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public is received, office areas, noise sensitive areas or where the normal noise level is low.

4. Measures to achieve NLR of 35 must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise sensitive areas or where the normal noise level is low.

5. If project or proposed development is noise sensitive, use indicated NLR; if not, land use is compatible without NLR.

6. No buildings.

7. Land use compatible provided special sound reinforcement systems are installed.

8. Residential buildings require a NLR of 25

9. Residential buildings require a NLR of 30.

10. Residential buildings not permitted.

11. Land use not recommended, but if community decides use is necessary, hearing protection devices should be worn.

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TABLE 2 - AIR INSTALLATIONS COMPATIBLE USE ZONES SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES ¹					
SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
10	Residential				
11	Household Units				
11.11	Single units: detached	N	N	Y ²	Max density of 1-2 Du/Ac
11.12	Single units: semidetached	N	N	N	
11.13	Single units: attached row	N	N	N	
11.21	Two units: side-by-side	N	N	N	
11.22	Two units: one above the other	N	N	N	
11.31	Apartments: walk-up	N	N	N	
11.32	Apartment: elevator	N	N	N	
12	Group quarters	N	N	N	
13	Residential Hotels	N	N	N	
14	Mobile home parks or courts	N	N	N	
15	Transient lodgings	N	N	N	
16	Other residential	N	N	N	
20	Manufacturing ³				
21	Food & kindred products; manufacturing	N	N	Y	Max FAR 0.56 in APZ II
22	Textile mill products; manufacturing	N	N	Y	Same as above
23	Apparel and other finished products; products made from fabrics, leather and similar materials; manufacturing	N	N	N	
24	Lumber and wood products (except furniture); manufacturing	N	Y	Y	Max FAR of 0.28 in APZ I & 0.56 in APZ II
25	Furniture and fixtures; manufacturing	N	Y	Y	Same as above
26	Paper and allied products; manufacturing	N	Y	Y	Same as above
27	Printing, publishing, and allied industries	N	Y	Y	Same as above
28	Chemicals and allied products; manufacturing	N	N	N	
29	Petroleum refining and related industries	N	N	N	
30	Manufacturing ³ (continued)				

**TABLE 2 - AIR INSTALLATIONS COMPATIBLE USE ZONES
SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES ¹**

SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
31	Rubber and misc. plastic products; manufacturing	N	N	N	
32	Stone, clay and glass products; manufacturing	N	N	Y	Max FAR 0.56 in APZ II
33	Primary metal products; manufacturing	N	N	Y	Same as above
34	Fabricated metal products; manufacturing	N	N	Y	Same as above
35	Professional scientific, & controlling instrument; photographic and optical goods; watches & clocks	N	N	N	
39	Miscellaneous manufacturing	N	Y	Y	Max FAR of 0.28 in APZ I & 0.56 in APZ II
40	Transportation, communication and utilities ^{4,5}				
41	Railroad, rapid rail transit, and street railway transportation	N	Y ⁵	Y	Same as above.
42	Motor vehicle transportation	N	Y ⁵	Y	Same as above
43	Aircraft transportation	N	Y ⁵	Y	Same as above
44	Marine craft transportation	N	Y ⁵	Y	Same as above
45	Highway and street right-of-way	N	Y ⁵	Y	Same as above
46	Auto parking	N	Y ⁵	Y	Same as above
47	Communication	N	Y ⁵	Y	Same as above
48	Utilities	N	Y ⁵	Y	Same as above
485	Solid waste disposal (Landfills, incineration, etc.)	N	N	N	
49	Other transport, comm. and utilities	N	Y ⁵	Y	See Note 5 below
50	Trade				
51	Wholesale trade	N	Y	Y	Max FAR of 0.28 in APZ I. & .56 in APZ II.
52	Retail trade - building materials, hardware and farm equipment	N	Y	Y	See Note 6 below
53	Retail trade ⁷ - Shopping centers, Home Improvement Store, Discount Club, Electronics Superstore	N	N	Y	Max FAR of 0.16 in APZ II
54	Retail trade - food	N	N	Y	Max FAR of 0.24 in APZ II

