **EO 11278** (see above) and revoked by **EO 11472** (see below).
- EO 11472** **Establishing the Environmental Quality Council and Citizens' Advisory Committee on Environmental Quality (29 May 69).** Amended by **EO 11514** (see below), Expired 5 Jan 77, and terminated and/or revoked **EO 11278** (see above), **EO 11359A** (see above), and **EO 11402** (see above).

- EO 11514** **Protection and Enhancement of Environmental Quality (5 Mar 70).**
Amends **EO 11472** (see above).
- EO 11593** **Protection and Enhancement of the Cultural Environment (13 May 71).**
- EO 11644** **Use of Off-Road Vehicles on the Public Lands (8 Feb 72).** Amended by **EO 11989** (see below) and **EO 12608** (see below).
- EO 11880** **Designation of officers of the Department of Commerce to act as Secretary of Commerce (2 Oct 75).** Amended by **EO 12608** (see below) and **EO 12998** (see below), revoked by **EO 13242** (see below).
- EO 11987** **Exotic Organisms (24 May 77).** Revoked by **EO 13112** (see below).
- EO 11988** **Floodplain Management (24 May 77)** Revokes **EO 11296** (see above).
- EO 11989** **Off-Road Vehicles on Public Lands (24 May 77).** Amends **EO 11644**.
- EO 11990** **Protection of Wetlands (24 May 77).**
- EO 11991** **Protection and Enhancement of Environmental Quality (24 May 77).**
Amends **EO 11514** (see above).
- EO 12088** **Federal Compliance with Pollution Control Standards (13 Oct 78).** **EO 13148** (see below) revokes sections 1–4.
- EO 12114** **Environmental Effects Abroad of Major Federal Actions (4 Jan 79).**
- EO 12146** **Management of Federal Legal Resources (18 Jul 79).**
- EO 12344** **Naval Nuclear Propulsion Program (1 Feb 82).**
- EO 12372** **Intergovernmental Review of Federal Programs (14 Jul 82).**
- EO 12580** **Superfund Implementation (23 Jan 87).** Amended by **EO 12777** (see below).
- EO 12606** **The Family (2 Sep 87).** Revoked by: **EO 13045** (see below).
- EO 12608** **Elimination of Unnecessary EOs and Technical Amendments to Others (9 Sep 87).** Revokes **EO 8744**, **EO 10880**, **EO 11377**, **EO 11911**, **EO 12034**, **EO 12295**, and **EO 12426**. Amends **EO 8248**, **EO 8512**, **EO 9094**, **EO 9830**, **EO 9979**, **EO 10289**, **EO 10484**, **EO 10499**, **EO 10521**, **EO 10530**, **EO 10582**, **EO 10608**, **EO 10624**, **EO 10654**, **EO 10786**, **EO 10797**, **EO 10840**, **EO 10841**, **EO 10903**, **EO 10909**, **EO 11012**, **EO**

11023, EO 11030, EO 11034, EO 11044, EO 11047, EO 11060, EO 11077, EO 11079, EO 11140, EO 11157, EO 11390, EO 11440, EO 11467, EO 11480, EO 11490, EO 11561, EO 11580, EO 11583, EO 11609, EO 11623, EO 11644, EO 11687, EO 11747, EO 11755, EO 11758, EO 11776, EO 11800, EO 11845, EO 11880, EO 11899, EO 11990, EO 12048, EO 12049, EO 12086, EO 12101, EO 12138, EO 12146, EO 12154, EO 12163, EO 12196, EO 12208, EO 12322, and EO 12328. Revoked, in part, by EO 13242 (see below).

- EO 12759** **Federal Energy Management (17 Apr 91).** Revoked by **EO 12902** (see below)

- EO 12777** **Implementation of Section 311 of the Federal Water Pollution Control Act of 18 Oct 72, as amended, and the Oil Pollution Act of 1990 (18 Oct 91).** Amends **EO 12580** (see above).

- EO 12780** **Federal Agency Recycling and the Council on Federal Recycling and Procurement Policy (31 Oct 91).** Revoked by **EO 12873** (see below).

- EO 12843** **Procurement Requirements and Policies for Federal Agencies for Ozone-Depleting Substances (21 Apr 93).** Revoked by **EO 13148** (see below).

- EO 12844** **Federal Use of Alternative Fueled Vehicles (21 Apr 93).** Superseded by **EO 13031** (see below).

- EO 12845** **Requiring Agencies to Purchase Energy Efficient Computer Equipment (21 Apr 93).** Revoked by **EO 13123** (see below).

- EO 12856** **Federal Compliance With Right-to-Know Laws and Pollution Prevention Requirements (3 Aug 93).** Revoked by **EO 13148** (see below).

- EO 12873** **Federal Acquisition, Recycling and Waste Prevention (20 Oct 93).** Revoked **EO 12780** (see above) and replaced by **EO 12995** (see below).

- EO 12898** **Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (11 Feb 94).**

- EO 12902** **Energy Efficiencies and Water Conservation at Federal Facilities (8 Mar 94).** Revokes part of **EO 12759** (see above) and superseded by **EO 13123** (see below).

- EO 12904** **Commission for Environmental Cooperation, Commission for Labor Cooperation, Border Environment Cooperation Commission, and North American Development Bank (16 Mar 94).**

- EO 12906** **Coordinating Geographic Data Acquisition and Access: The National Spatial Data Infrastructure (11 Apr 94).**
- EO 12962** **Recreational Fisheries (7 Jun 95).**
- EO 12969** **Federal Acquisition and Community Right-To-Know (8 Aug 95).**
Revoked by **EO 13148** (see below).
- EO 12977** **Interagency Security Committee (19 Oct 95).**
- EO 12995** **Amendment to EO 12873 (25 Mar 96).** Replaces **EO 12873** (see above) and replaced by **EO 13101** (see below).
- EO 12998** **Amendment to EO 11880 (5 Apr 96).**
- EO 13006** **Locating Federal Facilities on Historic Properties in Our Nation's Central Cities (21 May 96).** Reaffirms the commitment set forth in **EO 12072** (see above).
- EO 13007** **Indian Sacred Sites (24 May 96).**
- EO 13031** **Federal Alternative Fueled Vehicle Leadership (13 Dec 96).**
Supersedes **EO 12844** (see above) and replaced by **EO 13149** (see below).
- EO 13045** **Protection of Children from Environmental Health Risks and Safety Risks (21 Apr 97).**
- EO 13061** **Federal Support of Community Efforts Along American Heritage Rivers (11 Sep 97)** (see also **EO 13093**, below).
- EO 13080** **American Heritage Rivers Initiative Advisory Committee (7 Apr 98).**
Amended by **EO 13093** (see below).
- EO 13089** **Coral Reef Protection (11 Jun 98).**
- EO 13093** **American Heritage Rivers (27 Jul 98).** Amends **EOs 13061** (see above) and **13080** (see above).
- EO 13101** **Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition (14 Sep 98).**
- EO 13112** **Invasive Species (3 Feb 99).** Revokes **EO 11987** (see above).
EO 13123 Greening the Government Through Efficient Energy Management (3 Jun 99). Revokes **EO 12902** (see above), **EO 12759** (see above), and **EO 12845** (see above).

- EO 13125** **Increasing Participation of Asian Americans and Pacific Islanders in Federal Programs (7 Jun 99).** Amended by **EO 13216** (6 Jun 01)
- EO 13148** **Greening the Government Through Leadership in Environmental Management (21 Apr 00).** Revokes **EO 12843** (see above), **EO 12856** (see above), the **Executive Memorandum on Environmentally Beneficial Landscaping** (26 Apr 94) (see below), **EO 12969** (see above), and sections 1–4, “Pollution Control Plan” of **EO 12088** (see above).
- EO 13149** **Greening the Government Through Federal Fleet and Transportation Efficiency (12 Apr 00).** Replaces **EO 13031** (see above).
- EO 13150** **Federal Workforce Transportation (21 Apr 00).**
- EO 13158** **Marine Protected Areas (MPA) (26 May 00).**
- EO 13175** **Consultation and Coordination with Indian Tribal Governments (6 Nov 00).**
- EO 13178** **Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (4 Dec 00).**
- EO 13186** **Responsibilities of Federal Entities to Protect Migratory Birds (10 Jan 01).**
- EO 13195** **Trails for America in the 21st Century (18 Jan 01).**
- EO 13196** **Final Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (18 Jan 2001).** Amends **EO 13178** (see above).
- EO 13211** **Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (18 May 01).**
- EO 13212** **Actions to Expedite Energy-Related Projects (18 May 01).**
- EO 13221** **Energy-Efficient Standby Power Devices (31 Jul 01).**
- EO 13242** **Providing an Order of Succession Within the Department of Commerce (18 Dec 01).** Revokes **EO 11880** (see above), **EO 12608** (in part) (see above), and **EO 12998** (see above).

Presidential Memorandums

Presidential Memorandum on Environmentally Beneficial Landscaping (26 Apr 94).

Presidential Memorandum Accompanying EO 12898 (11 Feb 94).

Presidential Memorandum on Energy Conservation at Federal Facilities (3 May 01).

Presidential Memorandum: Policy Concerning Distribution of Eagle Feathers for Native American Religious Purposes (59 F.R. 22953, 29 Apr 94).

Federal Register Documentation

Guidance for Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds (60 Fed. Reg. 40837, August 10, 1995) (with DOE Office of NEPA Policy and Assistance Memorandum, November 3, 1997, and the Presidential Memorandum, April 26, 1994).

