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# **Florida Programs to Mitigate Encroachment to Military Installations**



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# Florida Programs to Mitigate Encroachment to Military Installations

Executive Summary -- (As of: August 29, 2019)

**Purpose:** The intent of this paper is to provide information on Florida's programs to mitigate encroachment to military installations in the state.

**Summary:** Increased development in Florida along with an increased number of people and businesses, in some cases, has negatively impacted the military's ability to effectively train and accomplish the military mission. Therefore, Florida has encouraged local governments to cooperate with military installations to 1) promote compatible land use, 2) help prevent incompatible encroachment, and 3) facilitate the continued presence of major military installations in this state. Florida has promoted compatible development by giving the military the opportunity to participate in local land use planning, which helps local officials understand the effects of incompatible development on quality of life in communities and on military operations.

There are a growing number of encroachment challenges to military installations in Florida and encroachment may lead to a diminished capability and capacity for US Armed Forces to train for combat.

Florida works hard to mitigate encroachment to military installations through laws designed to set aside conservation lands, regulate land use, and notify military authorities of possible incompatible development. Florida Statutes provide for coordination and communication between local governments and federal military installations to prevent incompatible development adjacent to the base. Further, there are provisions in law for mediation, if necessary, to resolve conflicts.

Florida has also established a number of land acquisition programs to help buffer military installations including Florida Forever, Rural and Family Lands Protection Program, and the Military Base Protection Program (for non-conservation lands). The federal government has established programs to assist states with encroachment mitigation such as the Compatible Use Program (CUP), Air Installation Compatibility Zones (AICUZ), Navy Range Air Installation Compatibility Zones (RAICUZ) and Enhanced Use Lease (EUL) program.

Florida has the right laws and programs in place to prevent encroachment. It also has a strong track record of close cooperation between local governments and federal military installations to prevent incompatible land development as well as other encroachment threats along with great support from local defense communities, the Governor and Legislature, the Florida Defense Alliance and the Florida Defense Support Task Force.

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# Florida Programs to Mitigate Encroachment to Military Installations

Information Paper

(As of: August 29, 2019)

**Purpose:** The intent of this paper is to provide information on Florida's programs to mitigate encroachment to military installations in the state.

## **Background:**

Historically, military installations in Florida were located in remote areas, due largely to the availability of land and for security purposes. Over time, however, installations drew both people and businesses closer to take advantage of civilian job opportunities the installation offered and to provide the goods and services to support the installation's operations. Additionally, as the state has grown, development has increased and moved ever closer to military installations. The increased development along with an increased number of people and businesses, in some cases, has negatively impacted the military's ability to effectively train and accomplish the military mission. Therefore, Florida has encouraged local governments to cooperate with military installations to 1) promote compatible land use, 2) help prevent incompatible encroachment, and 3) facilitate the continued presence of major military installations in this state. Florida has promoted compatible development by giving the military the opportunity to participate in local land use planning, which helps local officials understand the effects of incompatible development on quality of life in communities and on military operations.

## **Encroachment Definition:**

Encroachment is a term used by the U.S. Department of Defense to refer to incompatible uses of land, air, water and other resources. It is the cumulative impact of urban and rural development that can hamper the military's ability to carry out its testing and training mission.

According to a 2003 U.S. Army Corps of Engineers document, "Encroachment is any outside activity, law, or pressure that affects the ability of military forces to train to doctrinal standards or to perform the mission assigned to the installation. Pressures result from urban growth near installations, noise, legislation protecting habitat, regional fragmentation, airspace use, and stakeholder group issues."

Certain types of land use near military installations can interfere with military operations by obstructing air routes and communications by cellular towers, power lines and other similar structures; competing for or interfering with data and communications frequencies; depleting ground or surface water supplies, water treatment capacity and other resources; using extra air emissions in areas that may have emission thresholds; and requesting changes in testing because of residents' noise concerns. New development can also drive threatened and endangered species onto a military installation, limiting its operations

In summary, encroachment is any external factor that inhibits military readiness, including but not limited to the growing competition for land, airspace, waterfront access, and frequency spectrum. Incompatible land uses can impact critical, at-risk military mission capabilities at different scales over time. Increasingly, due to technological advances, land uses far away from the installation and range boundaries can also have an impact on the military's ability to train, test, and operate.

### **Increasing Encroachment Challenges:**

There are a growing number of encroachment challenges to military installations in Florida. In some cases, local officials are unaware of the extent of these challenges and how they can negatively impact the ability of the military installation to accomplish training and operational missions that prepare military units for combat. These encroachment challenges include, but are not limited to:

1. Sea and Air Space and Land Restrictions
2. Airborne Noise
3. Urban Growth
4. Frequency Spectrum Encroachment – Competition for finite electromagnetic environment (EME) spectrum resources. This includes the radio frequency spectrum.
5. Endangered Species/Critical Habitat -- Presence of threatened and endangered species and critical habitats on or within training areas and ranges
6. Energy Compatibility and Availability -- Onshore and offshore energy development of oil, gas, and renewable as well as associated pipelines and electrical transmission lines
7. Air Quality
8. Water
9. Cultural Resources
10. Unexploded Ordnance and Munitions – Infringement on explosive safety arcs and footprints (e.g., surface danger zones, weapon danger zones, and electromagnetic and radio frequency radiation).
11. Marine Resources
12. Physical Security – Includes foreign land ownership near military installations.

13. Proliferation of UAVs, UAS's and drones
14. Natural Factors, Weather and Climate
15. Light
16. Foreign interests, mergers and acquisitions, and development in and around military assets and resources.