TABLE 2 - AIR INSTALLATIONS COMPATIBLE USE ZONES SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES ¹					
SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
55	Retail trade - automotive, marine craft, aircraft and accessories	N	Y	Y	Max FAR of 0.14 in APZ I & 0.28 in APZ II
56	Retail trade - apparel and accessories	N	N	Y	Max FAR 0.28 in APZ II
57	Retail trade - furniture, home, furnishings and equipment	N	N	Y	Same as above
58	Retail trade - eating and drinking establishments	N	N	N	
59	Other retail trade	N	N	Y	Max FAR of 0.16 in APZ II
60	Services ⁸				
61	Finance, insurance and real estate services	N	N	Y	Max FAR of 0.22 for "General Office/Office park" in APZ II
62	Personal services	N	N	Y	Office uses only. Max FAR of 0.22 in APZ II.
62.4	Cemeteries	N	Y ⁹	Y ⁹	
63	Business services (credit reporting; mail, stenographic, reproduction; advertising)	N	N	Y	Max FAR of 0.22 in APZ II
63.7	Warehousing and storage services	N	Y	Y	Max FAR 1.0 APZ I; 2.0 in APZ II
64	Repair Services	N	Y	Y	Max FAR of 0.11 APZ I; 0.22 in APZ II
65	Professional services	N	N	Y	Max FAR of 0.22 in APZ II
65.1	Hospitals, nursing homes	N	N	N	
65.1	Other medical facilities	N	N	N	
66	Contract construction services	N	Y	Y	Max FAR of 0.11 APZ I; 0.22 in APZ II
67	Government Services	N	N	Y	Max FAR of 0.24 in APZ II
68	Educational services	N	N	N	
69	Miscellaneous	N	N	Y	Max FAR of 0.22 in APZ II
70	Cultural, entertainment and recreational				
71	Cultural activities	N	N	N	
71.2	Nature exhibits	N	Y ¹⁰	Y ¹⁰	
72	Public assembly	N	N	N	
72.1	Auditoriums, concert halls	N	N	N	
72.11	Outdoor music shells, amphitheaters	N	N	N	

TABLE 2 - AIR INSTALLATIONS COMPATIBLE USE ZONES SUGGESTED LAND USE COMPATIBILITY IN ACCIDENT POTENTIAL ZONES ¹					
SLUCM NO.	LAND USE NAME	CLEAR ZONE Recommendation	APZ-I Recommendation	APZ-II Recommendation	Density Recommendation
72.2	Outdoor sports arenas, spectator sports	N	N	N	
73	Amusements - fairgrounds, miniature golf, driving ranges; amusement parks, etc	N	N	Y	
74	Recreational activities (including golf courses, riding stables, water recreation)	N	Y ¹⁰	Y ¹⁰	Max FAR of 0.11 APZ I; 0.22 in APZ II
75	Resorts and group camps	N	N	N	
76	Parks	N	Y ¹⁰	Y ¹⁰	Same as 74
79	Other cultural, entertainment and recreation	N	Y ³	Y ³	Same as 74
80	Resource production and extraction				
81	Agriculture (except live stock)	Y ⁴	Y ¹¹	Y ¹¹	
81.5, 81.7	Livestock farming and breeding	N	Y ^{11,12}	Y ^{11,12}	
82	Agriculture related activities	N	Y ¹¹	Y ¹¹	Max FAR of 0.28 APZ I; 0.56 APZ II no activity which produces smoke, glare, or involves explosives
83	Forestry Activities ¹³	N	Y	Y	Same as Above
84	Fishing Activities ¹⁴	N ¹⁴	Y	Y	Same as Above
85	Mining Activities	N	Y	Y	Same as Above
89	Other resource production or extraction	N	Y	Y	Same as Above
90	Other				
91	Undeveloped Land	Y	Y	Y	
93	Water Areas	N ¹⁵	N ¹⁵	N ¹⁵	

KEY TO TABLE 2 - SUGGESTED LAND USE COMPATIBILITY
IN ACCIDENT POTENTIAL ZONES

SLUCM -	Standard Land Use Coding Manual, U.S. Department of Transportation
Y (Yes) -	Land use and related structures are normally compatible without restriction.
N (No) -	Land use and related structures are not normally compatible and should be prohibited.
Yx - (Yes with restrictions)	The land use and related structures are generally compatible. However, see notes indicated by the superscript.
Nx - (No with exceptions)	The land use and related structures are generally incompatible. However, see notes indicated by the superscript.
FAR - Floor Area Ratio	A floor area ratio is the ratio between the square feet of floor area of the building and the site area. It is customarily used to measure non-residential intensities.
Du/Ac - Dwelling Units per Acre	This metric is customarily used to measure residential densities.

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NOTES FOR TABLE 2 - SUGGESTED LAND USE COMPATIBILITY
IN ACCIDENT POTENTIAL ZONES

The following notes refer to Table 2.