Department of Defense (DOD) Documents

Directives Issued by DOD for Use by its Components

DOD Directive 4001.1 (4 Sep 86)	Installation Management
DOD Directive 4150.7 (24 Oct 83).	DOD Pest Management Program
DOD Directive 4165.57 (8 Nov 77).	Air Installations Compatible Use Zones
DOD Directive 4165.59 (29 Dec 75).	DOD Implementation of the Coastal Zone Management Act
DOD Directive 4165.60 (27 Jul 89).	Hazardous Material Pollution
DOD Directive 4165.60 (4 Oct 76).	Solid Waste Management: Collection, Disposal, Resource Recovery, and Recycling Program
DOD Directive 4140.1 (4 Jan 93).	Material Management Policy
DOD Directive 4150.7 (22 Apr 96).	DOD Pest Management Program
DOD Directive 4165.57 (8 Nov 77).	Air Installations Compatible Use Zones

DOD Directive 4165.61 (9 Aug 93).	Intergovernmental Coordination of DOD Federal Development Programs and Activities
DOD Directive 4700.2 (15 Jul 88).	Secretary of Defense Award for Natural Resources and Environmental Management
DOD Directive 4700.4 (24 Jan 89).	Natural Resources Management Program
DOD Directive 4705.1 (9 Jul 92).	Management of Land-Based Water Resources in Support of Joint Contingency Operations
DOD Directive 4710.1 (21 Jun 84).	Archaeological and Historic Resources Management
DOD Directive 4715.DD-R (Apr 96).	Draft Integrated Natural Resources Management in DOD
DOD Directive 4715.1 (24 Feb 96).	Environmental Security
DOD Directive 4715.2 (3 May 96).	DOD Regional Environmental Coordination
DOD Directive 4715.3 (3 May 96).	Environmental Conservation Program
DOD Directive 4715.4 (18 Jun 96).	Pollution Prevention
DOD Directive 4715.5 (22 Apr 96).	Management of Environmental Compliance at Overseas Installations
DOD Directive 4715.6 (24 Apr 96).	Environmental Compliance
DOD Directive 4715.7 (22 Apr 96).	Environmental Restoration Program
DOD Directive 4715.8 (2 Feb 98).	Environmental Remediation for DOD Activities Overseas
DOD Directive 4715.9 (3 May 96).	Environmental Planning and Analysis
DOD Directive 4715.10 (24 Apr 96).	Environmental Education Training and Career Development;
DOD Directive 4715.11 (17 Aug 99).	Environmental and Explosive Safety Management on DOD Active and Inactive Ranges within the United States

DOD Directive 4715.12 (19 Aug 99).	Environmental and Explosive Safety Management on DOD Active and Inactive Ranges Outside the United States
DOD Directive 4715.5 (22 Apr 96).	Management of Environmental Compliance at Overseas Installations
DOD Directive 5030.41 (1 Jun 77).	Oil and Hazardous Substances Pollution Prevention and Contingency Program
DOD Directive 6050.15 (14 Jun 85).	Prevention of Oil Pollution from Ships Owned or Operated by DOD
DOD Directive 6050.10 (20 Sep 91).	DOD Policy for Establishing and Implementing Environmental Standards at Overseas Installations
DOD Directive 7000.14-R (18 Mar 93).	DOD Financial Management Regulations
DOD Directive 6050.7 (31 Mar 79).	Environmental Effects Abroad of Major DOD Actions
DOD Directive 6050.1 (30 Jul 79).	Environmental Effects in the United States of DOD Actions
DOD Directive 6050.4 (16 Mar 82).	Marine Sanitation Devices for Vessels Owned or Operated by DOD
DOD Directive 6050.8 (27 Feb 86).	Storage and Disposal of Non-DOD Owned Hazardous or Toxic Materials on DOD Installations
DOD Directive 6050.2 (19 Apr 79)	Use of Off-Road Vehicles on DOD Lands
DOD Directive 6050.4 (16 Mar 82).	Marine Sanitation Devices for Vessels Owned or Operated by DOD
DOD Directive 6050.5 (29 Oct 90).	DOD Hazard Communication Program
DOD Directive 6050.7 (31 Mar 79).	Environmental Effects Abroad of Major DOD Actions
DOD Directive 6050.15 (14 Jun 85).	Prevention of Oil Pollution from Ships Owned or Operated by DOD

DOD Directive 6050.16 (20 Sep 91). DOD Policy for Establishing and Implementing Environmental Standards at Overseas Installation

Instructions Issued by DOD for use by its Components

DOD Instruction 6055.6 (10 Oct 00). DOD Fire and Emergency Services Program

DOD Instruction 4150.7 (22 Apr 96). DOD Pest Management Program

DOD Instruction 4700.4 (24 Jan 89). Natural Resources Management Program

DOD Instruction 4715.3 (3 May 96). Environmental Conservation Program

DOD Instruction 4715.9 (3 May 96). Environmental Planning and Analysis

DOD Instruction 5000.13 (13 Dec 76). Natural Resources: The Secretary of Defense Natural Resource Conservation Award

DOD Instruction 4715.4 (18 Jun 96). Pollution Prevention

Department of Navy (DON) Documents

Instructions Issued by the Chief of Naval Operations

OPNAVINST 5090.1B Change 3 (17 Oct 2002). Environmental and Natural Resources Program Manual.

OPNAVINST 8000.16. Environmental Security Management

OPNAVINST 11010.20F (7 Jun 96). Facilities Projects Manual

OPNAVINST 5750.13 (10 Nov 75). Historical Properties of the Navy

OPNAVINST 11000.17 (17 Sep 99) National Preservation Act Consultations Related to Base Realignment and Closure Actions

OPNAVINST 8026.2A (15 Jun 00). Navy Munitions Disposition Policy

OPNAVINST 6250.4B (27 Aug 98). Pest Management Program.

OPNAVINST 5750.13 (10 Nov 75).

Historical Properties of the Navy

Instructions Issued by the Secretary of the Navy

SECNAVINST 4000.35 (17 Aug 92 (NOTAL)) Department of the Navy Cultural Resources Program

SECNAVINST 5090.8 (18 Dec 00) (ASN (I&E)) Policy for Environmental Protection, Natural Resources, and Cultural Resources Program

SECNAVINST 6240.6E (18 Dec 00) Implementation of DOD Directives under DOD Instruction 4700.4

SECNAVINST 6401-1A (16 Aug 94). Veterinary Health Services

Instructions and Guidance Issued by the Naval Facilities Engineering Command

NAVFAC P-73 (May 87). Real Estate Procedural Manual, Volumes I and II; and Natural Resources Management Procedure Manual

NAVFACINST 11010.45 (30 Jun 02) Comprehensive Regional Planning Instruction (Land Use Module/RSIP Links)

APPENDIX F: CHIEF OF NAVAL OPERATIONS GUIDANCE FOR PREPARING NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS FOR INTEGRATED NATURAL RESOURCES MANAGEMENT PLANS (INRMPs)

A. PURPOSE

The purpose of this document is to provide guidance to Navy commands in preparing NEPA documents for INRMPs required by the Sikes Act (as amended). This guidance is intended to be consistent with the SECNAV Memorandum dated 12 AUG 98 (enclosure 1) and further clarifies issues regarding implementation of that memorandum. This guidance is provided to supplement "Guidelines for preparing INRMPs for Navy Installations," and shall prevail for all matters involving interpretation of NEPA requirements. This guidance describes the methods to be used for alternatives and analysis, and also integrates the NEPA process and requirements into the process for developing an INRMP.

B. SCOPE

This guidance is applicable to all Navy commands that require preparation of INRMPs within the geographical borders of the U.S., its territories and possessions.

C. PROCESS

There are two approaches suggested in enclosure (1) for implementation of the NEPA requirement for INRMPs: (1) that the NEPA document may be a separate document from the INRMP, or (2) that it may be combined with the INRMP as a single document. It is suggested that separate documents be prepared, but this should be decided on a case-by-case basis. If prepared separately, it is recommended that the NEPA and INRMP processes run concurrently, so that an exceptional extension of the INRMP process is not required (see Figure 1).

Environmental Planners should become involved early in the INRMP process, beginning with the identification of, and interactions with, the "stakeholders." This is part of the scoping process in NEPA. Environmental Planners should also consult with Natural Resources personnel during preparation of the draft INRMP and discuss with Natural Resources personnel whether regulatory agencies will review the documents and provide letters of concurrence/agreement on the INRMP (see Section D). It should also be discussed whether these regulatory agencies should be identified as "stakeholders." Environmental Planners should also assist with preparation of reasonable alternatives that will need to be evaluated in the NEPA document, including the preferred and no-action alternatives. In the event that scoping indicates an Environmental Impact

Statement (EIS) is required, the Notice of Intent should be issued as soon as possible per the 50901B C4 and the 5090 supplemental of 23 Sept 2005.

A description of the existing environment and reasonable alternatives that were considered (see Alternatives below for further guidance) will be available in the preliminary draft INRMP to begin

writing preliminary the draft NEPA document. After the preliminary draft INRMP is sent to the State Fish and Game (SF&G), the U.S. Fish and Wildlife Service (USFWS) and other “stakeholders,” and comments are received; the INRMP and/or NEPA document will be revised as needed. If an Environmental Assessment (EA) is prepared, the EA should be drafted by the time the INRMP is provided for public comment. Adjustments to the INRMP based on public comments should be reflected in the final EA, as appropriate. At this point, staff preparing the INRMP should provide to jurisdictional agencies any applicable Navy determinations for their concurrence/agreement. Letters of concurrence should be included, prior to finalizing the EA. These letters of concurrence will be incorporated into an appendix of the EA. The INRMP cannot be signed without a Finding of No Significant Impact (FONSI) or a Record of Decision (ROD).

If an EIS is prepared, the DRAFT EIS (DEIS) should be completed and made available for public review and comment simultaneous with public review of the INRMP. This will avoid subsequent delays in processing and approving the INRMP. It is further recommended that the DEIS and draft INRMP be provided together so that reviewers can provide a single set of comments for both documents. In order to release the DEIS for public review, any formal Navy determinations (that request jurisdictional concurrence/agreement) need to be in-progress and discussed in the DEIS where relevant. After mutual agreement on the preferred INRMP among the SF&G, the USFWS, and other appropriate jurisdictional agencies, the Final EIS (FEIS) can be released for public review. The Record OF Decision (ROD) must be issued before the INRMP is signed.

D. CONTENT OF THE NEPA DOCUMENT

PROPOSED ACTION, PURPOSE AND NEED:

The Purpose and Need for the action has been provided in the enclosed SECNAV Memorandum for use in the NEPA document. In most instances, this Purpose and Need should not require further elaboration. The following statement should be used in most instances for the Proposed Action:

"The proposed action is to modify the existing Natural Resources Management Plan and practices at [name installation] to develop and implement an Integrated Natural

Resources Management Plan consistent with the military use of the property and the goals and objectives established in the Sikes Act (as amended). The goal of the INRMP is to implement an ecosystem based conservation program that provides for conservation and rehabilitation of natural resources in a manner that is consistent with the military mission; integrates and coordinates all natural resources management activities; provides for sustainable multipurpose uses of natural resources; and provides for public access for use of natural resources subject to safety and military security considerations. The management objectives are to integrate forestry management, fish and wildlife management, land management, and management for outdoor recreational opportunities, as practicable and consistent with the military mission and established land uses."

