



Headquarters, U.S. Marine Corps
Facilities & Services Division
Land Use & Military Construction Branch
Natural Resources Section

Handbook for

**Preparing, Revising and Implementing
Integrated Natural Resources Management Plans**

on Marine Corps Installations

May 2004

The mission of the Marine Corps is to win battles and make Marines. The making of Marines requires extensive training. Marines train as they fight, and that training requires access to land. This handbook provides guidance on preparing, revising and implementing Integrated Natural Resources Management Plans so that land health is assured and compliance with natural resources laws effected so that access to land for training continues.

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Introduction

The mission of the Marine Corps is to win battles and make Marines. The making of Marines requires extensive training. Marines train as they fight, and that training requires access to land. Training can be destructive to land and its resources. Unless properly managed, Marine Corps lands can become damaged to the point where realistic training can no longer take place. Natural resources managers support the Marine Corps mission by ensuring the health of its lands for repeated use.

In addition, the American people have placed intrinsic values on certain natural resources. These values have been translated into laws requiring the Marine Corps to protect and preserve natural resources. Accordingly, natural resources managers also support the Marine Corps mission by ensuring compliance with these laws. Failure to comply with natural resources laws can lead to judicial, legislative and executive decisions denying the Marine Corps access to land for training.

Land is a finite, valuable commodity. Marine Corps use of land must be sustainable so the Marine Corps may use its lands frequently and repeatedly. Also, the use of Marine Corps lands must comply with legal mandates. Finally, Marine Corps use of land should, to the extent practicable, be integrated with regional ecosystem goals. The installation Integrated Natural Resources Management Plan (INRMP) provides a framework for ensuring the continued access to land by appropriately managing land entrusted to us by the American people, providing a framework for ensuring continued success.

This handbook provides guidance on preparing, revising and implementing INRMPs in compliance with the Sikes Act Improvement Act (Appendix A) as implemented by Office of Secretary of Defense (OSD) Updated Guidance on Implementation of the Sikes Act Improvement Act (SAIA) of 10 October 2002 (Appendices B, C, D, and E). This guide replaces the Headquarters Marine Corps August 1999 Handbook for Preparing Integrate Natural Resources Management Plans, and incorporates the new OSD coordination, reporting and implementation requirements.

Under SAIA, each installation possessing significant natural resources must prepare and implement an INRMP that supports the mission of the installation and complies with the suite of federal laws governing natural resources management and protection (e.g., Endangered Species Act, Clean Water Act).

This handbook should be viewed as a “guide” rather than a “cookbook.” The INRMP must reflect the installation mission and ecological setting. The process described in this handbook can guide the development of an INRMP, but mission and site conditions must drive its content.

This handbook is divided into the following broad major sections:

- Sikes Act Improvement Act Requirements

- Preparing, revising and implementing the INRMP
- Funding INRMP Preparation, Revision and Implementation
- Appendices
 - Appendix A – 16 USC 670 *et. seq.*
 - Appendix B - OSD memo of 10 Oct 02 transmitting “Implementation of Sikes Act Improvement Amendments: Updated Guidance”
 - Appendix C - Department of Navy, Assistant Secretary of the Navy New Guidance on the Sikes Act Improvement Amendments, 25 Oct 2002.
 - Appendix D - Headquarters Marine Corps, Installations and Logistics, New Guidance on the Sikes Act Improvement Act, 15 Nov 2002.
 - Appendix E – OSD Guidance “Implementation of Sikes Act Improvement Amendments: Updated Guidance”
 - Appendix F - Form letter for Annual Feedback from U.S. Fish and Wildlife Service and State fish and wildlife agency.
 - Appendix G - Annual INRMP Report.

Sikes Act Improvement Amendments Requirements

An INRMP is a planning document that directs the management and conservation of natural resources under Marine Corps control. INRMPs shall be prepared to assist installation commanders in their efforts to conserve and rehabilitate natural resources consistent with the use of military installations to ensure the preparedness of the Armed Forces. INRMPs are intended principally to help installation commanders manage natural resources more effectively so as to ensure that installation lands remain available and in good condition to support the installation's military mission (i.e., ensure no net loss in the capability of military installation lands to support the military mission of the installation). A primary use of the INRMP by the installation natural resources manager is to coordinate with military organizations that use Marine Corps land to ensure military readiness activities are conducted in a manner to effect compliance with the suite of laws governing protection of natural resources. Facilities planners also use the INRMP for the development of construction projects. Finally, the comptroller uses the INRMP to budget for natural resources activities.

The INRMP can also satisfy the requirements of the National Environmental Policy Act (NEPA) by evaluating the environmental affects of natural resources management activities in a combined INRMP/NEPA document. It reflects the cooperation and basic agreement of the U.S. Fish and Wildlife Service (FWS) and cognizant State fish and game agency in the plan. It also incorporates input from advocacy groups, American Indian groups, and interested citizens.