1. A "Yes" or a "No" designation for compatible land use is to be used only for general comparison. Within each, uses exist where further evaluation may be needed in each category as to whether it is clearly compatible, normally compatible, or not compatible due to the variation of densities of people and structures. In order to assist installations and local governments, general suggestions as to FARs are provided as a guide to density in some categories. In general, land use restrictions which limit commercial, services, or industrial buildings or structure occupants to 25 per acre in APZ I, and 50 per acre in APZ II are the range of occupancy levels, including employees, considered to be low density. Outside events should normally be limited to assemblies of not more than 25 people per acre in APZ I, and Maximum (Max) assemblies of 50 people per acre in APZ II.
2. The suggested Max density for detached single-family housing is one to two Du/Ac. In a Planned Unit Development (PUD) of single family detached units where clustered housing development results in large open areas, this density could possibly be increased provided the amount of surface area covered by structures does not exceed 20 percent of the PUD total area. PUD encourages clustered development that leaves large open areas.
3. Other factors to be considered: labor intensity, structural coverage, explosive characteristics, air-pollution, electronic interference with aircraft, height of structures, and potential glare to pilots.
4. No structures (except airfield lighting), buildings or aboveground utility/communications lines should normally be located in clear zone areas on or off the installation. The clear zone is subject to severe restrictions. See UFC 3-260-01, "Airfield and Heliport Planning and Design" dated 10 November 2001 for specific design details.
5. No passenger terminals and no major above ground transmission lines in APZ I.

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6. Within SLUCM Code 52, Max FARs for lumber yards (SLUCM Code 521) are 0.20 in APZ-I and 0.40 in APZ-II. For hardware/paint and farm equipment stores, SLUCM Code 525, the Max FARs are 0.12 in APZ-I and 0.24 in APZ-II.

7. A shopping center is an integrated group of commercial establishments that is planned, developed, owned, or managed as a unit. Shopping center types include strip, neighborhood, community, regional, and super regional facilities anchored by small businesses, supermarket or drug store, discount retailer, department store, or several department stores, respectively. Included in this category are such uses as big box discount clubs, home improvement superstores, office supply superstores, and electronics superstores. The Max recommended FAR for SLUCM 53 should be applied to the gross leasable area of the shopping center rather than attempting to use other recommended FARs listed in Table 2 under "Retail" or "Trade."

8. Low intensity office uses only. Accessory uses such as meeting places, auditoriums, etc., are not recommended.

9. No chapels are allowed within APZ I or APZ II.

10. Facilities must be low intensity, and provide no tot lots, etc. Facilities such as clubhouses, meeting places, auditoriums, large classes, etc. are not recommended.

11. Includes livestock grazing, but excludes feedlots and intensive animal husbandry. Activities that attract concentrations of birds creating a hazard to aircraft operations should be excluded.

12. Includes feedlots and intensive animal husbandry.

13. Lumber and timber products removed due to establishment, expansion, or maintenance of clear zones will be disposed of in accordance with appropriate DoD Natural Resources instructions.

14. Controlled hunting and fishing may be permitted for the purpose of wildlife management.

15. Naturally occurring water features (e.g., rivers, lakes, streams, (wetlands) are compatible.

CHAPTER 4

AICUZ STUDY CONTENTS

1. GENERAL. AICUZ studies have been developed and approved for each Navy and Marine Corps air installation. Where a new installation is established, or where major missions change to an existing installation is proposed, NEPA documentation is required (see OPNAVINST 5090.1C). Subsequent to the completion of the final NEPA documentation, an AICUZ study should be prepared. The AICUZ study and AICUZ study updates generally should include the following:

a. Existing Conditions. A description and graphic depiction of the flight operations, noise contours and APZs, land use compatibility, and supporting data which describe aircraft types, operations, flight tracks, and a history of aircraft operations since the previous AICUZ study. Locations of previous aircraft accidents should be shown, also noise complaint numbers and locations should be provided. A description of land use controls currently in effect in the area surrounding the installation should also be included.

b. Future-Year Forecast and Prospective AICUZ. Based on the currently available unclassified information, each installation will develop a forecast of air operations activity levels (normally for a time frame 5 to 10 years forward). Forecasts may be based upon historical trends or projected aircraft base loading and should address expected mission changes. The AICUZ update will include footprints and supporting discussions reflecting the operational forecasts. These footprints will provide the necessary guidance as to what actions must be taken to assure future mission integrity at the air installation. Further, future year footprints will provide local governments with the information to plan for changes in air installation activity levels and/or operational procedures.

c. AICUZ Recommendations. An AICUZ map depicting the area of critical concern, a land use compatibility matrix for the installation, and recommended safety clearances/ height restrictions to protect safety of flight shall be included.