ALTERNATIVES:

Consistent with enclosure 1, the above proposed action establishes the no-action alternative, and could be presented as follows:

"The No-Action Alternative is continued implementation of the objectives and practices outlined in the existing Natural Resources Management Plan. On-going practices used for management of natural resources at [installation name] would continue and there would be no change to the objectives outlined under the current Natural Resources Management Plan."

Alternatively, if there is currently no existing plan, the no-action alternative could be presented as:

"The No-Action Alternative is continued implementation of the objectives and practices under the existing natural resources management programs. On-going practices used for management of natural resources at [installation name] would continue and there would be no change to the objectives of the current natural resources management programs."

At the beginning of the Alternatives Section, all issues that relate to the military use of the property should be clearly defined, including issues that affect natural resources management (e.g., Bird/Aircraft Strike Hazard requirements, clear zones, military training areas, etc.). These issues should be identified as criteria that determine limitations and constraints and potential selection criteria for alternatives analysis posed by existing military land-use, and also provide opportunities for natural resources management that support, and are consistent with, the military mission. This information must be considered, and must be readily available in the INRMP for use in the NEPA document.

Alternatives will include information on modifications to the four management objectives: forestry management, fish and wildlife management, land management, and management for outdoor recreational opportunities, as determined reasonable and consistent with the military mission. Navy natural resources specialists should be considering reasonable alternatives in developing the INRMP, but Environmental Planners should assist in refinement of those alternatives for use in the NEPA document. Each alternative should describe the general geographic extent where each of the four management objectives would occur, i.e., each alternative should show the "management area(s)" for the four objectives (see Figures 2, 3, 4). The NEPA document should also provide a summary of how the management objectives differ in intensity and scope for each alternative. Because each "management area" is planned for compatibility with, and is integrated to support, the military mission in the present and foreseeable future, it is expected that there will be few alternatives that meet both the Navy mission for the site and requirements of the Sikes Act. These may only reflect a small change in one or two of the "management areas." This necessitates that Navy natural resources staff provide the following: (1) a map outlining the preferred alternative's objectives along with a list of projects/practices and a brief description of their scopes; (2) maps outlining other alternatives' objectives along with a list of projects/practices and a brief description of their scopes; and (3) a map outlining the existing Plan's objectives along with a list of recent and on-going projects/practices (last five years) and a brief description of their scopes.

It is important that a map, and a summary outlining the existing plan/programs' objectives and a list of projects/practices are included in the NEPA document because these will establish the baseline against which any new or proposed changes will be compared (see following section). If the existing Natural Resources Management Plan and/or practices were determined to meet the Sikes Act requirements for an INRMP, the "no-action" alternative would be considered viable, and in some instances, could be determined to be the preferred alternative (in the case of an EIS). In this case, potential impacts of the "no-action" alternative will be fully evaluated in the Impacts Section of the NEPA document. If the "no-action" alternative is not considered viable, an explanation of why it does not meet Sikes Act requirements for an INRMP is included.

AFFECTED ENVIRONMENT AND CONSEQUENCES:

The length of discussion in the Affected Environment should mirror the evaluation of that same issue in the Environmental Consequences Section and will vary among issues depending on the context and intensity of potential impacts. For example, if there is a high degree of controversy, of regulatory agency involvement, or of unique characteristics within the geographic area, a more complete discussion and analysis may be needed for that issue. Only describe resources and provide information that may be affected by implementation of the alternatives. If, by stakeholder decision, an action is determined to be controversial, it should be more fully evaluated in the INRMP and consequently, in the NEPA documents.

The content of the NEPA analysis will be based on the INRMP Program or a "Programmatic" perspective in that it will evaluate alternative programs for managing an installation's resources. Potential projects and practices must be listed for each alternative and presented as "compliance" (required by law) or "stewardship" projects/practices.

A "programmatic" approach will provide opportunities for the installation to accommodate unforeseen projects that meet pre-established criteria for evaluation, as well as changes to the projects, as long as impacts are covered within the overall scope and analysis for the selected alternative. Analysis in the NEPA document will focus on evaluation and comparison of alternative plans in terms of the four management objectives - not the individual projects or practices except in the cases of controversial projects (as identified by the stakeholders) or those projects considered outside the scope of or a major deviation from a previously existing INRMP. The projects/practices list will provide a framework for reviewing on-going activities, and will also assist in reviewing changes for unforeseen projects or modifications in the future. Again, it is important to distinguish that this NEPA analysis for evaluating plans/programs, is different from the project level of analysis used for project-specific actions. This is consistent with enclosure (1), which states: "An installation may add or modify projects for achieving the selected alternative without additional review under NEPA if the projects are consistent with the existing NEPA analysis."

One of the main considerations in comparing alternative plans that the NEPA document should focus on is evaluation of impacts at a regional and community level. Regional and community information will be provided in the INRMP, and should be summarized and used for comparison of the alternatives. These considerations may be best presented in the Cumulative Impacts Section where a brief discussion of broad regional/community-level activities, natural resources and land-use issues may be relevant. For example, forested buffers located beyond airfield safety zones may support the military mission by acting as visual or noise attenuation barriers, but can also be managed to add diversity and enhance the landscape providing benefits to the region and local community. These issues should be included and highlighted in an alternatives matrix table that is presented in the Alternatives Section.

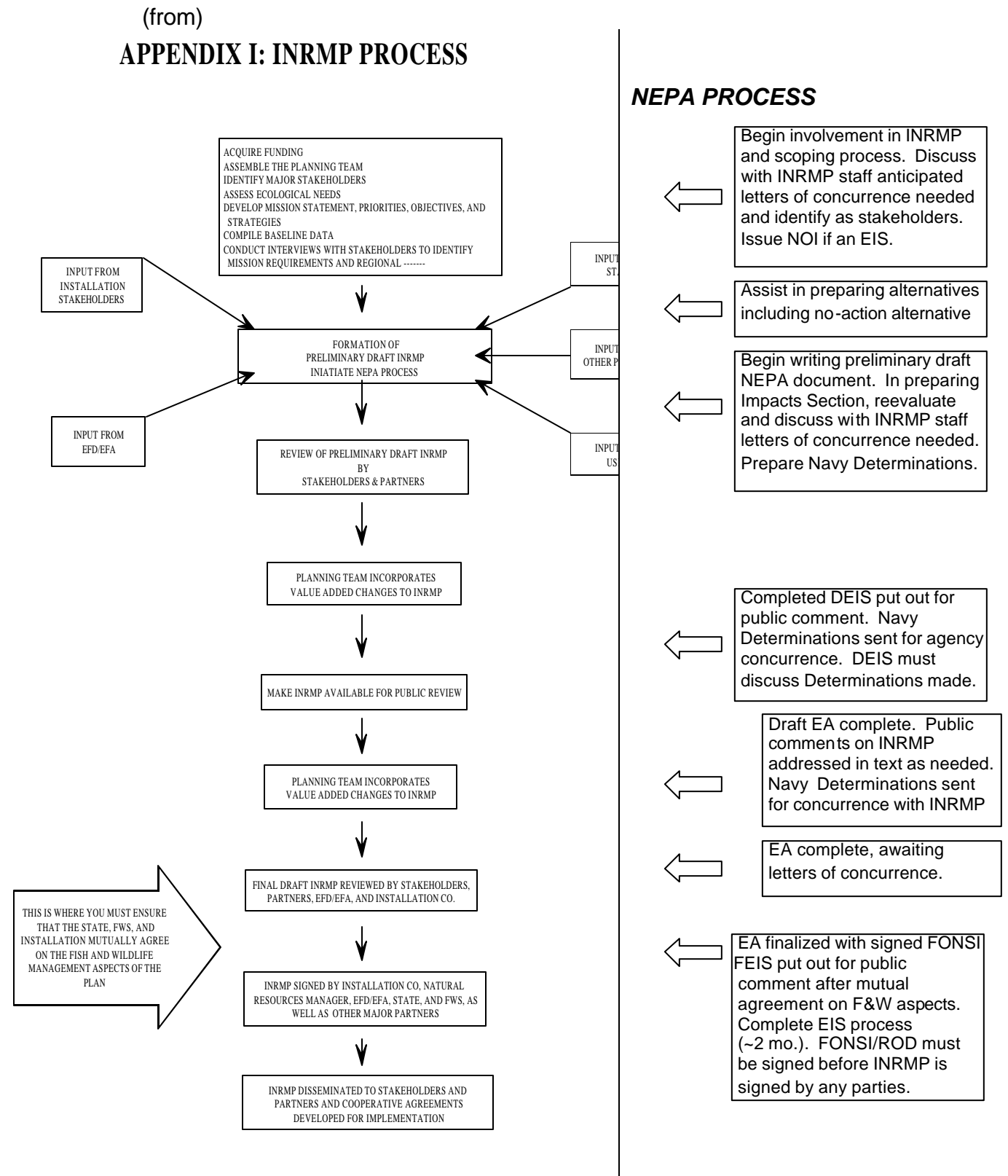
It is important to recognize that some impacts for an alternative, may be additive to activities that are recurring/on-going under the current plan, while other impacts will only result from modification/changes to the existing or "baseline activities" (no-action alternative). An example of the former is dune restoration within a new area that may complement and extend areas previously restored. An example of the latter are impacts associated with a hunting program that only consider the *net* changes, or impacts that differ from the on-going hunting program. Estimates should be used in considering the overall impacts of projects/practices as needed to make comparisons among the reasonable alternatives (indicate where conservative estimates are used).