Applicability to Marine Corps Installations

The SAIA is applicable to all military installations in the United States, and in its territories and possessions. Military installations include those lands, or interest in land, owned by the United States and administered by the Marine Corps. Also, lands that are withdrawn from the public domain for military uses are included. Accordingly, INRMPs must address natural resources management on those lands:

- owned by the United States and administered by the Marine Corps;
- used by the Marine Corps via license, permit or lease for which the Marine Corps has been assigned management responsibility (unless such license, permit or lease provide for alternate arrangements); or
- withdrawn from the public domain for use by the Marine Corps for which the Marine Corps has been assigned management responsibility (unless such withdrawal provides for alternate arrangements).

Purpose of Natural Resources Management on Marine Corps Lands

SAIA defines the purposes of natural resources management on military lands as “the conservation and rehabilitation of natural resources on military installations; the sustainable multipurpose use of the resources, which shall include hunting, fishing, trapping, and nonconsumptive uses; and subject to safety requirements and military security, public access to military installations to facilitate the use [of these resources].” Further, SAIA states that, **“CONSISTENT WITH THE USE OF MILITARY INSTALLATIONS TO ENSURE THE PREPAREDNESS OF THE ARMED FORCES,** each INRMP shall, to the extent appropriate and applicable, provide for:

- fish and wildlife management, land management, forest management, and fish- and wildlife-oriented recreation;
- fish and wildlife habitat enhancement or modifications;
- wetland protection, enhancement, and restoration, where necessary for support of fish, wildlife, or plants;
- integration of, and consistency among, the various activities conducted under the plan;
- establishment of specific natural resource management goals and objectives and time frames for proposed action;
- sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of fish and wildlife resources;
- public access to the military installation that is necessary or appropriate subject to requirements necessary to ensure safety and military security;
- enforcement of applicable natural resource laws (including regulations);
- no net loss in the capability of military installation lands to support the military mission of the installation; and
- such other activities as the Secretary of the military department determines appropriate.”

From this list it is clear that Congress intended that natural resources management on military installations support the installation mission, provide an opportunity to the public to have access to installation natural resources, and participate, as appropriate, in regional ecosystem initiatives. In particular, Congress intended each INRMP to support and be consistent with the mission of the installation.

Implementation

Prior to SAIA passage by the Congress, implementation of natural resources management plans on military lands was largely discretionary. While a requirement existed to prepare natural resources plans on installations, where warranted, there was no requirement to implement those plans. The only required natural resources management activities were those associated with the Endangered Species Act, other applicable laws and Department of Defense (DOD) directives. SAIA changed that by requiring “the Secretary of each military department [to] prepare and

implement an integrated natural resources management plan for each military installation in the United States under the jurisdiction of the Secretary.”

This change is significant in that it directs installation commanders to prepare and implement an INRMP to carry out a program to provide for the conservation and rehabilitation of natural resources on lands under their control. Management of natural resources is now mandatory. Failure to implement the INRMP is a violation of SAIA and may be a source of litigation. “Implementation” anticipates the execution of all “must fund” projects and activities in accordance with specific timeframes identified in the INRMP. “Must fund” projects and activities are those that are required to meet recurring natural and cultural resources conservation management requirements (Class 0) or current compliance (Class 1) needs. Not all projects listed in an INRMP are necessarily “must funds.” INRMPs should include valid Class 2 and 3 projects and actions that would enhance an installation’s natural resources.

An INRMP is considered implemented if an installation:

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

All INRMPs shall be reviewed annually by Marine Corps installations with the cooperation of the FWS and State fish and wildlife agencies. Annual reviews shall verify that:

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

Each installation shall invite annual feedback¹ from the appropriate FWS and State fish and wildlife agency offices on the effectiveness² of the INRMP. The letter in Appendix F provides an example of how to request this feedback. Installations shall inform the FWS and State fish and wildlife agency which INRMP projects are, or will be, “must fund.” This information need not be contained in the INRMP, but may be provided after review and validation of the classes and estimated costs of the requirements.

The mandatory nature of implementation casts a new light on planning efforts. INRMPs must focus on those actions that are required to ensure land health for repeated Marine Corps use and compliance with the suite of natural resources protection laws. Implementation of actions described in the INRMP are subject to the availability of funds³. Formal adoption of an INRMP by the installation commander constitutes a commitment to seek funding for actions according to their class priority as set forth in the INRMP. Therefore, it is vital that mission, land management, and financial and legal implications of the INRMP are well understood by the installation commander prior to formal adoption.

Deadlines

The SAIA was passed on 18 November 1997 as part of the FY98 Defense Authorization Act. Section 101(b)(2) of the Sikes Act requires that each plan be reviewed “on a regular basis, but not less often than every five years.”

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

Cooperative Preparation

SAIA requires that the INRMP, including revisions, be prepared in cooperation with the FWS and the appropriate State fish and wildlife agency for the State in which the military installation is located. It is expected that the entire INRMP will be developed in cooperation with these agencies -- not just those portions of the INRMP that specifically address fish and wildlife

¹ Annual feedback shall include the Excel spreadsheet used for the IPR, acknowledgement that all “must fund” projects and activities have been budgeted for and implementation is on schedule, professionally trained natural resources management staff are capable of implementing the INRMP, projects and activities for the upcoming year have been identified and included in the INRMP, all required Federal, State and installation coordination has occurred, all significant changes to the installation’s mission requirements or its natural resources have been identified, an assessment by the installation of the effectiveness of the INRMP and a request to the FWS and State fish and wildlife agency to provide questions, comments or concerns on the INRMP implementation within 30 days.