**How Encroachment Impacts the Military Mission:**

1. Reduces usage days
2. Prohibits certain operational, training and testing events
3. Reduces range access
4. Segments training and reduces realism
5. Limits new technologies
6. Restricts flight altitudes
7. Inhibits new tactics development
8. Reduces live fire proficiency
9. Complicates night and all weather operations and training
10. Increases personnel tempo
11. Increases costs or risks

In summary, encroachment may lead to a diminished capability and capacity for US Armed Forces to train for combat.

## **How Florida Works to Mitigate Encroachment to Military Installations:**

### **1. Overview of Laws**

Florida Law addresses encroachment as a critical threat to military installations. Florida Statute 288.980 (1) (c) states that, “The Legislature finds that encroachment of military installations has been identified by local, state, and federal leaders as a critical threat to protecting, preserving, and enhancing military installations in this state. Encroachment can be detrimental to the current and future missions of military installations due to the incompatible use of adjacent land.”

Florida has a history of laws designed to prevent or mitigate the effects of encroachment. The types of land use laws fall into three categories.

1. Land Use Planning -- Requires local governments to include in comprehensive plans criteria to be considered to ensure that land use adjacent to a military base is compatible with the military mission. Additionally, requires local governments to identify lands adjacent to military installations and adopt strategies in concert with the comprehensive plans to ensure that incompatible development does not occur.
2. Notification of Military -- Creates procedural requirements to provide planning and zoning information to the military and creates a specific mechanism for the military to comment on how the proposed development or planning change affects the military mission. Specifically states that a commanding officer’s comments must be based on appropriate data and analyses, and that the local government must consider those comments and accompanying data as they relate to the strategic mission of the base, public safety, and the economic vitality associated with the base's operations.
3. Land Conservation -- Allocation of state resources for open space protection such as acquisition of title or development rights to land, conservation easements or transfer of development rights to restore and preserve open space and farmland or protect land from incompatible development. Florida has established Florida Forever and the Rural and Family Lands Program dedicated to open space preservation to purchase title or development rights to lands that would serve as buffers between military bases and expanding urban growth. Florida also established the Military Base Protection program to acquire non-conservation lands that pose an encroachment threat to military bases.

### **2. Florida Statutes -- Local Government Coordination and Communication with Installations on Potential Encroachment**

Section 163.3175 (1) The Legislature finds that incompatible development of land close to military installations can adversely affect the ability of such an installation to carry out its mission. The Legislature further finds that such development also threatens the public safety because of the possibility of accidents occurring within the areas surrounding a military installation. In addition, the economic vitality of a community is affected when military

operations and missions must relocate because of incompatible urban encroachment. Therefore, the Legislature finds it desirable for the local governments in the state to cooperate with military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in this state

Section 163.3175(2), Identifies the major military installations that, due to their mission and activities, have a greater potential for experiencing compatibility and coordination issues than others, and identifies the local governments proximate to these installations that are required to address compatibility of land development with military installations in their comprehensive plans.

Section 163.3175(4) Provides that each affected local government must transmit to the commanding officer of the relevant associated installation or installations information relating to proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations which, if approved, would affect the intensity, density, or use of the land adjacent to or in close proximity to the military installation. At the request of the commanding officer, affected local governments must also transmit to the commanding officer copies of applications for development orders requesting a variance or waiver from height or lighting restrictions or noise attenuation reduction requirements within areas defined in the local government's comprehensive plan as being in a zone of influence of the military installation. Each affected local government shall provide the military installation an opportunity to review and comment on the proposed changes.

Section 163.3175 (5) The commanding officer or his or her designee may provide advisory comments to the affected local government on the impact such proposed changes may have on the mission of the military installation. Such advisory comments shall be based on appropriate data and analyses provided with the comments and may include:

- (a) If the installation has an airfield, whether such proposed changes will be incompatible with the safety and noise standards contained in the Air Installation Compatible Use Zone (AICUZ) adopted by the military installation for that airfield;
- (b) Whether such changes are incompatible with the Installation Environmental Noise Management Program (IENMP) of the United States Army;
- (c) Whether such changes are incompatible with the findings of a Compatible Use Plan (CUP) for the area if one has been completed; and
- (d) Whether the military installation's mission will be adversely affected by the proposed actions of the county or affected local government.

The commanding officer's comments, underlying studies, and reports shall be considered by the local government in the same manner as the comments received from other reviewing agencies pursuant to s. 163.3184.

Section 163.3175 (6) The affected local government shall take into consideration any comments and accompanying data and analyses provided by the commanding officer or his or her designee pursuant to subsection (4) as they relate to the strategic mission of the base, public safety, and the economic vitality associated with the base's operations, while also respecting private property rights and not being unduly restrictive on those rights. The affected local

government shall forward a copy of any comments regarding comprehensive plan amendments to the state land planning agency.

Section 163.3177 Required that affected local governments amend their comprehensive plans to include criteria addressing compatibility. As of July 1, 2014, all affected local governments have adopted the required comprehensive plan amendments.

Section 163.3177(6) (a) 2.f. Requires that the future land use element in the local government's comprehensive plan include criteria to be used to achieve the compatibility of lands adjacent or closely proximate to military installations.

### **3. Specific Requirement for Local Governments in Law:**

Section 163.3175(4), Florida Statutes, requires that the local governments listed below send copies of comprehensive plan amendments, proposed land development regulation changes, and, if requested, development orders varying requirements related to height, lighting, or noise attenuation to the commanding officers of the identified military installations. The local governments must provide copies of comments on comprehensive plan amendments to the state land planning agency.