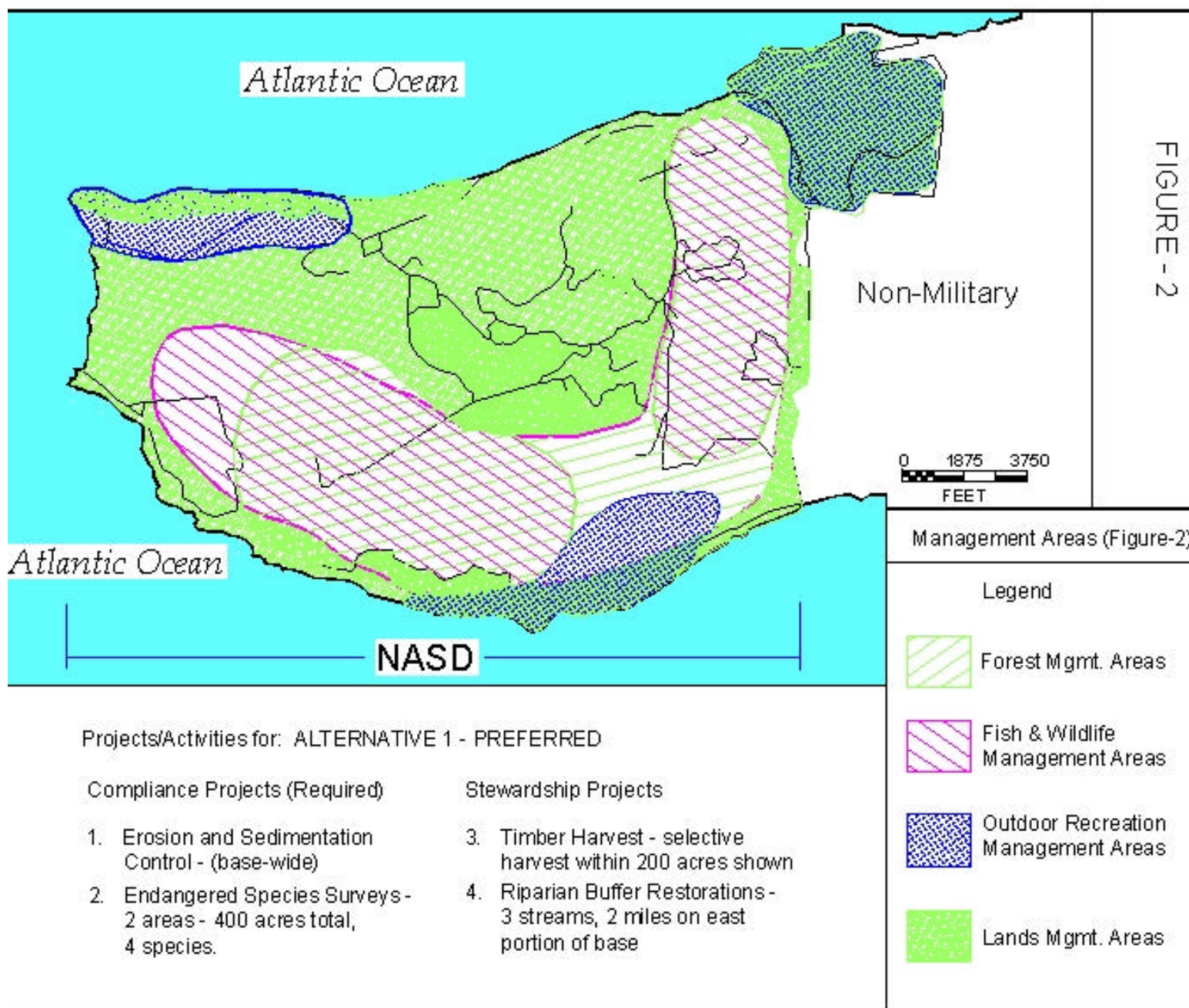
If "Conformity Review" is required by the General Conformity Rule (GCR), an Applicability Analysis will evaluate the proposed changes/modifications from recurring and on-going projects/practices under the current plan (only the *net* changes will be evaluated). It is important to point out that Conformity Rule analysis will be unique from other analyses in these NEPA documents because the GCR requires that individual projects be considered in determining the net emissions' increase/decrease. Those recurring and on-going activities (last five years) that are similar in scope to the new projects/practices identified in an alternative (subsequent years) should be identified and "lined-out" before estimating emissions for the relevant criteria air pollutant. Assumptions should be used for individual projects/practices rather than calculating expected emissions' levels for individual projects (e.g., < 1 ton/yr. estimated for *net* riparian buffer restorations; < 1 ton/yr. estimated for dune plantings; "negligible" assumed for *net* changes to hunting program, etc.).

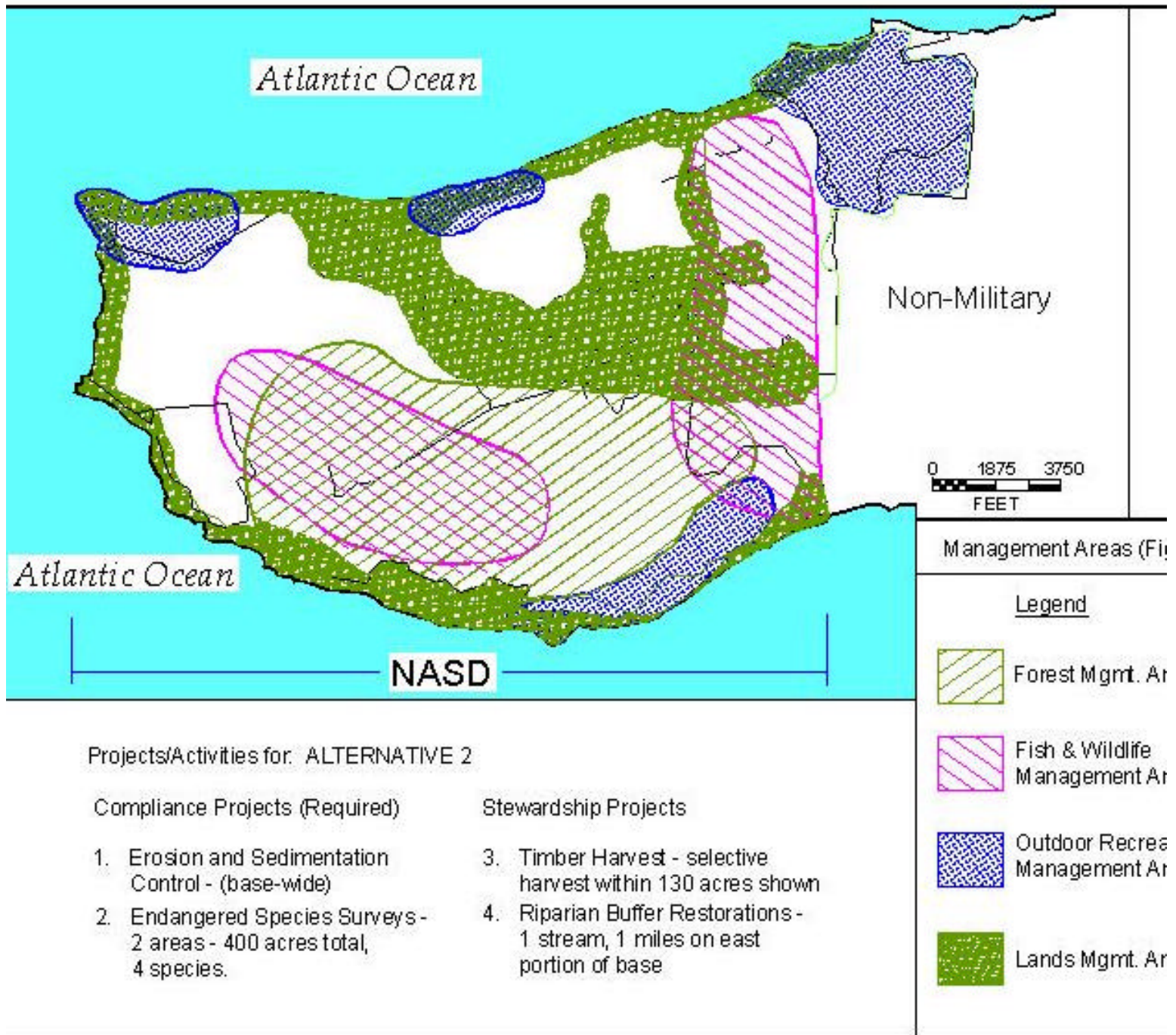
If qualified Navy specialists determine that there may be an affect to resources under regulatory agency jurisdiction, letters of concurrence from regulatory agency(s) will be required to complete the NEPA process. When required, the INRMP should be submitted to the appropriate regulatory agency with Navy's determination of potential effects (coastal consistency, etc.). Agency concurrence may be requested with its review of the NEPA document, but agency review is better provided during the public review of the INRMP because this will facilitate timely completion of the INRMP process (see Figure 1). For example, if Navy prepares a Coastal Consistency Determination for concurrence by the State Coastal Resources Program (SCRP), in many instances its review does not allow for submittal of draft documents. Conversely, a separate Coastal Consistency Determination should be prepared by Navy and sent to the SCRPP for concurrence. The need for letters of concurrence will vary on a case-by-case basis depending on the potential for impacts.