² “Effectiveness” is defined as the ability to meet or exceed the measures of success established for each project with the Natural Resources Management Course of Action (page 16 of this guidance).

³ Anti-deficiency Act – 31 USC 1341 -Limitations on expending and obligating amounts.

conservation and management. This cooperation begins at the development stage of the INRMP and extends through preparation, revision and coordination to completion. The comment period for the draft INRMP should not be the first opportunity the FWS and State fish and wildlife agency has had to provide input into the INRMP. Instead, the review period for the draft INRMP should give the FWS and State agencies a chance to make sure that their concerns have been already addressed in the document.

The resulting INRMP must reflect the mutual agreement of the parties concerning conservation, protection, and management of fish and wildlife resources. Mutual agreement should be the goal with respect to the entire plan. However, mutual agreement is required only with respect to those elements of the plan that are subject to applicable legal authority (i.e., authority derived from a source other than the Sikes Act, such as the Endangered Species Act) of the FWS and State fish and wildlife agencies to conserve, protect, and manage fish and wildlife resources. Nothing in the SAIA is intended to enlarge or diminish the existing responsibility and authority of FWS or State fish and wildlife agencies concerning natural resources management on military lands. Although not anticipated, where FWS or a State fish and wildlife agency withholds its agreement with an INRMP based on objections to elements of the INRMP clearly not within the scope of the agency's authority, an installation may, notwithstanding the objections, finalize the INRMP and proceed to manage its natural resources in accordance with the terms of the plan.

Each Marine Corps installation shall establish and maintain regular communications with the appropriate FWS and State fish and wildlife agency offices to address emergent issues concerning natural resources management that are not addressed in the INRMP. At a minimum, this shall include annual coordination with all cooperating offices.

Each Marine Corps installation shall invite the FWS and State fish and wildlife agency to participate cooperatively in the scoping, design, and preparation/revision of the INRMP. This will serve to inform these offices about the Marine Corps mission; invite them to consider solutions to difficult resource management problems; and expedite final INRMP coordination.

For the FWS, the appropriate office for initial contact by installations, for development and review of INRMPs, will be a Field Office. Pursuant to current FWS Sikes Act Guidance, a Field Office must review the INRMP and provide preliminary agreement concerning the conservation, protection and management of fish and wildlife resources detailed in the INRMP prior to review in the Regional Office and final action by a Regional Director. An installation may contact the FWS Regional Coordinator should assistance be needed in contacting a Field Office.

The following process shall be used to facilitate coordination within and between the various organizations, to ensure adequate documentation of the coordination process and build an administrative record to document the coordination. For this reason, Marine Corps installations shall provide notifications to FWS and State fish and wildlife agencies in written form either via official letters, electronic mail, or other forms of written correspondence between the agencies.

- Each Marine Corps installation shall advise all appropriate internal and external stakeholders of the intent to prepare or revise an INRMP within 30 days of starting such an action. When providing this notification to FWS and State fish and wildlife agencies, each Marine Corps installation shall concurrently request the FWS and State fish and wildlife agencies to participate cooperatively in the scoping, design, and preparation/revision of the INRMP. In addition, a request as to the number of copies and preferred form of transmittal of the draft, draft final and final INRMP shall be made.
- Each Marine Corps installation shall notify appropriate FWS and State fish and wildlife offices of its intent to provide a draft INRMP for review and coordination at least 60 days prior to delivering such document.
- Each Marine Corps installations shall provide the public a meaningful opportunity to review and comment upon initial draft INRMPs and initial draft INRMP revisions (other than minor technical amendments). Concerning the length of public review, absent some extraordinary circumstance, the public should be afforded a minimum of 30 days to review and comment.
- Each Marine Corps installation shall send an initial draft INRMP to the FWS field office and State fish and wildlife agency office for review and comment. A copy of the forwarding letter shall be sent to the Sikes Act Coordinator at the FWS regional office to inform them that the review process has begun.
- Each installation shall request written acknowledgement of receipt of the draft INRMP within 15 days of receipt.
- The FWS field office will provide written comments to the installation, and furnish copies of the letter to the Sikes Act Coordinator at the FWS regional office, and to the State fish and wildlife agency director's office.
- The State fish and wildlife office will provide written comments to the installation, and furnish copies of the letter to the Sikes Act Coordinator at the FWS regional office.
- The installation shall consider all comments received and send a final draft of the INRMP to the FWS regional office and the State director's office with a letter documenting the actions taken on the draft comments. The installation shall furnish a copy of the letter to the FWS field office.
- Installation shall request the FWS and the State director provide an opportunity for all appropriate offices and divisions to review the final draft INRMP within 60 days of receipt, unless the participants mutually agree upon a longer review period because an installation has a particularly large or complex INRMP. Installations will also request written concurrence from the FWS Regional Director or California/Nevada Operations office (for installations in California and Nevada) and the appropriate Director for State fish and wildlife agency at this time. Written concurrence will constitute "Mutual Agreement."