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d. Alternatives and Changes from Prior AICUZ Study. An analysis of alternatives that could mitigate noise and/or accident potential impact normally is included. Examples of alternatives include community implementation strategies, sound-attenuated facility construction, acquisition of land or interests therein, or practicable potential operational changes. Noise and APZ changes should be described and illustrated since these changes may influence the decision to implement land use control changes. Documentation should include discussion of which factors contributed to the change (aircraft, tempo of operation, operational procedures, etc.).

e. Impact Analysis. An analysis and graphic depiction of existing and potential land use incompatibilities and their impact on station development and operation shall be included. The AICUZ update shall also discuss strategies to address future development of the impacted areas.

f. On-Station Implementation Plan. On-station development described in regional plans (Navy)/ master-plans (Marine Corps) shall be consistent with the AICUZ Study. The base development strategies and capital improvement projects are MILCON; Military Construction Naval Reserve; Naval Air Facilities (NAF); etc., and public private partnership ventures shall reflect that consistency. However, where consistency is not possible, documentation should be submitted by the installation, via the chain of command and appropriate Naval Facilities Engineering Command (FEC) to the CNO or CMC for consideration of a waiver.

g. Off-Station Implementation. Recommendations for off-station implementation proposals shall also be included.

2. APPROVALS. Public distribution of revised or updated AICUZ information requires CNO/CMC approval. AICUZ updates should be forwarded to OPNAV (N46) and HQMC (LFL), as appropriate, via the region and mission component commands.

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CHAPTER 5AICUZ STUDY UPDATES

1. GENERAL. Operational and training requirements, aircraft mix, tempo of aviation activity, maintenance procedures, and community development seldom remain static. The primary purpose of an AICUZ study is to support long-term compatible land use in the vicinity of air installations. Frequent AICUZ updates and changes in land use recommendations can undermine the neighboring community's confidence and willingness to incorporate recommendations into local comprehensive plans or to enact various land use controls. AICUZ reviews should be conducted when new requirements are anticipated at an installation such as basing of a new type of aircraft, significant increases in operational levels, or significant increases in nighttime (2200 to 0700 hours) flying activities. Since major changes in operations, which have a significant impact on the environment, require environmental documentation in accordance with the NEPA, an AICUZ update subsequent to completion of the NEPA documentation is normally sufficient.

2. INTERIM NOISE STUDIES. Noise studies can be conducted on an interim basis for a variety of purposes. These studies can provide useful information that does not always result in the need to update the AICUZ Study. Requests for interim noise studies should be forwarded to CNIC Facilities Real Estate(N444) or HQMC (LFL) via the regional commander documenting the need for the study. CNIC/CMC will provide technical guidance as required.

3. ENVIRONMENTAL IMPACT OF OPERATIONAL CHANGES

a. Several parameters must be periodically monitored locally to insure that the AICUZ study continues to reflect the best information available on noise and accident potential; e.g., the type and mix of aircraft operated or maintained, flight tracks, tempo and timing of night operations, and operational alternatives implemented.

b. When significant operational changes are proposed, an evaluation by the air installation is required, to determine

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whether documentation in compliance with the NEPA is required. If questions arise as to the need for specific documentation in this area, the air installation should consult with their chain of command and the appropriate Naval FEC. Recommendations or questions in this area can be forwarded to the Navy or Marine Corps region for guidance if appropriate. The CNO/CMC will advise the region and air installation as to the need for NEPA documentation in accordance with OPNAVINST 5090.1C or MCO P5090.2 (NOTAL). If such documentation is required it shall be prepared prior to the implementation of any proposed operational change.

CHAPTER 6

AICUZ IMPLEMENTATION

1. GENERAL. Each Navy and Marine Corps air installation listed in Appendix A shall actively pursue implementation of its AICUZ program. Program implementation may include elements such as soliciting the cooperation of local governments, operational modifications, complaint response programs for residents of surrounding communities, and the acquisition of land or interests therein to protect operational capability. Early recognition of the problem will provide increased opportunity to solve it and can reduce future implementation requirements.