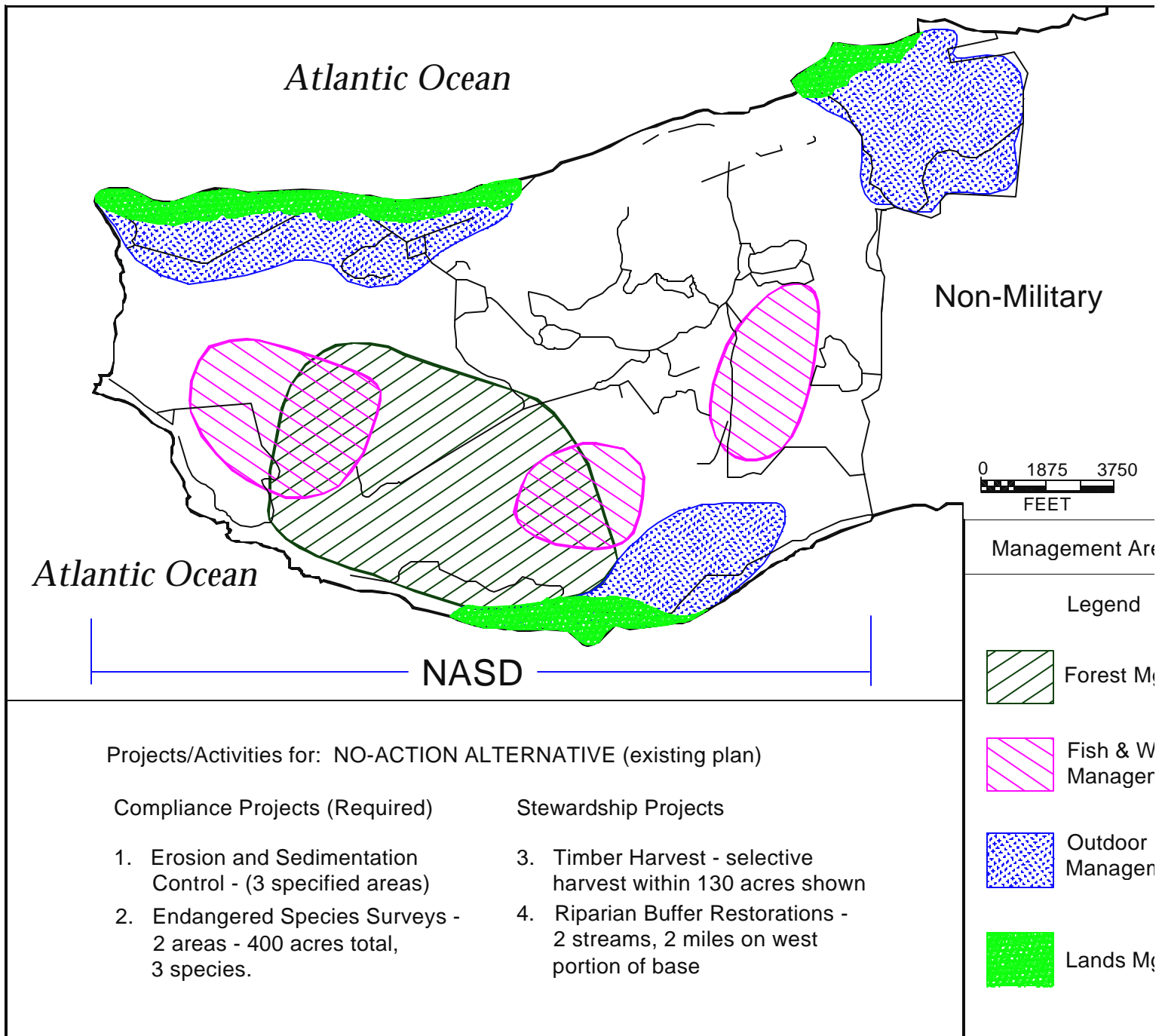
As a final note, Navy's environmental planners have always demonstrated their versatility and aptitude in adapting to new challenges. They should become involved early in the process to assist in developing a strategy for the successful completion of the NEPA requirements and the INRMP. This guidance is intended to provide a level of consistency in the way NEPA documents are prepared for INRMPs. At the same time, it is recognized that there will be different challenges for each INRMP and this guidance is intended to maintain flexibility for Navy Commands and environmental planners to meet those challenges.

FIGURE 1: NEPA PROCESS INTEGRATED TO INRMP PROCESS









APPENDIX G: ACRONYMS AND TERMS USED IN THIS GUIDANCE AND STANDARDS FOR NAVY INRMPS

Acronyms

ACOE	U.S. Army Corps of Engineers
AFPMB	Armed Forces Pest Management Board
AOR	Area of Responsibility
APHIS	USDA, Animal and Plant Health Inspection Service
APM	Activity Pest Manager
APZ	Accident Potential Zones
ARPA	Archaeological Resources Protection Act
ASN (I&E)	Assistant Secretary of the Navy (Installations and Environment)
ASW	Anti-Submarine Warfare
BA	Biological Assessment
BAM	Baseline Assessment Memorandum
BASH	Bird/Animal Aircraft Strike Hazard
BEPA	Bald Eagle Protection Act
BEQ	Bachelor Enlisted Quarters
BLM	Bureau of Land Management (DOI)
BMP	Best Management Practices
BO	Biological Opinion
BOQ	Bachelor Officer Quarters
BRAC	Base Closure and Realignment Act
CA	Cooperative Agreement
CAA	Clean Air Act
CB (or SeaBee)	Naval Construction Battalion
CCP	Comprehensive Conservation Plan
CE	Categorical Exclusion
CEC	Naval Civil Engineering Corps
CEQ	Council on Environmental Quality
CERFA	Community Environmental Response Facilitation Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CH	Critical Habitat as designated by the Endangered Species Act
CHINFO	Naval Chief of Information
CINC	Commander In Chief
CO	Commanding Officer
COMNAVFACENGCOM HQ	Commander Naval Facilities Engineering Command Headquarters
CMC	Commandant of the U.S. Marine Corps
CNIC	Chief of Naval Installations
CNO	Chief of Naval Operations

CRMP	Cultural Resources Management Plan
CWA	Clean Water Act
CWQCP	Comprehensive Water Quality Control Plan
CZMA	Coastal Zone Management Act
DASN	Deputy Assistant Secretary of the Navy
DEIS	Draft Environmental Impact Statement
DCS	Data Call Station
DOD	U.S. Department of Defense
DODINST	Department of Defense Instruction
DOE	Department of Energy
DOI	U.S. Department of Interior
DON	Department of the Navy (includes U.S. Navy and U.S. Marine Corps)
DUSD	Department of the Undersecretary of Defense
EA	Environmental Assessment
ECE	Environmental Compliance Evaluation
EFA	NAVFACENGCOM, Engineering Field Activity
EFH	Essential Fish Habitat
EFD	NAVFACENGCOM, Engineering Field Division
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EO	Executive Order
EOD	Explosive Ordnance Disposal
EPA	U.S. Environmental Protection Agency
EPR	Environmental Program Requirements
EPCRA	Emergency Planning and Community Right-to-Know Act
EQA	Environmental Quality Assessment also known as ECE
EQR	Environmental Quality Report to Congress
ERA	Ecological Reserve Areas
ERL	Environmental Readiness Level
ERMS	Environmental Resources Management System
ESA	Endangered Species Act
ESQD	Explosive Safety Quantity Distances
FE	Federally Endangered Species under the Endangered Species Act
FFCA	Federal Facility Compliance Act
FGS	Final Governing Standards
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FISC	Freedom of Information Act
FONSI	Finding of No Significant Impact
FR	Federal Register
FSC	Federal Species of Concern
FT	Federally Threatened Species under the Endangered Species Act

GIS	Geographical Information System
GPRA	Government Performance and Results Act
GPS	Global Positioning System
GSA	General Services Administration
HARP	Historic Archeological Resources Protection
HPP	Historic Preservation Plan
HQ	Headquarters
HS	Hazardous Substance
HW	Hazardous Waste
IBA	Important Bird Area
ICRMP	Integrated Cultural Resources Plan
IMBD	International Migratory Bird Day
INRMP	Integrated Natural Resources Management Plan
IR	Installation Restoration
IRT	Installation Restoration Team
ISTEA	Intermodal Surface Transportation Efficiency Act
ITAM	Integrated Training Area Management
IWDM	Integrated Wildlife Damage Management
JAG	Naval Judge Advocate General
LCTA	Land Condition Trend Analysis
LRAM	Land Rehabilitation and Maintenance
LRMP	Legacy Resource Management Program
MBTA	Migratory Bird Treaty Act
MCB	Marine Corps Base
MEU	Marine Expeditionary Unit
MILCON	Military Construction
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MMPA	Marine Mammal Protection Act
MPA	Marine Protected Area
MPRSA	Marine Protection, Research, and Sanctuaries Act
MSC	Military Sealift Command
MWR	Morale, Welfare and Recreation
NAGPRA	Native American Graves Protection and Repatriation Act
NAVAIRSYSCOM	Naval Air Systems Command
NAVFAC	Naval Facilities Engineering Command
NAVFACENGCOM	Naval Facilities Engineering Command
NAVFACINST	Naval Facilities Engineering Command Instruction
NAVSEASYSYSCOM	Naval Sea Systems Command
NAVSUPSYSCOM	Naval Supply Systems Command
NAVSPAWARSYSCOM	Naval Space and Warfare Systems Command
NCIS	Naval Criminal Investigative Service
NECIS	Navy Environmental Information System
NEHC	Naval Environmental Health Center
NEPA	National Environmental Policy Act

NESA	Naval Environmental Support Office
NFESC	Naval Facilities Engineering Services Center
NHPA	National Historic Preservation Act
nm	nautical miles
NMFS	NOAA, National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
NOSC	Navy On-Scene Coordinator
NPS	Non-point source
NRDA	Natural Resources Management
NRMPM	Natural Resources Management Procedural Manual
NSDI	National Spatial Data Infrastructure
NSTM	Naval Ships Technical Manual
NSWC	Naval Surface Warfare Center
NSW	Naval Special Warfare
NWR	National Wildlife Refuge
NWRC	National Wildlife Research Center
OASN (I&E)	Office of the Assistant Secretary of the Navy (Installations and Environment)
OIC	Officer-in-Charge
OGC	Office of General Counsel
OLA	Naval Office of Legislative Affairs
O&M	Operations and Maintenance
OMB	Office of Management and Budget
O&MN	Operations and Maintenance, Navy (a category of the budgeted funds for the operation of the Navy)
OPA	Oil Pollution Act
OPNAV	Office of the Chief of Naval Operations
OPNAVINST	Chief of Naval Operation Instruction
ORV	Off-road vehicle
OSD	Office of the Secretary of Defense
OSHA	Occupational Safety and Health Act
QRP	Qualified Recycling Program
P2	Pollution Prevention Program
PE	Proposed Endangered Species under the Endangered Species Act
PIF	Partners In Flight
POC	Point of Contact
POL	Petroleum-Oil-Lubricants
POM	Program Objective Memorandum
PL	Public Law
ppb	parts per billion
ppm	parts per million
PR	Program Review
PT	Proposed Threatened Species under the Endangered Species Act
RAB	Restoration Advisory Board

RCMP	Range Complex Management Plan
RCRA	Resource Conservation and Recovery Act
R&D	Research and Development
RDT&E	Research, Development, Test and Evaluation
RDP	Range Development Plan
RMA	Resource Management Area
ROD	Record of Decision
RPM	Real Property Maintenance or Remedial Project Manager
RRPI	Range Readiness Preservation Initiative
RSIP	Regional Shore Infrastructure Plan
RV	Recreational Vehicle
SAIA	Sikes Act Improvement Act
SAV	Submerged Aquatic Vegetation
SERDP	Strategic Environmental Research and Development Program
SECDEF	Secretary of Defense
SECNAV	Secretary of the Navy
SDWA	Safe Drinking Water Act
SHPO	State Historic Preservation Office
SOP	Standard Operating Procedure
SWMU	Solid Waste Management Unit
TAP	Tactical Training Theater Assessment and Planning
T/E	Threatened and Endangered Species
TMDL	Total Maximum Daily Loads
TNR	Trap-Neuter-Release
TRI	Training Requirements Integration
TSCA	Toxic Substances Control Act
US	United States of America
USAF	United States Air Force
U.S.C.	United States Code
USCG	United States Coast Guard
USDA	United States Department of Agriculture
USDHS	United States Department of Homeland Security
USGS	United States Geological Survey
USMC	United States Marine Corps
USN	United States Navy
USNPS	United States National Park Service
USFWS	United States Fish and Wildlife Service

**ALL OTHER ACRONYMS USED IN INRMPs SHOULD BE
CONSISTENT WITH OPNAV 5090.1B CH-3**

Terms and Definitions

Action. A program, activity, project, official policy (such as a rule or regulation), or formal plan directly carried out by a Federal agency. (Per EO 13186.)