The following special situations are exceptions to this timeline:

- If formal Section 7 consultation is required, the time frames for that process will apply.
- If the installation requests the INRMP serve as a substitute for designation of critical habitat.

The FWS may choose to comment separately from an INRMP review response on these issues. In these cases, the Marine Corps installation shall request the FWS Regional Office and Field Office to notify the installation of the appropriate review timeline within 15 days of receipt of the draft INRMP.

Except for the special situations described above, if after a period of 60 days no final comments are received from the appropriate State and FWS offices, an installation may request assistance from Headquarters Marine Corps (HQMC) to expedite the review. HQMC will coordinate with appropriate representatives of FWS and State fish and wildlife agency. Representatives from these offices will meet to resolve any outstanding coordination issues.

Mutual Agreement

“Mutual agreement” with respect to those elements of the INRMP concerning the conservation, protection, and management of fish and wildlife resources shall be presumed only upon receipt of written concurrence on those elements of the INRMP from:

- For the FWS, the Regional Director. (Exception: The Manager of the California/Nevada Operations office will coordinate on INRMPs for installations in California and Nevada).
- For the appropriate State fish and wildlife agency, the Director.
- For Marine Corps, the installation Commander.

Current FWS policy regarding INRMP review is described in its 8 June 2001 memo, “Guidance for Coordination on DOD Sikes Act INRMPs.” This memo is available electronically at <https://k21.hqmc.usmc.mil>.

Public Input

Section 2905(d) (1) of the SAIA requires each military department to provide “an opportunity for the submission of public comments” for new INRMPs and on changes to certain existing cooperative plans. Updates or revisions to INRMPs shall require public input except when such revisions are merely technical amendments. Such opportunity should be afforded via the NEPA process employed during INRMP preparation and/or revision. The NEPA process, however, will satisfy SAIA public comment requirements only if the public is provided a meaningful opportunity to comment upon the draft INRMP. In accordance with DOD guidance, Marine Corps installations should provide a minimum of 30 days to review and comment upon a draft INRMP or draft revisions absent some extraordinary circumstance.

Each Marine Corps installation shall afford the appropriate State and FWS offices the opportunity to review all public comments received on its INRMP. This will inform these

offices of potential issues sufficiently early in the review process to permit appropriate consideration during the overall review of the INRMP.

Consultation with Federally Recognized Indian Tribes

Marine Corps installations must consult with federally recognized Indian tribes whose interest may be affected by land management on the installation when preparing an INRMP. Natural resource management on Marine Corps installations can affect traditional subsistence and medicinal resources as well as the character of sacred and religious sites. Tribes may be interested in being consulted about INRMP components dealing with issues as diverse as timber thinning, prescribed burning, recreational access to USMC lands, viewshed issues and agricultural practices. Some tribal groups may have access to fish, game and other resources guaranteed by treaty on or adjacent to Marine Corps owned lands, and may need to be consulted regarding the effects of Marine Corps land management on these resources on and beyond the boundary of the installation as well. As a result of consultation, INRMP's may need to address management of specific game and plant species that are culturally important to American Indian tribes (e.g., herbicide use in gathering areas, and site access).

Consultation with federally recognized Indian tribes and Alaska Native governments is mandated by federal law and Department of Navy (DON) policy. DON responsibilities regarding protection and access to American Indian cultural resources are derived from federal laws such as the National Historic Preservation Act of 1966, as amended; the American Indian Religious Freedom Act; the Archeological Resources Protection Act of 1979, as amended; and the Native American Graves Protection and Repatriation Act. All of these laws contain requirements to consult with federally recognized tribes. Obligations to conduct general, proactive consultations, are also defined in federal policies such as Executive Order 12898 Environmental Justice, Executive Order 13007 Indian Sacred Sites, Executive Order 13175 Consultation and Coordination with Indian Tribal Governments, and the Presidential Memorandum dated 29 April 1994 Government to Government Relations with Native American Governments. In addition, Tribes may retain "reserved" or treaty rights to game, fish and plant resources on, and surrounding, Marine Corps lands.

The key to effective compliance with these laws is consultation, a good faith dialogue in which information and opinions are respectfully exchanged in both directions. Consultation is *not* a process for soliciting comments on proposed actions from tribes. Consultation is a dialogue used to identify potential issues and gain information in order to develop good land management decisions. In consultation for the INRMP, American Indian tribes may identify areas and resources present on the installation that are important to the tribe, provide advice on conservation needs and priorities, and share their specialized knowledge of the resources on the installation. SECNAV Instruction 11010, Department of the Navy Policy for Consultation with Federally Recognized Indian Tribes, states that, "Consent, approval, or formal agreement is not necessary to satisfy consultation requirements. It is in the DON's best interest to build a

permanent working relationship of respect, trust, and openness with Tribal Government representatives.”