2. COMMUNITY IMPLEMENTATION

a. DoD AICUZ policy is predicated on promoting harmony between air installations and neighboring communities through a compatible land use planning and control process conducted by the responsible local authorities. This policy recognizes the local government's responsibility under its police power to protect the public health, safety and welfare. By enacting compatible land use controls, local government protects its citizens from high noise levels of noise or accident potential. When applicable, an installation's AICUZ policy needs to address the uniqueness of federally recognized tribes.

b. Through controls like zoning ordinances, building codes, subdivision regulations, permitting authority, disclosure statements and public acquisition, surrounding areas can be allowed to develop to the highest and best compatible use. Successful implementation of such a program depends on a close working relationship between installation and community leaders. Acquisition should not be discussed as an encroachment solution unless and until all community-oriented strategies prove unsuccessful or inappropriate. The activity should continually inform local governments, citizen groups, and the general public on: (1) the requirements of military aviation; (2) air installation operations; (3) the efforts underway and planned to reduce noise and ensure compatible development, and (4) the local command's position on specific land use issues. Air installation representatives, primarily commanding officers and

their Community Planning Liaison Officers (CPLO), must take every opportunity to meet with and make presentations to local governments, particularly the planning and zoning agencies. Although the emphasis of the AICUZ implementation effort must be on areas within the AICUZ footprint, the air installation can comment on land use issues outside of the footprint that might impact on it, e.g., large-scale developments bordering the AICUZ area, transportation system developments that could make the AICUZ area more desirable for development, or tall structures such as cell towers that could penetrate approach/departure or other imaginary surfaces. The air installation must be considered as a major land use in the local community. Development that occurs up to the AICUZ area of critical concern boundary could prevent mission changes or mission expansion in the future. Therefore, commanding officers and their staffs are encouraged to monitor proposed development beyond the AICUZ boundary, and, if needed, to present those concerns in appropriate local forums. Although compatible land use development inside the AICUZ footprint is a primary objective of the AICUZ program and projected (5- to 10-year) footprints are required, a prudent course of action is to also seek a "buffer" around the AICUZ footprint in which property owners and lessees are notified of the presence of airfield operations. Air installations should include a DNL/CNEL 60 noise contour on their AICUZ maps thus delineating an area of concern for future development to the local government and local community. While the land use compatibility guidelines provided in Table 2 indicate that land use development is compatible in areas less than DNL/CNEL 65, air installations should work with local government and community leaders to foster less intense development in this "buffer" area as further long-term encroachment protection. Development up to the AICUZ footprint boundary will make it difficult to expand missions or accept new missions at the installation.

c. In addition, while incorporation of land use recommendations into local comprehensive plans and zoning ordinances is a basic objective of the AICUZ program, required disclosure to prospective buyers and lessees of residential properties within noise and accident potential zones is also recommended. Air installations should make every attempt to work with local governments to encourage enactment of such legislative initiatives.

3. DOCUMENTATION OF LOCAL EFFORTS. Records of important discussions, negotiations, testimony, etc., with and before local officials, boards, etc., must be maintained by the local command. Such records shall be available for inclusion in MILCON project submissions if required by CNO/CMC. This will ensure that documentation is available to indicate all reasonable and prudent efforts were made to preclude incompatible land use through cooperation with local government officials and that all recourse to such actions has been exhausted.

4. COMMUNITY PLANNING LIAISON OFFICER (CPLO)

a. Air installations need an interface with community leaders and citizens. The commanding officer should be at the forefront of this effort. A CPLO may be designated as either a full-time or collateral duty to be the central information point and to relieve the commanding officer of some of the day-to-day burden of responding to community complaints or inquiries and administering the installation's encroachment action or control program.

b. Some activities have recognized the need for a primary duty CPLO to respond to inquiries about noise and to work with local and regional government counterparts to foster compatible development. Naval aviators often fill these positions since they are able to describe problems unique to Navy and Marine Corps aviation. CNO/CMC realize that not every air installation can justify and support a full-time CPLO. However, each air installation must be responsive to its own encroachment situation when designating its CPLO. To ensure proper continuity, a community planning liaison team including a civilian planner is strongly encouraged.

CHAPTER 7

REAL PROPERTY GUIDANCE

1. ACQUISITION POLICY

a. When threats to operational integrity from incompatible development (encroachment) are noted, and when local communities are unwilling or unable to take the initiative in combating the threat via their own authority, consideration can be given to land acquisition. Documentation of community unwillingness or inability will be required to support acquisition projects. Where the mission of the air installation is imminently threatened, acquisition of fee title or restrictive easements over the impacted lands in any noise or accident potential zone may be appropriate to maintain operational integrity.

b. Reference (a) states that the first priority for acquisition in fee or restrictive easements is the clear zone. The second priority is other APZs. Noise areas may be considered for acquisition when all avenues of achieving compatible use zoning, or similar protection, have been explored and the operational integrity of the air installation is manifestly threatened. Unless unusual situations exist which would warrant the expense and disruption of "trying to turn back the clock" in developed areas, the primary focus of these acquisition efforts is on undeveloped land.