Agricultural outleasing. The use of non-excess DOD lands under a lease to an agency, organization, or person generally for growing crops or grazing domestic animals. The term “agriculture” includes activities related to producing, harvesting, processing, or marketing an agricultural, aquaculture, maricultural, or horticultural commodity, including breeding, raising, shearing, feeding, caring for, training, and managing livestock, bees, poultry, fish, shellfish, and fur-bearing animals and wildlife; and planting, cultivating for harvest, or processing short-rotation (less than 15 years) forest products. (Per OPNAV 5090.1B CH 3, Chapter 22.)

Alien species (see also **Exotic species**). With respect to a particular ecosystem, any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem. (EO 13112) According to USDA, “a species introduced and occurring in locations beyond its known historical range. Synonyms for alien species include exotic, non-native, non-indigenous, and introduced species. Of the thousands of plants that have been introduced to the United States intentionally for cultivation or by accident, approximately 4,000 of these alien plant species now occur outside of cultivation 400 of these are considered problematic with respect to adverse effects on agricultural or our native biota.” (*Example:* Saltmarsh Cordgrass, native to eastern North American estuaries, has been introduced to western North American shoreline habitats and is considered an alien in these western habitats, where it adversely impacts native habitats and displaces native plant species.)

Annual increment. An INRMP addendum addressed annually, to facilitate implementation of the INRMP. Each installation must establish and maintain regular communications with the appropriate U.S. Fish and Wildlife Service (USFWS) and state fish and wildlife agency offices to address issues concerning natural resources management that are not addressed in the INRMP. At a minimum, this includes a annual coordination with all cooperating offices. In addition, each installation will invite annual feedback from the appropriate USFWS and state fish and wildlife agency offices on the effectiveness of the INRMP. (Per Deputy Under Secretary of Defense (I&E) Memorandum, 10 October 2002, Implementation of Sikes Act Improvement Act: Updated Guidance.)

Best management practices (BMPs). These are practical, economical, and effective management or control practices that will reduce or prevent pollution. Usually, BMPs are applied as a system of practices based on site-specific conditions rather than a single practice. State agencies usually prepare BMPs for land-disturbing activities related to agriculture, forestry, and construction. (OPNAV 5090.1B CH 3, Chapter 22)

Biodiversity. The variety of life and its processes; it includes the variety of living organisms, the genetic differences among them, the communities and ecosystems in

which they occur, and the ecological and evolutionary processes that keep them functioning, yet ever changing and adapting. (Per OPNAV 5090.1B CH 3, Chapter 22.)

Biological Assessment (BA). The information prepared by or under the direction of a Federal agency concerning proposed or listed species, as well as proposed or designated critical habitat that may present in the action area and the evaluation potential effects of the action on such species and habitat during consultation under the ESA (16 U. S. C. 1531 *et seq.*). The purpose of the BA is to determine whether or not the proposed action is likely to (1) adversely affect listed species or designated critical habitat; (2) jeopardize the continued existence of species proposed for listing; or (3) adversely modify proposed critical habitat. (Per 50 CFR Part 402)

Biological Opinion (BO). A document that states the opinion of the USFWS or National Marine Fisheries Service (NMFS) about whether or not a Federal action, described in a BA, is likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of critical habitat. (Per 50 CFR Part 402) A BO is developed during consultation of a Federal agency with the USFWS or NMFS under Section 7 of the ESA (16 U. S. C. 1531 *et seq.*).

Bird/Animal Aircraft Strike Hazard (BASH) Prevention Program. An integrated program, based on a BASH Plan, to support the Navy's flying mission. This program promotes land management practices to minimize bird and other animal attractants, and safety procedures to recognize, control, and avoid hazardous bird concentrations. A critical part of BASH involves disciplined reporting of bird strikes. (Per OPNAV 5090.1B CH 3, Chapter 22)

Birds of conservation concern. A list of birds, periodically published by the USFWS, of species, subspecies, and populations of all migratory non-game birds that, without additional conservation actions, are likely to become candidate species under the ESA (16 U. S. C. 1531 *et seq.*). The most current list of birds of conservation concern can be found at <http://migratorybirds.fws.gov>

Candidate species. Plants and animals for which the USFWS has sufficient information on their biological status and threats to propose them as endangered or threatened under the ESA (16 U. S. C. 1531 *et seq.*), but for which development of a listing regulation is precluded by other higher-priority listing activities. The most current list of candidate species can be found at <http://endangered.fws.gov/candidates/index.html>. (Per Section 4 of the ESA (16 U. S. C. 1531 *et seq.*))

Coastal State. A state of the United States in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes. The term also includes Puerto Rico, the U.S. Virgin Islands, Guam, and American Samoa. (Per OPNAV 5090.1B CH 3, Chapter 22)

Coastal zone. A coastal zone is an area specifically identified or otherwise delineated by a coastal state in its approved Coastal Zone Management Plan (CZMP). It is an

area of coastal waters and adjacent shorelines strongly influenced by each other and in proximity to the shorelines of the several coastal states, including islands, transitional and intertidal areas, salt marshes, wetlands, and beaches. (Per OPNAV 5090.1B CH 3, Chapter 22)

Conservation. The prudent care, protection, and management of natural resources that best reflect sound resource stewardship for present and future generations. (Per OPNAV 5090.1B CH 3, Chapter 22) Per USDA's Natural Resources Conservation Service, conservation is the use and management of natural resources according to principles that assure their sustained productivity.

Consultation under Section 7 of the Endangered Species Act (16 U. S. C. 1531 *et seq.*).

Formal. Formal consultation is a process between the USFWS or NMFS and the Federal agency that commences with the Federal agency's written request for consultation under Section 7(a) (2) of the ESA and concludes with the USFWS or NMFS issuance of a BO under Section 7(b) (3) of the ESA. (Per 50 CFR Part 402.)

Informal. Informal consultation is an optional process that includes all discussions, correspondence, etc., between the USFWS or NMFS and the Federal agency or the designated non-Federal representative prior to formal consultation, if required. (Per 50 CFR Part 402)

Control. Eradicating, suppressing, reducing, or managing invasive species populations, preventing the spread of invasive species from areas where they are present, and taking steps, such as restoration of native species and habitats, to reduce the effects of invasive species and to prevent further invasions. (Per EO 13112, as appropriate)

Cooperative agreement. An agreement used to acquire goods or services or stimulate an activity undertaken for the public good. Cooperative agreements assume substantial involvement between the Federal agency and recipient during performance of the activity. Cooperative agreements may be used to accomplish work identified in the INRMP, and may be entered into with states, local governments, nongovernmental organizations, and individuals to provide for the maintenance and improvement of natural resources on, or to benefit natural resources research on DOD installations. Agreements authorized by the Sikes Act (22-2.5) are not subject to the provisions of the Federal Grant and Cooperative Agreement Act, but must comply with the procedural requirements of the DOD Grant and Cooperative Agreement Regulations. Funds approved for a particular fiscal year may be obligated to cover the costs of goods and services provided under a cooperative agreement during any 18-month period beginning in that fiscal year, in accordance with the Sikes Act Improvement Act of 18 November 1997. (Per OPNAV 5090.1B CH 3, Chapter 22)

Coral reef ecosystems in the United States. Species, habitats, and other natural resources associated with coral reefs in all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., Federal, state, territorial, or

commonwealth waters), including reef systems in the South Atlantic Ocean, Caribbean Sea, Gulf of Mexico, and Pacific Ocean. (EO 13089)

Coral Reef Initiative – International. An existing partnership, founded by the United States in 1994, of governments, intergovernmental organizations, multilateral development banks, nongovernmental organizations, scientists, and the private sector, whose purpose is to mobilize governments and other interested parties whose coordinated, vigorous, and effective actions are required to address the threats to the world's coral reefs. (EO 13089)

Coral Reef Initiative – United States. An existing partnership between Federal agencies and state, territorial, commonwealth, and local governments, nongovernmental organizations, and commercial interests to design and implement additional management, education, monitoring, research, and restoration efforts to conserve coral reef ecosystems for the use and enjoyment of future generations. (EO 13089) The existing U.S. Islands Coral Reef Initiative strategy covers about 95 percent of U.S. coral reef ecosystems and is a key element of the overall U.S. Coral Reef Initiative.

Critical habitat (CH). These are the “(i) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of Section 4 of this Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of Section 4 of this Act, upon a determination by the Secretary that such areas are essential for the conservation of the species. (B) Critical habitat may be established for those species now listed as threatened or endangered species for which no critical habitat has heretofore been established as set forth in subparagraph (A) of this paragraph. (C) Except in those circumstances determined by the Secretary, critical habitat must not include the entire geographical area that can be occupied by the threatened or endangered species.” (Per ESA (16 U. S. C. 1531 *et seq.*)

DOD Instruction 4715 (see **Multiple use, Natural resources, Needs assessment survey, Sensitive resources, Significant resources, Stewardship, and Sustainable yield**). Environmental Conservation Program instruction, which implements policy, assigns responsibilities, and prescribes procedures for the integrated management of natural and cultural resources on property under Department of Defense (DOD) control.

DOD Partners in Flight (PIF). DOD lands represent a critical network of habitats for neotropical migratory birds, offering these birds migratory stopover areas for resting and feeding, and suitable sites for nesting and rearing their young. DOD has, therefore, developed a policy to promote and support a partnership role in the protection and conservation of resident and migratory birds by protecting vital habitats, enhancing biodiversity, and maintaining healthy and productive natural systems on our lands

consistent with the military mission. See the DOD PIF Strategic Plan at http://www.dodpif.org/strategic_plan/index.htm

Ecological reserve areas (ERAs). Areas dedicated primarily or exclusively to preserving examples of ecosystems and genetic diversity and to scientific research and education on ecological and environmental problems. (OPNAV 5090.1B CH 3, Chapter 22) Guidance for selection and establishment of ERAs can be found in NAVFAC's Natural Resources Management Procedural Manual, P-73, Volume II.