While the same body of law that mandates formal consultation with federally recognized tribes does not apply to non-federally recognized tribes, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, mandates an analysis of the effects of federal actions on all minority and low-income peoples, including non-federally recognized Indian tribes and Native Hawaiians. The Department of Navy has developed guidance that states that consideration of environmental justice issues is necessary for NEPA compliance.

When initiating consultation with federally recognized Indian tribes, the installation is establishing a Government-to-Government relationship. Tribal government sovereignty must be recognized. SECNAV instructions 11010 and Department of Defense Instruction 4715.3 enclosure 8, Principles for Consultations with Native American, and the Department of Defense American Indian and Alaska Native Policy of 21 October 1998, provides detailed guidance in initiating and maintaining a formal consultation relationship as well as instructions for complying with the relevant laws and executive orders.

Tribes will probably be more receptive to general consultation in which they can identify their concerns with management of natural and cultural resources installation-wide, rather than just a specific consultation on the INRMP. General consultations also provide a better opportunity to develop lasting working relationships with tribes who have an interest with an installation. Information gathered in developing the INRMP will undoubtedly have application to other installation planning efforts, especially the Integrated Cultural Resources Management Plan (ICRMP).

Initiating government-to-government consultation requires a formal written request to tribal leadership, signed by the base commander. This letter should be followed by a phone call two to three weeks later to the tribal office where the letter was sent. Remember that Indian tribes are organized in varying ways and will all have different processes for dealing with requests for consultations. Also, be aware that tribes may be inundated with requests for consultation from other government agencies. Once the tribe has responded, discussions can begin about appropriate timelines and deadlines. A successful consultation on a specific project may require several meetings over a period of time. While comment periods for the general public under NEPA have definitive timelines, consultation with tribes is an ongoing process.

In some circumstances, tribes may be unable to respond to a single request for consultation. It is USMC responsibility to demonstrate a good-faith effort to initiate consultation with Tribal governments. Therefore, it is recommended that, over a period of three to four months, installation Command send three to four letters, followed by subsequent phone calls, advising Tribal leadership of the proposed INRMP development schedule along with an invitation to consult. All correspondence should be documented in the project file. If the Tribal government declines to consult or the USMC receives no response, the Marines have demonstrated a good-

faith effort to initiate consultation. Again, the process is detailed in SECNAV instructions 11010. However, it is advised that continued attempts be made to initiate consultation and advise the Tribal government on progress throughout the process of INRMP development. Once a Tribal government has expressed an interest and willingness to enter into consultation with the installation it is appropriate to inform the tribal representative of the preferred timeline and goals for completion of the INRMP. However, the actual timeline for consultation must be developed in cooperation with the tribes and cannot be viewed as binding in the same way those commitments from other Federal and State agencies may be.

The consultation process occurs separately from the NEPA process. Simply soliciting comments from federally recognized American Indian tribes, as part of the NEPA process, does not ensure compliance with laws and Executive Orders requiring formal consultation with the respective tribes. Compliance with consultation requirements involves maintaining a separate administrative record. However, both federally recognized and non-federally recognized tribes should be solicited for comments like any other stakeholder in the NEPA process as well.

Compliance with the National Environmental Policy Act

The mandatory nature of natural resources management triggers compliance with the NEPA. Compliance with NEPA has always been required for natural resources management actions; natural resources management planning, though, did not trigger NEPA. Given that INRMPs and their implementation are mandatory, INRMPs have become “action forcing” documents that trigger NEPA compliance requirements.

Compliance with NEPA can be effected via the use of a categorical exclusion, or by preparation of environmental assessments (EA) or environmental impact statements (EIS). Department of Navy regulations governing NEPA compliance do not permit the use of a categorical exclusion for preparation and revision of INRMPs. Accordingly, INRMP preparation and revisions must be evaluated via an EA or EIS. MCO 5090.2A provides Marine Corps procedures for effecting NEPA compliance.

An INRMP and EA/EIS share the same contents. Both describe a course of action, both identify alternative courses of action, both describe the existing environment, and both predict the outcome of actions being taken. For this reason, it is highly recommended that INRMPs be written in the form of an EA or EIS. This handbook assumes NEPA compliance will be effected in this manner. NEPA compliance, however, may be effected via a separate environmental analysis.

Each chapter of the INRMP satisfies a NEPA requirement, as shown below:

INRMP Chapter	Corresponding NEPA Chapter
Executive Summary	FONSI/ROD
Course of Management	Description of Proposed Action
Alternative Management Regimes	Alternative Analysis
Existing Environment	Existing Environment
INRMP Outcomes	Environmental Impacts

Presumably, INRMPs will use EA procedures to effect NEPA compliance. However, it is possible that some installations, given the complexity of their mission needs and natural resources protection requirements, may need to prepare an EIS.