**Atlantic Beach** -- Naval Station Mayport

**Avon Park** -- Avon Park Air Force Range

**Bay County**

- Naval Support Activity Panama City
- Tyndall Air Force Base

**Bradford County** -- Camp Blanding

**Brevard County**

- Patrick Air Force Base
- Cape Canaveral Air Force Station

**Cinco Bayou** -- Eglin Air Force Base

**Clay County** -- Camp Blanding

**Crestview** -- Eglin Air Force Base

**DeFuniak Springs** -- Eglin Air Force Base



**Destin** -- Eglin Air Force Base

**Escambia County**

- Naval Air Station Pensacola
- Naval Air Station Whiting Field

**Fort Walton Beach** -- Eglin Air Force Base and Hurlburt Field

**Freeport** -- Eglin Air Force Base

**Frostproof** -- Avon Park Air Force Range

**Gulf County** -- Eglin Air Force Base

**Highlands County** -- Avon Park Air Force Range

**Homestead** -- Homestead Air Reserve Base

**Jacksonville-Duval County**

- Naval Air Station Jacksonville
- Marine Corps Support Facility - Blount Island
- Outlying Land Field Whitehouse
- Naval Station Mayport

**Key West** -- Naval Air Station Key West

**Lake County** -- Jacksonville Training Range Complex

**Laurel Hill** -- Eglin Air Force Base

**Marion County** -- Jacksonville Training Range Complex

**Mary Esther** -- Eglin Air Force Base and Hurlburt Field

**Mexico Beach** -- Tyndall Air Force Base

**Miami-Dade County** -- Homestead Air Reserve Base

**Monroe County** -- Naval Air Station Key West

**Niceville** -- Eglin Air Force Base

**Okaloosa County** -- Eglin Air Force Base

**Okeechobee County** -- Avon Park Air Force Range

**Osceola County** -- Avon Park Air Force Range

**Panama City** -- Naval Support Activity Panama City

**Panama City Beach** -- Naval Support Activity Panama City

**Parker** -- Tyndall Air Force Base

**Polk County** -- Avon Park Air Force Range

**Putnam County**

- Camp Blanding
- Jacksonville Training Range Complex

**Santa Rosa County**

- Eglin Air Force Base
- Naval Air Station Whiting Field

**Satellite Beach**

- Patrick Air Force Base
- Cape Canaveral Air Force Station

**Sebring** -- Avon Park Air Force Range

**Shalimar** -- Eglin Air Force Base

**Tampa** -- MacDill Air Force Base

**Valparaiso** -- Eglin Air Force Base

**Volusia County** -- Jacksonville Training Range Complex

**Walton County** -- Eglin Air Force Base

**Note: The above list is recognized as incomplete in current state law. The following need to be added and /or corrected through legislation in 2020:**

*Doral – US Southern Command HQ*

*Leesburg – Bugg Spring (NSA Orlando)*

*Marion County – Pinecastle Range*

*Lake County – Pinecastle Range*

*Volusia County – Pinecastle Range*

*Brevard County – Naval Ordnance Test Unit*

*Jacksonville – Duval County – 125<sup>th</sup> Fighter Wing, FL Air National Guard, Jacksonville International Airport*

*All Army National Guard Rotary Wing Airfields*

*All US Coast Guard Stations from which aircraft and ships depart and return*

#### **4. Possible Actions if Local Governments Do Not Address Compatibility of Lands Adjacent to Military Installations**

If a local government does not adopt criteria and address compatibility of lands adjacent to or closely proximate to existing military installations in its future land use plan element, the local government, the military installation, the state land planning agency, and other parties as identified by the regional planning council, including, but not limited to, private landowner representatives, shall enter into mediation conducted pursuant to Section 186.509, Florida Statutes.

If the local government comprehensive plan does not contain criteria addressing compatibility, the Department of Economic Opportunity (DEO) may notify the Administration Commission. The Administration Commission may impose sanctions pursuant to Section 163.3184(8), Florida Statutes.

Section 163.3213, Florida Statutes, authorizes a person whose interests are adversely affected by a land development regulation to file a petition with DEO challenging the regulation on the ground that it is not consistent with the local government comprehensive plan. The proceedings before DEO are informal proceedings.

What regulations can be challenged?

- Any ordinance that regulates development, including but not limited to subdivision, building construction, landscaping, tree protection, or sign regulation. This is further defined in Section 380.04, Florida Statutes - Definition of development.
- A general zoning code.

What regulations cannot be challenged under section 163.3213, Florida Statutes?

- A zoning map.
- Zoning or rezoning of land.
- Any building construction standard adopted pursuant to and in compliance with the provisions of Chapter 553, Florida Statutes, which includes the Florida Building Code.

## **5. Land Use and Zoning**

One of the greatest concerns of military installations and their local defense communities is the changing of existing land use for areas near the installations. Local governments make decisions on land development in concert with the Comprehensive Plan. Changes/amendments to the Comprehensive Plan are approved at the local level and then reviewed by DEO. However, DEO can only comment on changes that have an impact to affordable housing and military base encroachment. Land use categories generally fall into 4 categories: industrial, commercial, residential and agricultural/conservation. Every local government has specific definitions for these categories and they are all somewhat different. Within these land uses, local governments then overlay specific zoning rules -- allowances and prohibitions. The zoning rules specify the details of actual land development and usage. This reality highlights the importance of communication (covered in the preceding section) between the local military installation and the local government as changes are proposed to the existing Comprehensive Plan.