2. ENCROACHMENT INDICATORS. The importance of the air installation having sensitivity to long-range encroachment indicators cannot be overemphasized. Local community capital improvement plans and long range land use plans, commonly referred to as "Comprehensive Plans," provide clues far in advance of actual encroachment actions. These plans generally address land areas far greater than the AICUZ and must be evaluated to determine their influence on the AICUZ area either directly or indirectly.

3. REAL PROPERTY UTILIZATION SURVEY INTERFACE

a. Reference (e) calls for continual review of Federal real property holdings and the conduct of surveys in order to

determine the level of their utilization. Properties found to be excess to the requirements of the holding agency are reported for disposal. In the past, the AICUZ area has provided protection to air installations, but increased pressure to excess property can dilute that protection. To avoid the forced disposal of lands required for the protection of the installation from encroachment, air installations will ensure that required lands or easements are fully justified. Where disposal is directed, those rights and interests required for the protection of the future operational integrity of the installation through restrictions to ensure compatible land use will be retained.

b. Particular attention must be paid to property located outside of the AICUZ area, which if exceeded, would attract uses that would induce incompatible developments within the AICUZ area; e.g., water, sewer, or highway development adjoining the AICUZ makes the AICUZ area more desirable for development. Additionally, the prior history of AICUZ areas and potential growth should be fully considered. Once property rights are relinquished, they are not easily, if ever, regained. The dynamic nature of Navy and Marine Corps operational needs must be evaluated in encroachment protection decisions.

4. GUIDELINES FOR ACQUISITION/RETENTION OF REAL ESTATE INTERESTS WITHIN AN AICUZ. This instruction shall not be used as sole justification for either the acquisition or the retention of owned interests beyond that required to protect the Government. Reference (d) provides DON policy for the acquisition, management, and disposal by DON of real property and real property interests.

5. REAL ESTATE INTERESTS TO BE CONSIDERED FOR CLEAR ZONES, APZs AND NOISE ZONES. When it is necessary for the Navy to acquire interests in land, a careful assessment must be made of the type of interest to be acquired. The following list of possible interests that should be considered, either in the form of a perpetual restrictive use easement containing the rights or a basis for fee acquisition of the property, is offered for guidance.

a. The right to make low and frequent flights over said land and to generate noises associated with:

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(1) Aircraft in flight, whether or not while directly over said land;

(2) Aircraft and aircraft engines operating on the ground at said installation, and;

(3) Aircraft engine test/stand/cell operations at said installation.

b. The right to regulate or prohibit the release into the air of any substance, which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.

c. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.

d. The right to prohibit electromagnetic and radio frequency emissions that would interfere with aircraft, aircraft communications systems, or aircraft navigational equipment.

e. The right to prohibit any use of the land which would unnecessarily attract birds or waterfowl, such as, but not limited to, operation of sanitary landfills, water impoundment areas, maintenance of feeding stations or the growing of certain types of vegetation or activities attractive to flocks of birds or waterfowl.

f. The right to prohibit and remove any buildings or other non-frangible structures that do not comply with the AICUZ plan.

g. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the installation commander determines might interfere with the operation of aircraft, including emergency landings.

h. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.

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- i. The right to post signs on said land indicating the nature and extent of the Government's control over said land.
- j. The right to allow only specific land uses.
- k. The right to prohibit entry of persons onto the land except in connection with authorized activities.
- l. The right to disapprove and/or prohibit land uses not in accordance with the established land use restrictions.
- m. The right to control the height of structures to ensure that they do not become a hazard to flight.
- n. The right to install airfield lighting and navigational aids.
- o. The right to require sound attenuation in new construction or modifications to buildings in conformance with the AICUZ recommendations.