INRMPs as a Substitute for Critical Habitat Designation

The Endangered Species Act was revised via the National Defense Authorization Act of 2004, which states that, “The Secretary [of the Interior] shall not designate as critical habitat any lands or other geographical areas owned or controlled by the Department of Defense, or designated for its use, that are subject to an integrated natural resources management plan prepared under section 101 of the Sikes Act (16 U.S.C. 670a), if the Secretary determines in writing that such plan provides a benefit to the species for which critical habitat is proposed for designation.” An installation may have its INRMP obviate the need for critical habitat designation if the INRMP provides a benefit to and manages for the long-term conservation of the species. If a Marine Corps installation has federally listed threatened or endangered species, proposed federally listed threatened or endangered species, candidate species, or unoccupied habitat for a listed species where critical habitat may be designated, the INRMP shall specifically address the benefits of management of these actions for these species or habitats. The benefit shall be clearly identifiable in the document and should be included in the table of contents of the INRMP.

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

The FWS uses the following three-point criteria to determine if an INRMP provides adequate management or protection for listed species:

- 1. The plan provides a conservation benefit to the species.** The cumulative benefits of the management activities identified in a management plan, for the length of the plan, must maintain or provide for an increase in a species’ population, or the enhancement or restoration of its habitat within the area covered by the plan [i.e., those areas deemed essential to the conservation of the species]. A conservation benefit may result from reducing fragmentation of habitat, maintaining or increasing populations, insuring against catastrophic events, enhancing and

restoring habitats, buffering protected areas, or testing and implementing new conservation strategies.

2. The plan provides certainty that the management plan will be implemented. Persons charged with plan implementation are capable of accomplishing the objectives of the management plan and have adequate funding for the management plan. They have the authority to implement the plan and have obtained all the necessary authorizations or approvals. An implementation schedule (including completion dates) for the conservation effort is provided in the plan.

3. The plan provides certainty that the conservation effort will be effective. The following criteria will be considered when determining the effectiveness of the conservation effort. The plan includes (1) biological goals (broad guiding principles for the program) and objectives (measurable targets for achieving the goals); (2) quantifiable, scientifically valid parameters that will demonstrate achievement of objectives, and standards for these parameters by which progress will be measured, are identified; (3) provisions for monitoring and, where appropriate, adaptive management; (4) provisions for reporting progress on implementation (based on compliance with the implementation schedule) and effectiveness (based on evaluation of quantifiable parameters) of the conservation effort are provided; and (5) a duration sufficient to implement the plan and achieve the benefits of its goals and objectives.

Compliance with Other Environmental Requirements

Land management has the potential to affect regulated resources other than endangered species, such as wetlands, cultural resources, water quality and air quality. As part of the NEPA process, regulators should be engaged early during INRMP preparation and revision. Consultation with cognizant regulatory offices should be conducted prior to finalizing the INRMP (e.g., submit the INRMP to the SHPO for Section 106 consultation in compliance with the National Historic Preservation Act). In some cases, it may be necessary to secure a permit prior to initiating a project (e.g., Section 404 permit under the Clean Water Act). The sequencing of INRMP completion and permitting requirements should be established with the regulatory body issuing the permit before INRMP completion.

Availability of INRMPs

Unclassified portions of all final INRMPs shall be available electronically via the World Wide Web, CD-ROM, or other similar means. Draft INRMPs may also be made available electronically to expedite review and comments. All such documents should undergo appropriate security review prior to being made available.

Marine Corps installations shall ensure that any such security review consider the security of information on the location of natural and cultural resources that may be subject to pilfering or vandalism, as well as military security.

Reporting

Section 101(f)(1) of the Sikes Act requires the Secretary of Defense to submit a report that includes the number of INRMPs in effect, amounts expended on conservation activities pursuant to these plans, and an assessment of the extent to which the plans comply with the Sikes Act.

This information must be provided, via SECNAV and DOD, by 1 March of each year. Information submitted as part of the conservation In Progress Review (IPR) in November of each year will be used to fulfill this requirement.

The following elements are established as formal measures of merit for the conservation program. Progress toward meeting these measures of merit shall be reported at each conservation IPR, and in the annual Environmental Quality Report to Congress, effective Fiscal Year 2003. Specifically, for each installation with significant natural resources, report:

- The installation name and state.
- The year the most recent INRMP was completed or revised.
- Date planned for the next revision.
- Was the INRMP coordinated with appropriate military trainers and operators?
- Were projects added to the INRMP as a result of comments from military trainers and operators?
- Has annual feedback been requested from military trainers and operators?
- Has annual feedback been received from military trainers and operators?
- Were segments of the INRMP concerning the conservation, protection and management of fish and wildlife resources agreed to by the U.S. Fish and Wildlife Service (FWS) Regional Director? (FWS coordination)
- Were projects added to the INRMP as a result of FWS comments?
- Has annual feedback been requested from the FWS?
- Has annual feedback been received from the FWS?
- Were segments of the INRMP concerning the conservation, protection and management of fish and wildlife resources agreed to by the State fish and wildlife agency Director? (State coordination)
- Were projects added to the INRMP as a result of State comments?
- Has annual feedback been requested from the State fish and wildlife agency?
- Has annual feedback been received from the State fish and wildlife agency?
- Does the INRMP contain a list of projects necessary to meet plan goals and objectives, as well as timeframes for implementation of any such projects?
- Funding requirements in reporting FY to implement the INRMP.