## **6. Military Representation on Local Planning or Zoning Board:**

Section 163.3175 (7) To facilitate the exchange of information, a representative from the military acting on behalf of all military installations within that jurisdiction shall be included as an ex officio, nonvoting member of the county's or affected local government's land planning or zoning board.

## **7. DEO and Community Planning Act Requirements:**

The Community Planning Act passed in 2011 recognized the importance of local governments cooperating with military installations to encourage compatible land use and facilitate the continued presence of major military installations in this state. The Bureau of Community Planning and Growth at the Department of Economic Opportunity (DEO) works with local governments and military installations to encourage compatible land uses, help prevent encroachment, and facilitate the continued presence of major military installations in this state.

## State Land Acquisition Programs:

### 1. Florida Forever –

Florida Forever is Florida's premier conservation and recreation lands acquisition program, a blueprint for conserving natural resources and renewing Florida's commitment to conserve the state's natural and cultural heritage. Florida Forever replaces *Preservation 2000 (P2000)*. With approximately 10 million acres managed for conservation in Florida, more than 2.5 million acres were purchased under the *Florida Forever* and *P2000* programs.

Since the inception of the Florida Forever program, in July 2001, the State has purchased more than 718,126 acres of land with a little over \$2.9 billion.

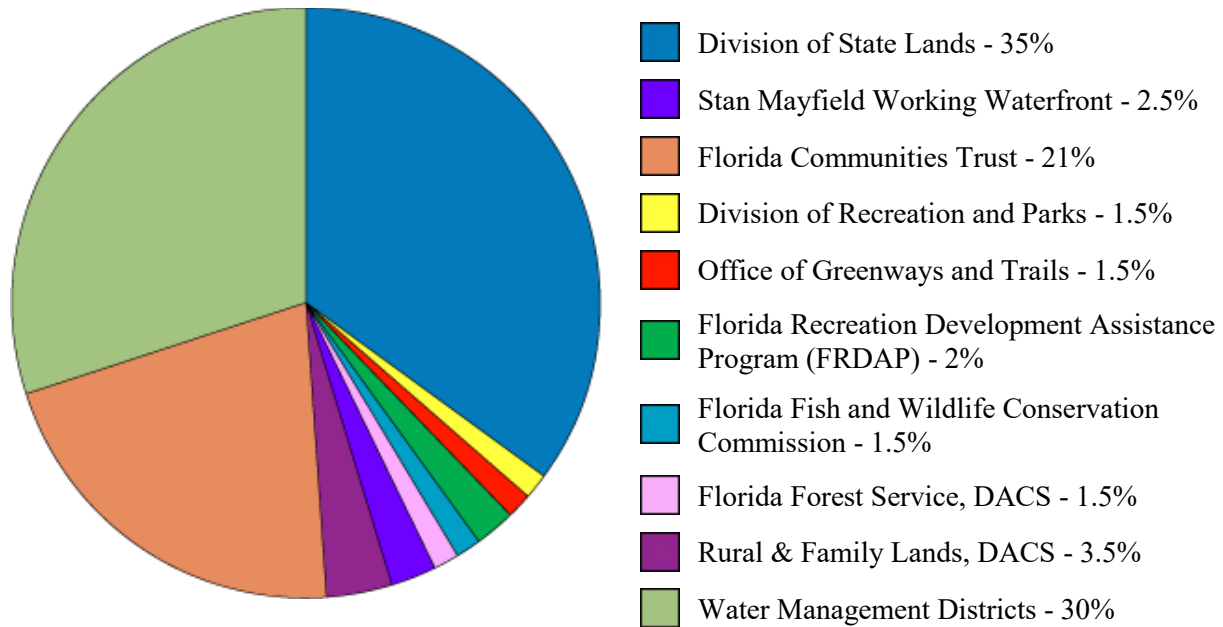
Utilizing Florida Forever, the State has protected:

- 607,860 acres of strategic habitat conservation areas
- 572,540 acres of rare species habitat conservation areas, including 894 sites that are habitats for 320 different rare species, 133 of which are federal or state-listed as endangered, 61 federal or state-listed threatened, and 21 species of special concern
- 712,670 acres of ecological greenways
- 126,260 acres of under-represented natural communities
- 506,319 acres landscape-sized protection areas
- 382,900 acres of natural floodplains
- 725,090 acres important to significant water bodies
- 388,160 acres minimize damage from flooding
- 9,360 acres of fragile coastline
- 313,170 acres of functional wetlands
- 703,890 acres of significant groundwater recharge areas
- 410 miles of priority recreational trails
- 377,560 acres of sustainable forest land
- 956 archaeological/historic sites
- 11,880 acres in urban service areas

Note: These acreages were derived from the most recently updated *Florida Forever* data layers. Additionally the acreages recorded for each measure often overlap, and thus should not be added together.

When Florida Forever funding is appropriated by the legislature, it is distributed by the Florida Department of Environmental Protection to a number of state agencies and programs to purchase public lands in the form of parks, trails, forests, wildlife management areas and more. All of these lands are held in trust for the citizens of Florida.

Pursuant to 259.105(3) F.S. the breakdown to agencies is:



## 2. Rural and Family Lands Protection Program

The purpose of the Rural and Family Lands Protection program is to acquire perpetual agricultural conservation easements that perpetuate open space; preserve lands in agricultural use; and provide for the protection of aquifer recharge, natural resources, and military base buffering. This program seeks to protect important agricultural lands through the acquisition of permanent agricultural land conservation easements and is designed to meet three needs:

- Protect valuable agricultural lands.
- Create easement documents that work together with agricultural production to ensure sustainable agricultural practices and reasonable protection of the environment without interfering with agricultural operations in such a way that could put the continued economic viability of these operations at risk.
- Protect natural resources, not as the primary purpose, but in conjunction with the economically viable agricultural operations.