6. ENCROACHMENT PARTNERING (EP). EP is one of several tools available to the Navy and Marine Corps to prevent or mitigate encroachment problems. EP is a cooperative, multi-party, real estate based program authorized by Congress under 10 USC 2684a (as amended) to help mitigate the impacts of potential off-base development that would be incompatible with military operations or to preserve habitat on the off-base property. The program is based on the military service "partnering" with an eligible entity (states, counties, cities, and private NGOs) to acquire real estate interests in the vicinity of the military installation to prevent incompatible development or loss of habitat. The program involves sharing acquisition costs with the partners from willing sellers. Use of condemnation authority is not permitted under the EP program. An acquisition planning team composed of installation/region and FEC representatives develop proposed projects and seek out potential partners for project execution. Annual funding is provided by the DoD through the Readiness and Environmental Protection Initiative and by Navy and Marine Corps appropriations for planning and encroachment management as programmed by CNO and CMC.

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7. REAL PROPERTY MANAGEMENT. Regional commanders and commanding officers of Navy and Marine Corps air installations shall be responsible for the oversight of real property assets as related to the readiness and effectiveness of DON air installations. This responsibility is particularly relevant to documentation and enforcement of Navy and Marine Corps interests in land outside the installation boundary as encroachment protection, whether that land is acquired in fee or by easement.

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CHAPTER 8

RESPONSIBILITIES

1. The Deputy Chief of Naval Operations (Fleet Readiness and Logistics) (CNO (N4)) shall:

a. Exercise program responsibility for the Navy AICUZ program through OPNAV (N46), who programs resources for shore installation management.

b. Execute AICUZ program management responsibilities through CNIC with support from NAVFACENGCOM;

c. Monitor and coordinate application of the policies and principles of the AICUZ program;

d. Emphasize the importance of timely implementation of the AICUZ recommendations;

e. Pursue a training program for installation, chain of command and other cognizant DoD and non-DoD individuals regarding the policies, purposes and strategies of the AICUZ program;

f. Coordinate with the Naval Aviation Enterprise on AICUZ aspects when approving installation facilities planning proposals;

g. Provide resources and support for the DoD Noise Program as outlined in reference (c); and

h. Exercise approval authority over AICUZ documents and AICUZ footprint changes through OPNAV (N46).

2. Mission Component Commands shall:

a. Provide command direction, priorities and recommendations on AICUZ plans submitted by air installation commanders and Regions under their operational cognizance;

b. Review and approve proposed operational changes to insure mission requirements are supported;

c. Emphasize to installation commanders the importance of continual review of operational procedures to identify operational changes to reduce noise within the constraints of safety, mission effectiveness and economy; and

d. Ensure that AICUZ-related environmental documentation requirements are met. Specifically, such actions as the introduction of new aircraft types or changes in flight corridors which may change the AICUZ footprint should be assessed as to their potential impact and a determination made as to the appropriate level of environmental documentation.

3. CNIC shall:

a. Coordinate AICUZ program requirements with Navy regions and mission component commands;

b. Develop an IPL for AICUZ and noise study updates in conjunction with NAVFACENGCOM; and

c. Fund, subject to availability, AICUZ/noise study updates.

4. The Commander, NAVFACENGCOM, as directed by CNIC, shall provide policy and technical oversight for the AICUZ program and:

a. Integrate the AICUZ planning process into the Shore Infrastructure Program overview plans for Navy and activity master plans for the Marine Corps recognizing on and off-station impacts and utilizing detailed guidance and criteria in the areas of land use compatibility with respect to both noise and accident potential exposure;

b. Provide technical direction and planning support for the reduction of noise emanating from aircraft flight, maintenance and test operations;

c. Establish and maintain an east coast and a west coast center of excellence to coordinate AICUZ issues with regional commands and installations within their area of responsibility; and

d. Develop and implement an AICUZ training program for senior Navy and Marine Corps personnel to provide the latest technical and planning guidelines for execution and implementation of the AICUZ program.

5. The Naval Education and Training Command shall provide support for AICUZ training programs tasked by CNO (N4).

6. HQMC (LFL) shall exercise approval authority and responsibility for the AICUZ program within the Marine Corps as follows:

a. Exercise management responsibility for the Marine Corps AICUZ program;

b. Provide technical assistance and guidance to Marine Corps air installations regarding AICUZ policy decisions and implementation;

c. Promote an AICUZ education program in cooperation with NAVFACENCOM; and

d. Provide resources and support for the DoD Noise Program as outlined in reference (c).