- \$ required for Class 0 and 1 projects.
- \$ funded for Class 0 and 1 requirements.
- \$ unfunded for Class 0 and 1 requirements.
- \$ funded for Class 2 and 3 projects.
- \$ unfunded for Class 2 and 3 projects.
- List of unfunded Class 0 and 1 projects greater than \$50K.
- Rational for each unfunded Class 0 and 1 project greater than \$50K not being funded.
- Did the installation seek public comment on the draft INRMP?
- Were projects added to the INRMP as a result of public comments?

Appendix G provides an example of a report that meets annual reporting requirements.

PREPARING, REVISING AND IMPLEMENTING THE INRMP

Preparation and/or revision of an INRMP draws from many disciplines and sources. It should be prepared and/or revised with the assistance of natural resources professionals with expertise in the biological resources to be managed, military organizations that are the primary users of the land being managed, and the installation comptroller, facility planner and counsel. In many cases, the installation INRMP preparation and/or revision team will consist of the same individuals that sit on the installation Environmental Impact Review Board. It is imperative that a cross section of land users and land managers take active part in INRMP preparation and/or revision given the legal requirement to implement the INRMP. An INRMP that does not appropriately accommodate military land use will fail.

INRMPs shall be prepared or revised in coordination with installation master plans, range plans, training plans, Integrated Cultural Resources Management Plans (ICRMPs), pest management plans, Bird/Aircraft Strike Hazard reduction plans, installation restoration plans that address contaminants covered by CERCLA and related provisions, and other appropriate plans and offices. It is not intended that INRMPs function as a comprehensive compilation of detailed information on all these related topics. Rather, the INRMP should briefly summarize the key interrelationships with these plans, reference where the plans may be obtained, and describe where detailed information can be found.

A small group of individuals representing the critical interests of the installation should serve as the core of the INRMP preparation and/or revision team. At a minimum, the INRMP team should include the installation natural resources manager, operations officer, facility planner, environmental counsel, public affairs officer, and comptroller. Prior to initiating planning actions, this team should agree on the goals of the INRMP, underlying assumptions regarding its preparation and/or revision, the role of internal and external stakeholders, funding realities, and legal sufficiency of the document.

If preparation of the INRMP is beyond the installation's technical or logistical capability, the installation may request the relevant Naval Facilities Engineering Command (NAVFACENGCOM) Engineering Field Divisions/Activities (EFD/EFA) or COE Districts to prepare the INRMP. The installation may also contract the preparation of the INRMP to other appropriate Federal or state agencies, or private contractors, with appropriate oversight from installation natural resources managers.

Each Marine Corps installation shall invite the FWS and State fish and wildlife agency to participate cooperatively in the scoping, design, and preparation and/or revision of the INRMP. Simply transmitting the initial draft INRMP to the FWS field office and State fish and wildlife agency office for review and comment does not meet the spirit of cooperation identified in the SAIA.

Identifying Stakeholders

Because land use is central to the installation meeting its mission requirements, and because of the interest of State and local agencies, advocacy groups, and interested citizens in how the Marine Corps uses land, the INRMP preparation and/or revision team must seek the views of internal and external stakeholders. Internal stakeholders include the installation commander, major operational components present on the installation, major tenants on the installation, and major installation departments. External stakeholders include the FWS and State fish and wildlife agency. Other external regulatory stakeholders may include the National Oceanic and Atmospheric Administration Fisheries Service, State Historic Preservation Officer, US Environmental Protection Agency, and Army Corps of Engineers. Finally, other external stakeholders may include State forestry agency, State water quality agencies, local governmental agencies, agricultural lessees, environmental advocacy groups (e.g., Audubon Society, Sierra Club), outdoor recreational groups (e.g., local rod and gun club), American Indian tribal groups or organizations, neighboring land owners, and interested citizens.

Once identified, a plan of action should be developed and implemented to collect their concerns and comments on INRMP development and preparation and/or revision. This collection of comments is analogous to the scoping process followed during NEPA compliance. As such, stakeholder comments can be collected via a formal meeting (e.g., a formal scoping meeting), through one-on-one interviews, or received via written comment. Collection of issue input from external stakeholders will likely be the first time that the intentions of the Marine Corps regarding natural resources management will be made known. It is vital that the views of the Public Affairs Officer be considered during this initial phase of INRMP preparation and/or revision in order to avoid miscommunication between the installation and external stakeholders.

Each Marine Corps installation shall advise all appropriate (cooperators) internal and stakeholders of the intent to prepare or revise an INRMP within 30 days of starting such an action. When providing this notification to FWS and State fish and wildlife agencies, each Marine Corps installation shall concurrently request the FWS and State fish and wildlife agencies to participate in the development or revision of the INRMP. The request should also ask the FWS and State fish and wildlife agency to identify the format for INRMP transmittal (for example: hard copy reports, compact disc, or upload to a password protected website) and the number of copies to provide of the draft, draft final and final INRMP.