Originally created in 2001 with the passage of the Rural and Family Lands Protection Act, the program has successfully acquired the development rights of seven active agricultural operations, and accepted the donation of an active silvicultural operation. The Florida Forest Service is currently in the process of acquiring easements over additional agricultural operations.

The Rural and Family Lands Protection Program is much different from Florida's Preservation 2000 and Florida Forever programs. While those programs focus on protecting and preserving the natural environment and providing nature-based recreational opportunities, the Rural and Family Lands Protection Program focuses on maintaining the agricultural land base in Florida. The program recognizes that a thriving rural economy with a strong agricultural base and viable rural communities is essential to Florida's future. Easements for this program will work together with agricultural production to ensure sustainable agricultural practices and reasonable protection

of our natural resources. This program will protect agricultural lands in the path of development so that Florida will continue to maintain a viable agricultural sector in our state's economic base, so the citizens of Florida can continue to enjoy rural landscapes and open space, and in so doing provide simultaneous protection of environmentally significant areas.

This program also leverages REPI funding and has served to help protect military installations through the acquisition of buffering lands. To date the program has 35 easements approved by the BOT and protected 31,495 acres.

### **3. Military Base Protection Program (Non-conservation Lands)**

This program was created under Florida Statute 288.980. The functions of the Military Base Protection Program include securing non-conservation lands to serve as a buffer to protect military installations against encroachment. The term “non-conservation” refers to lands not subject to acquisition by the Florida Forever Program.

DEO shall annually request military installations in the state to provide a list of base buffering encroachment lands for fee simple or less-than-fee simple acquisitions before October 1<sup>st</sup>. DEO shall submit the list of base buffering encroachment lands to the Florida Defense Support Task Force. The Florida Defense Support Task Force shall, annually by December 1, review this list and provide its recommendations for ranking the lands for acquisition back to DEO. Then, DEO will submit the Task Force provided list to the Board of Trustees of the Internal Improvement Trust Fund, which may acquire the lands. At a minimum, the annual list must contain for each recommended land acquisition: a) a legal description of the land and its property identification number; b) a detailed map of the land; and c) a management and monitoring agreement to ensure the land serves as a base buffering purpose

Funds appropriated to this program may be used to address emergent needs relating to mission sustainment, encroachment reduction or prevention, and base retention. All funds appropriated for the purposes of this program are eligible to be used for matching of federal funds. DEO shall coordinate and implement this program.

### **4. Encroachment Threats Addressed at Quarterly Governor’s Base Commander Meetings:**

The Governor holds quarterly meetings with the Base Commanders of all Florida’s military installations. These meetings, facilitated by the Adjutant General, include participation from the state’s Agency Heads and other military-connected community partners like the Nature Conservancy, Space Florida, Florida Defense Support Task Force and Florida Defense Alliance. The number one topic at these meetings is encroachment protection for the bases. Commanders brief the Governor on potential encroachment threats to their bases and the Governor moves

aggressively to mitigate and/or solve these threats. These meetings are crucial to and augment the state's overall efforts to prevent encroachment to military installations.

## **Federal Programs to Assist States with Encroachment Mitigation:**

### **1. Readiness and Environmental Protection Initiative (REPI)**

The Department of Defense (DoD)'s REPI Program is a key tool for combating encroachment that can limit or restrict military training, testing, and operations. The goal of the REPI Program is to protect the military's ability to accomplish its training, testing, and operational missions by helping remove or avoid land-use conflicts near installations and addressing regulatory restrictions that inhibit military activities.

The REPI Program is administered by the Office of the Secretary of Defense (OSD) and provides partial funding for the acquisition of land/development rights to buffer military installations. When a state receives REPI funds, the state must then provide funding to match and augment federal funds in order to acquire the land.

The evaluative process for funding REPI buffer projects starts with the Services submitting proposals to OSD for the annual buffer project funding process. OSD uses tailored qualitative and quantitative criteria to evaluate the proposals and works with the Services to take into consideration the value and priority of the missions being protected. OSD also encourages proposals that provide multiple benefits to the community and environment and strengthen partner cost-sharing. OSD works to ensure that the REPI Program supports the Department's Better Buying Power initiatives for affordable programs by increasing innovation and delivering better value to the taxpayer and warfighter.

The REPI Program consists of three integrated components: buffer projects, landscape partnerships, and stakeholder engagements. Each component is complementary and works with other mission sustainability programs to provide problem solving and decision-support tools for installations and their neighboring communities.

The REPI Program offers the Military Services tools for protecting irreplaceable training and testing ranges, operating areas, and other mission readiness assets. By helping DoD avoid the more costly alternatives of workarounds, segmentation, or replacing restricted training and testing capabilities, REPI protects military readiness while enhancing the environment and sustaining communities.



## 2. Sentinel Landscapes

The U.S. Departments of Agriculture, Defense and the Interior announced an initiative in 2013 - the Sentinel Landscapes Partnership. Sentinel Landscapes are working or natural lands important to the Nation's defense mission – places where preserving the working and rural character of key landscapes strengthens the economies of farms, ranches, and forests; conserves habitat and natural resources; and protects vital test and training missions conducted on those military installations that anchor such landscapes. The Sentinel Landscape program brings together the resources of multiple federal entities in collaboration to promote common interests for military readiness, support for the warfighter, and the safety and security of the nation.