7. Air Installation Commanders shall:

a. Familiarize themselves with the AICUZ program and implement the concept set forth herein;

b. Actively work with State and local planning officials to implement AICUZ objectives;

c. Notify the chain of command and CNIC (N444) or HQMC (LFL) whenever local conditions merit update or review of the AICUZ plan;

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d. Promote attendance at CNO/CMC-sponsored AICUZ seminars by commanding officers, executive officers, air operations and other aviation-related staff personnel to increase awareness of current trends and techniques for AICUZ program development and implementation;

e. If appropriate, designate a CPLO to assist in the execution of the AICUZ plan by the installation and act as spokesman for the command in AICUZ matters;

f. Maintain a documentary file on the implementation of the AICUZ plan at the air installation including collection of operational data needed to update the AICUZ plan; and

g. Justify the retention of land or interests in land required for mission performance.

APPENDIX A

NAVAL AVIATION INSTALLATIONS WITH AICUZ STUDIES
BY REGIONAL COMMAND

NAVY:

COMNAVREG MID-LANT

NAS OCEANA DET NORFOLK, VIRGINIA
NAS OCEANA, VIRGINIA
NALF FENTRESS
NAS BRUNSWICK, MAINE
NAEC LAKEHURST, NEW JERSEY
NASJRB WILLOW GROVE, PENNSYLVANIA

COMNAVREG SOUTHEAST

NAS JACKSONVILLE, FLORIDA
OLF WHITEHOUSE
NS MAYPORT, FLORIDA
NAF KEY WEST, FLORIDA
NAS MERIDIAN, MISSISSIPPI
OLF JOE WILLIAMS
NAS KINGSVILLE, TEXAS
ALF ORANGE GROVE
NAS CORPUS CHRISTI, TEXAS
ALF WALDRON
ALF CABANISS
NAS WHITING FIELD, FLORIDA
NOLF BREWTON
NOLF HOLLEY
NOLF EVERGREEN
NOLF SANTA ROSA
NOLF SPENCER
NOLF CHOCTAW
NOLF SAUFLEY
NOLF WOLF
NOLF SITE 8
NOLF BARIN
NOLF PACE
NOLF HAROLD
NOLF SILVERHILL
NOLF SUMMERDALE

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NAS PENSACOLA, FLORIDA
NASJRB FORT WORTH, TEXAS
NASJRB NEW ORLEANS, LOUISIANA
NASJRB ATLANTA, GEORGIA*

COMNAVREG EUROPE

NAS SIGONELLA, SICILY**
NSA NAPLES, ITALY**
NSA SOUDA BAY, GREECE**
NS ROTA, SPAIN**

COMNAVREG HAWAII

PMRF BARKING SANDS, HAWAII

COMNAVREG SOUTHWEST

NAS NORTH ISLAND, CALIFORNIA
OLF IMPERIAL BEACH
ALF SAN CLEMENTE ISLAND
NB VENTURA COUNTY, CALIFORNIA
NAS LEMOORE, CALIFORNIA
NAS FALLON, NEVADA
NAF EL CENTRO, CALIFORNIA
NAWC (WD) CHINA LAKE, CALIFORNIA
OLF SAN NICOLAS ISLAND

COMNAVREG NORTHWEST

NAS WHIDBEY ISLAND, WASHINGTON
OLF COUPEVILLE

NAVAL DISTRICT WASHINGTON

NAWC (AD) PATUXENT RIVER, MARYLAND
OLF WEBSTER FIELD
NAF WASHINGTON, DC*

COMNAVREG JAPAN

NAF ATSUGI, HONSHU, JAPAN**
NAF MISAWA, HONSHU, JAPAN**
NAF KADENA, OKINAWA, JAPAN**
NSF DIEGO GARCIA **

MARINE CORPS:

MARINE CORPS INSTALLATIONS EAST

MCAS NEW RIVER, JACKSONVILLE, NORTH CAROLINA
MCOLF OAK GROVE
MCOLF CAMP DAVIS
MCAS BEAUFORT, SOUTH CAROLINA
MCAS CHERRY POINT, NORTH CAROLINA
MCALF BOGUE FIELD
MCOLF ATLANTIC
MCAF QUANTICO, VIRGINIA

MARINE CORPS INSTALLATIONS WEST

MCAS MIRAMAR, CALIFORNIA
MCAS CAMP PENDLETON, CALIFORNIA
MCAS YUMA, ARIZONA
MCAGCC TWENTYNINE PALMS, CALIFORNIA

MARINE CORPS INSTALLATIONS MIDPAC

MCBH HAWAII, HAWAII

MARINE CORPS INSTALLATIONS WESTPAC

MCAS FUTENMA, OKINAWA, JAPAN**
MCAS IWAKUNI, HONSHU, JAPAN**

*NAVY AICUZ STUDY NOT REQUIRED
**NOISE STUDY ONLY