Ecological risk assessment. A quantitative and/or qualitative appraisal of the actual or potential effects of a hazardous waste (HW) site on plants and animals other than people or domesticated species. (OPNAV 5090.1B CH 3, Chapter 22)

Ecosystem. A system formed by the interaction of a community of organisms with each other and the environment. (OPNAV 5090.1B CH 3, Chapter 22) The complex of a community of organisms and its environment. (EO 13112) A dynamic and natural complex of living organisms interacting with each other and with their associated nonliving environment. (DOD 4715.3)

Ecosystem management. Ecosystem management on DOD lands draws on a long-term vision of desired future ecological conditions, integrating ecological, economic, and social factors. The goal is to maintain and improve the sustainability and native biological diversity of ecosystems (as opposed to one species), while supporting human needs, including the military mission. (OPNAV 5090.1B CH 3, Chapter 22)

Endangered species. Any species in danger of extinction throughout all or a significant portion of its range, other than a species of the Class Insecta determined by the Secretary of the Interior to constitute a pest whose protection under ESA provisions would present an overwhelming and overriding risk to man. (ESA (16 U. S. C. 1531 *et seq.*)

Endangered or threatened species. A species of fauna or flora that has been listed by USFWS or NMFS for special protection and management under the ESA (16 U. S. C. 1531 *et seq.*).

Energy use. The energy used at a building or facility and measured in terms of energy delivered to the building or facility. (EO 12759)

Environmentally and economically beneficial landscaping. Landscaping, construction, and design practices that support EO 13148, Greening the Government through Leadership in Environmental Management.

Essential fish habitat (EFH). The water and substrates necessary to fish for spawning, feeding, or growth to maturity. (Per the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801-1883)

Exotic species (see also **Alien species**). All species of plants and animals not naturally occurring, either now or historically, in any ecosystem of the United States. (EO 11987) Those species occurring outside their native ranges in a given place as a result of actions by humans. (USDA) “Exotic,” “alien,” “introduced,” “nonindigenous,” and “nonnative” are all synonyms for species that humans intentionally or unintentionally introduced into an area outside of a species’ natural range.

Facility. Any building, installation, structure, land, and other property owned or operated by, or constructed or manufactured and leased to, the Federal Government, where the Federal Government is formally accountable for compliance under environmental regulation (e.g., permits, reports/records and/or planning requirements) with requirements pertaining to discharge, emission, release, spill, or management of any waste, contaminant, hazardous chemical, or pollutant. This includes a group of facilities at a single location managed as an integrated operation, as well as Government-owned contractor-operated facilities. (EO 13148)

Federal agency. An executive department or agency that does not include independent establishments, as defined by 5 U.S.C. 104.

Fish and wildlife. Any member of the animal kingdom, including without limitation any mammal, fish, bird (including migratory, nonmigratory, or endangered bird for which protection is also afforded by treaty or other international agreement), amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate, and any part, product, egg, or offspring, thereof, or the dead body or parts thereof. (ESA (16 U. S. C. 1531 *et seq.*)

Fish-and-wildlife management. Actions designed to preserve, enhance, and regulate indigenous wildlife and its habitats, including conservation of protected species and non-game species, management and harvest of game species, BASH reduction, and animal-damage control. (OPNAV 5090.1B CH 3, Chapter 22)

Floodplain. The lowland and relatively flat areas adjoining inland and coastal waters including flood-prone areas of offshore islands, including at a minimum, that area subject to a 1 - percent or greater chance of flooding in any given year. (EO 11988) (NOTE: This is the 100-year floodplain reference, not the 500-year floodplain.) Adverse impacts on floodplains are avoided when possible. The direct or indirect support of floodplain development must be avoided where there is a practicable alternative. (DOD Instruction 4715.3)

Forest management. Actions designed for the production and sale of forest products and for maintaining the health and vigor of forest ecosystems. Actions include timber management, forest administration, timber sales, reforestation, afforestation, timber-stand improvement, timber-access road construction and maintenance, forest protection, and other directly related functions. (OPNAV 5090.1B CH 3, Chapter 22)

Forest products. All plant materials in wooded areas (raw material yielded by a forest) that have commercial value. Includes timber (and fuelwood) and non-timber (resins, fruit, fungi, and leaves) harvested, processed, used, and marketed. (OPNAV 5090.1B CH 3, Chapter 22).

Game species. Fish and wildlife harvested for recreational or subsistence use per applicable Federal and state hunting and fishing laws. To be declared game, species are generally common and occur in large numbers. (OPNAV 5090.1B CH 3, Chapter 22)

Geographic information system (GIS). An organized collection of computer hardware, software, and geographic data designed to efficiently capture, store, update, manipulate, analyze, and display all forms of geographically referenced data. (OPNAV 5090.1B CH 3, Chapter 22)

Geospatial data. Information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth. (EO 12906) This information may be derived from, among other things, remote sensing, mapping, and surveying technologies. Statistical data may be included in this definition at the discretion of the collecting agency.

Grounds. All land areas not occupied by buildings, structures, pavements, and other facilities. Depending on the intensity of management, grounds may be classified as improved, as those near buildings, semi-improved, or unimproved. (OPNAV 5090.1B CH 3, Chapter 22)

Habitat. An area where a plant or animal species lives, grows, and reproduces, and the environment that satisfies its life requirements. (OPNAV 5090.1B CH 3, Chapter 22)

Important bird area (IBA). A network of sites that provide essential habitat for the long-term conservation of birds. In the United States, the IBA network is a cooperative venture of the American Bird Conservancy and the National Audubon Society. The most current information and maps can be found at <http://www.abcbirds.org/iba/>

Integrated Natural Resources Management Plan (INRMP). A long-term planning document to guide an installation commander in the management of natural resources to support the installation mission, while protecting and enhancing installation resources for multiple use, sustainable yield, and biological integrity. Its primary purpose is to ensure that natural resources conservation measures and military operations on the installation are integrated and consistent with stewardship and legal requirements. (OPNAV 5090.1B CH 3, Chapter 22)

Introduction. The intentional or unintentional escape, release, dissemination, or placement of a species into an ecosystem as a result of human activity. (EO 13112)

Invasive species. An alien (exotic, non-native, non-indigenous, or introduced) species whose introduction does or is likely to cause economic or environmental harm or harm to human health. (EO 13112)

Jeopardize the continued existence (or Jeopardy). To engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species. (50 CFR Part 402)

Land management. Programs and techniques to manage lands, wetlands, and water quality; including soil conservation, erosion control, and nonpoint source pollution, surface and subsurface waters, habitat restoration, control of noxious weed and poisonous plants, agricultural outleasings, range management, identification and protection of wetlands, watersheds, floodplains management, landscaping, and grounds maintenance. (OPNAV 5090.1B CH 3, Chapter 22)

Listed species. Any species of a fish, wildlife, or plant that has been determined to be endangered or threatened under Section 4 of the ESA (16 U. S. C. 1531 *et seq.*). (50 CFR Part 402) Listed species are found in 50 CFR Part 17.11-17.12.

Marine environment. Areas of coastal and ocean waters, the Great Lakes, and their connecting waters, and submerged lands there under, over which the United States exercises jurisdiction, consistent with international law. (EO 13158)

Marine protected area (MPA). Any area of the marine environment that has been reserved by Federal, state, territorial, tribal, or local laws or regulations to provide lasting protection for part or all of the natural and cultural resources therein. (EO 13158)

Migratory bird. A bird with a seasonal and somewhat predictable pattern of movement. (A general definition.) Any bird, whatever its origin and whether or not raised in captivity, which belongs to a species listed in 50 CFR 10.13, or which is a mutation or a hybrid of any such species, including any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof. (The Migratory Bird Treaty Act (16 U. S. C. 703 *et seq.*) Any of the over 800 species listed in 50 C.F.R. 10.13, including many common ones like Canada geese, barn swallows, and two kinds of starling. (EO 13186)

Migratory bird resources. Migratory birds and the habitats upon which they depend. (EO 13186)

Migratory bird convention. Collectively, the bilateral conventions (with Great Britain/Canada, Mexico, Japan, and Russia) for the conservation of migratory bird resources. (EO 13186)

Mitigation. Lessening the adverse effects an undertaking may cause relative to natural or cultural resources. Mitigation can include limiting the magnitude of the action;

repairing, rehabilitating, or restoring the affected resource; avoiding the effect altogether; reducing or eliminating the effect over time by preservation and maintenance operations during the life of the action; and/or compensating for the effect by providing substitute resources or environments. (DOD Instruction 4715.3)

Mitigation banking Actions taken to compensate for future adverse effects of undertakings by providing substitute resources or environments in advance of any specific undertaking. (DOD Instruction 4715.3)

Multiple Use. The integrated, coordinated, and compatible use of natural resources so as to achieve a sustainable yield of a mix of desired goods, services, and direct and indirect benefits while protecting the primary purpose of supporting and enhancing the military mission and observing stewardship responsibilities. (DOD 4715)

National Spatial Data Infrastructure (NSDI). The technology, policies, standards, and human resources necessary to acquire, process, store, distribute, and improve use of geospatial data. (EO 12906)

National Geospatial Data Clearinghouse. A distributed network of geospatial data producers, managers, and users linked electronically. (EO 12906)

Native species. All species of plants and animals naturally occurring, either currently or historically, in any U.S. ecosystem. (EO 11987) With respect to a particular ecosystem, a species that other than as a result of an introduction historically occurred or currently occurs in that ecosystem. (EO 13112)

Natural resources. All elements of nature and their environments of soil, air, and water, of two general types (DOD 4715):

- a. **Earth resources.** Nonliving resources, such as minerals and soil components.
- b. **Biological resources.** Living resources, such as plants and animals.