The U.S. Departments of Agriculture (USDA), Defense (DoD), and the Interior (DOI) established the Sentinel Landscapes Partnership through a Memorandum of Understanding in 2013. The Partnership is a nationwide Federal, state, local and private collaboration dedicated to **promoting natural resource sustainability** and the preservation of agricultural and conservation land uses in areas surrounding military installations. Agencies from the three Departments coordinate the Partnership at the national level through the Sentinel Landscapes Federal Coordination Committee (FCC).

The Sentinel Landscapes Partnership seeks to recognize and incentivize landowners to continue maintaining these landscapes in ways that contribute to the nation's defense. Where shared interests can be identified within a Landscape, the Partnership coordinates mutually beneficial programs and strategies to preserve, enhance or protect habitat and working lands near military installations in order to reduce, **prevent or eliminate restrictions due to incompatible development that inhibit military testing and training.**

A significant portion of the total investment in Sentinel Landscapes comes from state and local governments while the remainder comes from the federal government.

To become a Sentinel Landscape, the FCC requires that a proposed Landscape have:

1. An anchor military installation with a military mission that benefits from compatible land uses outside of the installation's boundaries;
2. A defined landscape associated with the anchor installation where Federal, state, local, and private programs and efforts can be coordinated to support voluntary conservation and landowner involvement; and
3. Articulated goals and outcomes that promote and sustain compatible land uses for military operations while providing tangible benefits to conservation and working lands within the defined Landscape.

Florida currently has a Sentinel Landscape at Avon Park Air Force Range that was officially designated in 2016.

### **3. Compatible Use Plan ((CUP) ( formerly Joint Land Use Study JLUS):**

A CUP is a cooperative land use planning effort between an affected local government and the military installation. In 1985, Congress authorized the Department of Defense (DoD) to make community planning assistance grants Title 10 U.S.C. Section 2391 to state and local government to help better understand and incorporate the AICUZ/ENMP technical data into local planning programs. CUP is managed by the U.S. Department of Defense, Office of Economic Adjustment. The goal is to ensure that development near a military installation is compatible with the base's mission, while at the same time ensuring the public health, safety, and quality of life of the community. The Compatible Use Plan program has become more important as urban development in many areas has encroached closer to a military base that was once in a remote location. The recommendations in the CUP present a rationale and justification, and provide a policy framework to support adoption and implementation of compatible development measures designed to prevent urban encroachment; safeguard the military mission; and protect the public health, safety, and welfare.

CUP Recommended Implementation Measures may involve revisions to the community's comprehensive plan and traditional land use and development controls, such as zoning, subdivision regulations, structural height restrictions, and promotion of planned unit development concepts. Additional actions may include amending local building codes to require increased sound attenuation in existing and new buildings, land exchanges, and transfer of development rights, and real estate disclosure.

Communities can receive an Office of Economic Adjustment (OEA) Community Planning Assistance Grant to support the cost of a Compatible Use Plan which the sponsor must match. OEA provides the technical and financial assistance for the community to work collaboratively with its local military installation to identify existing or potential future incompatible development and to develop Compatible Use Plan recommendations with the assistance of a consulting team. Each CUP involves a Technical Advisory Committee and a Policy Committee that are composed of public officials, military base representatives, and representatives from the community. The key to a successful CUP is keeping the public informed and involved throughout the process by using public workshops and hearings. Examples of implementation measures include changes to the local comprehensive plan and land use regulations, such as:

- height restrictions;
- density and land use restrictions;
- amending local building codes to require increased sound attenuation in existing and new buildings;
- land exchanges;

- transfer of development rights;
- real estate disclosure; and
- conservation partnering

The program also emphasizes public participation and awareness through comment meetings and news releases to “instill public confidence” in the study. While the study’s recommendations are not binding on the communities and are used to guide local jurisdictions in the development and implementation of land development controls for the study to be successful, the recommendations should be implemented and incorporated by local ordinance into the community comprehensive plan, zoning ordinance, subdivision regulations, and building codes.

Florida CUP Status -- (Data from OEA):

1. NAS Whiting Field 2003
2. NAS Pensacola 2003
3. MacDill AFB 2006
4. Homestead ARB 2007
5. NSA Panama City 2009
6. Eglin AFB 2009
7. Avon Park Range 2010
8. Tyndall AFB (In Progress 2019)

#### **4. Air Installations Compatibility Use Zones (AICUZ) Program**

The Air Installation Compatible Use Zone program is a U.S. Department of Defense planning program that was developed in response to incompatible urban development and land use conflicts around military airfields. The Air Installation Compatible Use Zone program seeks to provide information on compatibility, develop a cooperative relationship between communities and military installations, and provide land use compatibility guidelines that protect public health and safety and maintain military readiness. As designed, the Air Installation Compatible Use Zone program addresses only a few of the compatibility issues discussed in a Joint Land Use Study. These issues focus around three factors: noise, vertical obstructions, and accident potential zones.

While prepared by or for a military installation, the primary users of an Air Installation Compatible Use Zone study are the local communities surrounding the installation or an offsite location (such as auxiliary fields or training areas). The Air Installation Compatible Use Zone study is also a tool used by the installation's community planner to evaluate proposed projects (both on and off the installation) for their compliance with the information presented in the Air Installation Compatible Use Zone study.

Areas contiguous to military installations often provide attractive land development opportunities. Certain types of development are not compatible with the high noise and high potential for aircraft accidents associated with airfield activities. In the absence of compatible land use controls, inappropriate uses may occur near or adjacent to the installation causing eventual conflicts between flight operations and landowners.

The purpose of the AICUZ program is to achieve compatibility between air installations and neighboring communities by:

- Protecting the health, safety, and welfare of civilians and military personnel by encouraging land use which is compatible with aircraft operations;
- Protecting DOD installation investment by safeguarding the installation's operational capabilities;
- Reducing noise impacts caused by aircraft operations while meeting operational, training, and flight safety requirements, both on and in the vicinity of air installations; and
- Informing the public about the AICUZ program and seeking cooperative efforts to minimize noise and aircraft accident potential impact by promoting compatible development in the vicinity of military air installations.

#### **Florida AICUZ Status -- (Data from USAF)**

Eglin AFB 2006 (Currently under revision for F-35)

Homestead ARB 2007

MacDill AFB 2008

Tyndall 2016

NAS Key West 2007 (In progress 2017)

NAS Jacksonville 2000

NS Mayport 2007

Avon Park (Considering AICUZ)

NAS Whiting Field 1990 (In progress 2017)

Note: AICUZ recommended to be completed every 5 years.

## **5. U.S. Navy Range Air Installation Compatible Use Zone (RAICUZ) –**

The Department of the Navy's RAICUZ program is designed to protect public health, safety, and welfare, and to prevent encroachment from degrading the operational capabilities of air-to-ground ranges. This program is similar to the Air Installations Compatible Use Zones (AICUZ) Program described above. The RAICUZ program includes range safety and noise analyses, and provides land use recommendations which will be compatible with Range Compatibility Zones (RCZs) and noise levels associated with the military range operations. The RAICUZ program depends on the installation commander's efforts to work with the nearby communities and other federal, state, local agencies and federally recognized Native American tribes to prevent incompatible development of land adjacent to military training ranges.

### **Florida RAICUZ Status (Data from US Navy)**

Pinecastle Bombing Range                      Currently In Progress

## **6. Enhanced Use Leasing (EUL) Program**

The Enhance Use Leasing Program was established under Section 2667 of Title 10, U.S. Code. It provides authority to the military departments to lease nonexcess real property, subject to several provisions, in exchange for cash or in-kind consideration and leverages the value of underutilized and underperforming assets. In-kind or cash consideration is available for a variety of installation operating support functions, including:

- Construction of new facilities
- Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities
- Provision of facilities for use by the military department
- Provision of such other services relating to activities that will occur on the leased property as appropriate

### **Status of Current EULs in Florida:**

Service: Navy;  
Location: Naval Air Station Key West, Florida;  
Year first lease signed: 2003;  
Term in years: 5;  
Leased property: Ship docking pier;  
Expected use of leased property: Commercial cruise ship docking facility.

Service: Air Force;  
Location: Eglin Air Force Base, Florida;  
Year first lease signed: 2006;  
Term in years: 30;  
Leased property: 255.5 acres;  
Expected use of leased property: Site for a wastewater treatment plant and sewage disposal field.

Service: Air Force;  
Location: Eglin Air Force Base, Florida;  
Year first lease signed: 2007;  
Term in years: 25;  
Leased property: 130.8 acres;  
Expected use of leased property: Site for an airport terminal and rental car services.

Service: Air Force;  
Location: Eglin Air Force Base, Florida;  
Year first lease signed: 2014;  
Term in years: 25;  
Leased property: 17 acres;  
Expected use of leased property: Site for Holiday Inn hotel (Completed in 2014).

Service: Air Force;  
Location: Eglin Air Force Base, Florida;  
Year first lease signed: 2015;  
Term in years: 25;  
Leased property: 240 acres;  
Expected use of leased property: Site for 30 megawatt photovoltaic energy project (solar farm).

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## **APPENDICES**

- APPENDIX 1 Air Force Encroachment Management**
- APPENDIX 2 Navy Encroachment Management**
- APPENDIX 3 Army Installation Environmental Noise Management Program**
- APPENDIX 4 Integrated Natural Resources Management Plan (INRMP)**
- APPENDIX 5 List of References**

## **APPENDIX 1 Air Force Encroachment Management**

In the Air Force's foundational document for encroachment management, AFI 90-2001, encroachment is defined as any deliberate action by any governmental or non-governmental entity or individual that does, or is likely to inhibit, curtail, or impede current or future military activities within the installation complex and/or mission footprint; or any deliberate military activity that is, or is likely to be incompatible with a community's use of its resource.

The AFI further expands the definition of encroachment, including 13 encroachment and sustainment challenge areas: airspace and land restrictions; airborne noise; urban growth; spectrum encroachment; endangered species and critical habitat; air; water; cultural resources; unexploded ordnance and munitions; marine resources; energy compatibility and availability; security and safety; and natural factors and climate effects.

Under AFI 90-2001, the Air Force charges Installation Commanders with the responsibility for encroachment management including considering the potential for encroachment and sustainment challenge impacts to all installation programs, and in all plans and decisions on land development and military operations. Additionally, Installation commanders are responsible for implementing the encroachment management program (including ensuring an encroachment study exists or is ongoing), prioritizing and implementing ICEMAP Management Actions, and negotiating encroachment prevention and reduction.