Natural Resources Manager/Coordinator. An individual appointed by a Commanding Officer (CO), whose duties include ensuring that the CO is informed regarding: natural resources issues and conditions, the INRMP's objectives, and potential or actual conflicts between mission requirements and natural resources mandates. Designated installation Points of Contact can also be appointed and responsible for the inherently governmental decisions made on behalf of the installation and CO with regard to compliance with the Sikes Act Improvement Act. (OPNAV 5090.1B CH 3, Chapter 22)

Natural Resources Damage Assessment (NRDA). The process of collecting and analyzing information to determine injury to, destruction of, or loss of, natural resources, and the assessment of damages for that injury, including the costs of assessing the injury, loss, or destruction resulting from a past or present hazardous substance release or oil spill. (OPNAV 5090.1B CH 3, Chapter 22)

Needs assessment survey. An inventory of an installation's inventories, management plans, personnel, training, supplies, equipment, and other management tools to identify future actions and resources needed for the installation to comply with the requirements of this Instruction. (Per DOD Instruction 4715)

No net loss of military mission. Each INRMP must, to the extent appropriate and applicable, and consistent with the use of the installation to ensure the preparedness of the Armed Forces, provide for "no net loss in the capability of military installation lands to support the military mission of the installation." (Per Section 101(b)(1)(I) of the SAIA) INRMPs are intended principally to help installation commanders manage natural resources more effectively so as to ensure that installation lands remain available and in good condition to support the installation's military mission, i.e., ensure "no net loss in the capability of military installation lands to support the military mission of the installation." Furthermore, appropriate management objectives to protect mission capabilities of installation lands should be clearly articulated in the planning process and should be high in INRMP resourcing priorities. Mission requirements and priorities identified in the INRMP will, where applicable, be integrated in other environmental programs and policies. It is not the intent that natural resources are to be consumed by mission requirements, but sustained for the use of mission requirements. To achieve this, environmental programs and policies must have the goal of preserving the environment for the purpose of the mission. (Deputy Under Secretary of Defense (I&E) Memorandum, 10 October 2002, Implementation of Sikes Act Improvement Act: Updated Guidance)

Non-game species. Fish-and-wildlife species not classified as game species and not harvested for recreation or subsistence purposes. (OPNAV 5090.1B CH 3, Chapter 22)

Nonpoint source (NPS) pollution/polluted runoff. Pollution caused by diffuse sources that are not regulated as point sources; normally associated with runoff from construction activities, urban, agricultural and silvicultural runoff, and other land disturbing such as military training and operations that disturb lands, soils, and waters. NPS pollution can result from stormwater runoff, precipitation, atmospheric deposition, or percolation. (OPNAV 5090.1B CH 3, Chapter 22)

Noxious weeds. Plant species identified by Federal or state agencies as requiring control or eradication.

Off-road vehicle (ORV). Any motorized vehicle designed for or able to cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain; *except* (a) any registered motorboat, (b) any fire, military, emergency, or law-enforcement vehicle when used for emergency purposes, and any combat or combat support vehicle when used for National defense purposes, and (c) any vehicle whose use is expressly authorized by the respective agency head under a permit, lease, license, or contract. (EO 11989) A vehicle designed or used for recreational travel on natural terrain. (OPNAV 5090.1B CH 3, Chapter 22)

Outdoor recreation. A program, activity, or opportunity dependent on the natural environment. Examples are picnicking, bird-watching, hiking, wild and scenic river use, hunting, fishing, and primitive camping. (OPNAV 5090.1B CH 3, Chapter 22)

Outdoor recreation management. The management of natural resources to provide recreation opportunities that are sustainable, within the military mission, within established carrying capacities, and consistent with the natural resources upon which they are based. (OPNAV 5090.1B CH 3, Chapter 22)

Plant. Any member of the plant kingdom, including seeds, roots, and other parts thereof. (ESA (16 U. S. C. 1531 *et seq.*))

Projects, INRMP-related. Studies, plans, surveys, inventories, and land/water treatments, as well as physical improvements, minor construction, and public relations described in the INRMP. (OPNAV 5090.1B CH 3, Chapter 22)

Proposed species. Any species of fish, wildlife, or plant proposed in the Federal Register to be listed under Section 4 of the ESA (16 U. S. C. 1531 *et seq.*).

Range. A land or sea area designated and equipped for any or all of the following reasons: (1) maneuver element training; (2) research, development, test, and evaluation of weapons and weapons systems; and (3) delivery or firing of live/inert ordnance against scored and/or tactical targets for training purposes. Can include firing lines and positions, maneuver areas, firing lanes, test pads, detonation pads, impact areas, and buffer zones with restricted access and exclusionary areas, but does not include airspace.

Range complex. A geographically integrated set of ranges, operational areas, and associated special use airspace, designated and equipped with a command and control system and supporting infrastructure for freedom of maneuver and practice in munitions firing and live ordnance use against scored and/or tactical targets and/or Electronic Warfare tactical combat training environment.

Recycling. The diversion of materials from the solid-waste stream and the beneficial use of such materials. Recycling is further defined as the result of a series of activities by which materials that would become or otherwise remain waste, are diverted from the solid-waste stream by collection, separation, and processing, and are used as raw materials in the manufacture of goods sold or distributed in commerce or the reuse of such materials as substitutes for goods made of virgin materials. (EO 12780) The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid-waste stream for use in the form of raw materials in the manufacture of new products other than fuel for producing heat or power by combustion. (EO 13101)

Recovery of a listed species. The improvement in the status of a listed species to the point at which listing is no longer appropriate under the criteria set out in Section 4(a)(1) of the ESA (16 U. S. C. 1531 *et seq.*). (50 CFR Part 402)

Sensitive resources. “Resources” identified as “highly responsive or susceptible to modification by external agents or influences.” (DOD Instruction 4715)

Significant resources. “Resources” identified as “having special importance,” or as “having or likely to have more influence on a particular aspect of the environment than other components.” (DOD Instruction 4715)

Soil. A natural body comprised of solids (minerals and organic matter), liquid, and gases that occurs on the land surface, occupies space, and is characterized by one or both of the following; horizons, or layers, that are distinguishable from the initial material as a result of additions, losses, transfers, and transformations of energy and matter or the ability to support rooted plants in the natural environment. (As defined in *Soil Taxonomy, A Basic System of Soil Classification for Making and Interpreting Soil Surveys* (USDA, Natural Resources Conservation Service, 1999.)

Species. A group of organisms, all of which have a high degree of physical and genetic similarity, generally interbreed only among themselves, and show persistent differences from members of allied groups of organisms. (EO 13112)

Species of concern. Species listed in the periodic report, “Migratory Nongame Birds of Management Concern in the United States,” priority migratory bird species as documented by established plans (such as Bird Conservation Regions in the North American Bird Conservation Initiative or Partners in Flight physiographic areas), and those species listed in 50 C.F.R. 17.11. (EO 13186)

State-listed species. Any species of fish, wildlife, or plant protected by an appropriate state agency as issued in a state’s endangered species law and other pertinent regulations. (OPNAV 5090.1B CH 3, Chapter 22)

Stewardship. The responsibility to inventory, manage, conserve, protect, and enhance the natural resources entrusted to one’s care in a way that respects the intrinsic value of those resources, and the needs of present and future generations. (Per OPNAV 5090.1B CH 3, Chapter 22.) The management of resources entrusted to one’s care in a way that preserves and enhances the resources and their benefits for present and future generations. (DOD Instruction 4715)

Submerged Aquatic Vegetation Areas. “Rooted, vascular, flowering plants that, except for some flowering structures, which live and grow below the water surface. Because of their requirements for sufficient sunlight, seagrasses are found in coastal areas of all Atlantic coast states, with the exception of Georgia and South Carolina, where freshwater inflow, high turbidity, and tidal amplitude combine to inhibit their

growth.” (The Atlantic States Marine Fisheries Commission, *Submerged Aquatic Vegetation Policy*, June 1997)

Sustainable yield. The production of renewable natural resources at a level such that harvest or consumptive use does not exceed net growth. (Per OPNAV 5090.1B CH 3, Chapter 22.) Managing a renewable natural resource to provide an annual or periodic yield of goods, services, and direct and indirect benefits, into perpetuity. That may include, but is not limited to, maintaining economic benefits, ecological processes and functions, and biodiversity. (DOD Instruction 4715)

Take of listed species. To harass, hunt, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct, per the ESA (16 U. S. C. 1531 *et seq.*), of which Section 9 prohibits “take.”

Harass, in the definition of “take,” means an intentional or negligent act or omission that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns, which include, but are not limited to, breeding, feeding, or sheltering.

Harm, in the definition of “take,” means an act that actually kills or injures wildlife. Such act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering.

Taking, killing, or possessing migratory birds. It is unlawful to pursue, hunt, take, capture, kill; attempt to take, capture, or kill; possess, offer for sale, sell offer to barter, barter offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported; deliver for transportation, transport, or cause to be transported; carry or cause to be carried; or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird or any part, nest or egg, thereof. To “take” is to pursue, hunt, shoot, wound, kill, trap, capture, or collect; or attempt to pursue, hunt, shoot, wound kill, trap, capture, or collect. (Migratory Bird Treaty Act (16 U.S.C. 706 *et seq.*) Furthermore, both “intentional” and “unintentional” take are defined in 50 CFR 10.12:

Intentional take. Take that is the purpose of the activity in question. (As defined in EO 13186.)

Unintentional take. Take that results from, but is not the purpose of, the activity in question. (As defined in EO 13186.)

The list of migratory birds protected under the Migratory Bird Treaty Act can be found in 50 CFR Section 10.13. Violations can result in a misdemeanor conviction and a fine up to \$15,000.

Threatened species. Any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. (Per the ESA (16 U. S. C. 1531 *et seq.*)

Waste reduction. Any change in a process, operation, or activity that results in the economically efficient reduction in waste material per unit of production without reducing the value output of the process, operation, or activity, taking into account the health and environmental consequences of such change. (EO 12780)

Watchable Wildlife Program. A National program designed to promote viewing areas for the American public to observe, experience, and enjoy native North American wildlife and habitat. (OPNAV 5090.1B CH 3, Chapter 22)

Watershed. The ridge or crestline dividing two drainage areas; the area drained by a river or stream. (OPNAV 5090.1B CH 3, Chapter 22)

Wetlands. Areas that are inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas, such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. (EO 11990) DOD lands must be managed for the goal of no net loss of wetlands, and DOD operations and activities must avoid the net loss of size, function, or value of wetlands. (DOD Instruction 4715.3)

Jurisdictional wetlands. For the U.S. Army Corps of Engineers to consider an area a jurisdictional wetland, the following must be present: 1) hydrophytic vegetation; 2) hydric soils; and 3) wetland hydrology. Drainages, or portions thereof, that lack hydrophytic vegetation or hydric soils but have distinct evidence of seasonal flows may be classified as non-wetland jurisdictional waters of the United States. The extent of the observed ordinary high water mark, as defined by U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, should be used to estimate the limits of potential jurisdictional waters.