The management of encroachment by the U.S. Air Force integrates the following programs: Comprehensive Planning programs including the Air Installation Compatible Use Zone (AICUZ) Program, the Installation Development Plan (IDP), and the Compatible Use Plan (CUP) Program; Airspace Management programs including the Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) Program, the Airfield Operations Compliance Inspection (AOCI), and the Mission Compatibility Evaluation Process for renewable and other energy projects; Environmental Programs including Natural Resources Management, Cultural Resources Management, and the Air Quality Compliance and Resource Management Program; Range Management programs including Comprehensive Range Plans; Antiterrorism (AT) Programs, including Installation Vulnerability Assessments; and Communications Programs including the Air Force Spectrum Interference Resolution (AFSIR) Program. (AFI 90-2001)

The Installation Complex Encroachment Management Action Plan (ICEMAP) is a three volume document (Action Plan, Reference Book, and Community Brochure) that assists the Air Force and local installation commanders, decision makers and stakeholders in identifying, preventing and reducing encroachment and sustainment challenges facing Air Force installations and their surrounding communities.

## **APPENDIX 2 Navy Encroachment Management**

The Navy's encroachment management is focused on protecting operational capability and investment, successfully utilizes outreach to all stakeholders to find common objectives and promote partnerships, and leverages partners funding to provide long-term encroachment protection. The Navy defines encroachment as any non-Navy action planned or executed which inhibits, curtails, or possesses the potential to impede the performance of Navy activities.

The Navy's Encroachment Management consists of Encroachment Action Plans (EAP), Encroachment Partnering (EP), Air Installations Compatible Use Zones (AICUZ), and Community Planning and Liaison Officers (CPLOs). Encroachment Action Plans (EAP) Serve to identify and prioritize short, mid, and long-term strategies to mitigate encroachment challenges. Encroachment Partnering (EP) leverages Navy or REPI funds to acquire real property interests in the form of restrictive or conservation easements. Air Installations Compatible Use Zones (AICUZ) serve to foster compatible development in the vicinity of Navy airfields through land use controls (e.g., zoning, height restrictions, disclosure, etc.). Finally, Community Planning and Liaison Officers (CPLOs) implement Encroachment Management Plans and interact with local government and all stakeholders.

An Encroachment Action Plan (EAP) is the primary Navy tool and process which results in the identification, quantification, mitigation, and prevention of the potential encroachment challenges to an installation or a range. Successful EAPs require work to identify training and test requirements, and may require the involvement of other multiple Navy entities to develop a comprehensive analysis to implement preventative or corrective actions. Navy planners will submit plans and budget requirements for all land acquisition proposals addressing encroachment including Encroachment Partnering projects, to Commander, Naval Installations Command in Washington for evaluation and coordination. In addition, Navy planners will integrate encroachment analysis into various plans such as: Regional functional area plans; installation master plans; installation appearance plans; GIS development, and planning documentation development for major repair & construction projects.



## APPENDIX 3

### **Army Installation Environmental Noise Management Program:**

Since 1993, Army Environmental Policy Institute studies have documented the potential threat that noise poses to readiness training. The Installation Environmental Noise Management Plan provides a strategy for noise management at Army Bases. Elements of the Environmental Noise Management Plan include education, complaint management, noise and vibration mitigation, noise abatement procedures, and noise assessment.

The Installation Environmental Noise Management program provides a methodology for analyzing exposure to noise and safety hazards associated with military operations and provide land use guidelines for achieving compatibility between the Army and the surrounding communities. Through the Environmental Noise Management Plan the Army is able to recommend uses of land around its installations that will both protect citizens from noise and other hazards and protect the public's investment in the installation.

The noise impact on the community is described by the use of noise zones. The program defines four noise zones. Zone I is compatible with most noise-sensitive land uses. Zone II is normally incompatible with noise sensitive land uses. The Land Use Planning Zone provides the installation with a better means to predict possible complaints, and meet the public demand for a better description of what will exist during a period of increased operations. Zone III is incompatible with noise-sensitive land uses.

Similar to the Environmental Noise Management Plan process, the Operational Noise Program at the U.S. Army Center for Health Promotion and Preventive Medicine has developed the Operational Noise Program as a tool for Army Bases to aid with the management of operation noise (formerly referred to as environmental noise). The Operational Noise Program is highly qualified to develop Operational Noise Management Plans for Army testing and training facilities. Since 1999, the Operational Noise Program has developed over 80 comprehensive Noise Management Plans for Army and Army National Guard installations and training sites. These studies include the 2005 Florida Army National Guard Statewide Operational Noise Management Plan which identifies the peak potential noise areas associated with Florida Army National Guard bases (Camp Blanding) and includes information on how to model and monitor on site noise as well as strategies to reduce noise conflict.

## APPENDIX 4

### **Integrated Natural Resources Management Plan (INRMP):**

INRMPs are planning documents that outline how each military installation with significant natural resources will manage those resources. They integrate military mission requirements, environmental and master planning documents, cultural resources, and outdoor recreation to ensure both military operations and natural resources conservation are included and consistent with stewardship and legal requirements. INRMPs require installations to look holistically at natural resources on a landscape or ecosystem basis. They are living documents that provide direction for daily natural resources management activities, and they provide a foundation for sustaining military readiness. INRMPs are based on the principles of ecosystem management. They describe how to manage natural resources, allow for multipurpose uses of those resources, and define public access—all while ensuring no net loss in the capability of an installation to support its military testing and training mission.

The INRMP planning process integrates all traditional elements of natural resources management. The process also considers military mission requirements, installation master planning, environmental planning, and outdoor recreation. To address installation requirements and regional issues, INRMPs involve appropriate stakeholders, thereby providing for more efficient and effective management of natural resources on a landscape-scale basis, all while ensuring that military readiness is sustained.

## APPENDIX 5 List of References

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