Identification of Mission and Supporting Land Uses

The installation INRMP must define its purpose. The first step is to identify the mission of the land to be managed. This statement must reflect the official position of all levels of the Marine Corps and may be found in the installation Master Plan. Land uses and attendant facilities that support this mission should next be identified. Each installation possesses a unique mix of land uses and facilities to meet its mission needs; however, every installation possesses basic land and

facilities functions that fall within the categories of training and operational ranges and facilities; administrative, maintenance and storage spaces; and housing and community support facilities. Land uses should be delineated on an installation map. This delineation will serve as the basis for identifying the goals of the INRMP and focus identification of drivers of natural resources management.

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

The effectiveness of the INRMP in preventing “net loss” shall be evaluated annually. Mission requirements and priorities identified in the INRMP shall, where applicable, be integrated in other environmental programs and policies. It is not the intent that natural resources are to be consumed by mission requirements, but sustained for the use of mission requirements. In order to achieve this, environmental programs and policies must have the goal of protecting the environment for the purpose of the mission.

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

Section 101(b)(1)(G) of the Sikes Act states that each INRMP shall provide, to the extent appropriate and applicable, for public access to military installations that is appropriate for the “sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of fish and wildlife resources” and “subject to requirements necessary to ensure safety and military security.” “The principal purpose of [Marine Corps] lands and waters is to support mission-related activities. Those lands and waters shall be made available to the public for educational or recreational use of natural and cultural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness. Opportunities for such access shall be equitably and impartially allocated. INRMPs shall describe areas appropriate for public access.”

Land Use Vice Land Management

It bears repeating that land use is the purpose for which land is used to support an agency mission and that land management is the activity pursued to support continuation of the agency land use. The Departments of Agriculture and Interior land managing agencies (e.g., Forest Service, Fish and Wildlife Service, National Park Service, Bureau of Land Management) have

land uses that are based on natural resources management. Their missions are to manage land for multiple uses, or for fish and wildlife purposes, or for the protection of sensitive resources for the benefit and enjoyment of visitors. As a result, land use and land management for these agencies is intertwined. Indeed, these agencies are defined in large part by their land management missions.

The Marine Corps mission is national defense. Its use of land is grounded in its need to use land for military mission purposes rather than management of land for its own sake. That is why it is important that land use and land management be understood as separate concepts. The Marine Corps manages land so that its military land uses can continue while complying with the suite of laws governing protection of natural resources. Accordingly, an installation's land use is defined by the installation mission. While installation missions change over time, the SAIA does not dictate mission changes. Mission changes are the result of changing military requirements. Though the installation biological setting plays a role in setting mission requirements, it is but one factor facing the installation commander in determining land use requirements. SAIA only addresses land management. Accordingly, INRMPs only address land management activities in support of installation missions.

Identification of Drivers

A driver identifies a need to be satisfied in order for the mission to continue without disruption. Drivers serve as the basis for developing objectives for natural resources management. Management drivers are installation unique and are defined by the mission, land uses to support the mission, and natural resources affected by the mission. Examples of drivers for different situations:

- Elimination of bird/wildlife and aircraft strike hazards for an aviation facility.
- Preservation of the integrity of maneuvering areas so that they are not degraded to the point where they are no longer useful for training for a facility supporting tracked vehicles.
- Compliance with the Endangered Species Act in such a fashion as to not impede mission activities for an installation supporting several listed species.
- An installation supporting wetlands may have a similar driver for compliance with the Clean Water Act.
- An installation supporting natural resources of a regional importance may have a driver involving participation in regional ecosystem initiatives.
- Installations with substantial family housing and community support facilities may have as a driver the support of quality of life for on-base residents.

Drivers may be narrow in focus or broad in scope. However, all drivers share one characteristic: they are flash points for disrupting mission activities.

One way of identifying drivers is to define what the landscape should look like in order to meet mission requirements. For example, the mission of an air-to-ground range is to allow unrestricted use of the range. Expenditure of ordnance potentially creates fires. Accordingly, the threat of wildfire on the range is high. For this example, let's assume the vegetative communities on the range are such that the threat of fire escaping the range is high. Clearly, fires originating on the range and escaping to adjacent landowners would be viewed negatively, result in claims against the government, and potentially lead to range closure. Therefore, it is imperative that the threat of wildfire be managed. Accordingly, the desired landscape for the range is one that is fire proof. For this example, the driver for natural resources management is fire management.

Identification of Natural Resources Management Objectives

Once management drivers are identified, natural resources management objectives to satisfy the drivers are defined. As they are derived from the drivers, objectives are installation unique. However, objectives fall within four broad categories:

- support of mission requirements;
- compliance with natural resources protection laws;
- public access; and
- participation in regional ecosystem initiatives.

Examples of objectives include:

- eliminating bird/wildlife and aircraft strike hazards,
- preventing wildfire escape to surrounding lands,
- preserving and restoring maneuvering areas,
- preventing particulate matter emissions from ground activities,
- complying with the Endangered Species Act while maintaining unrestricted access to land for training,
- complying with the Clean Water Act while maintaining unrestricted access to land for training,
- becoming an emigration source of rare species to surrounding lands in order to avoid being the local biodiversity preserve,
- providing suitable land to support high quality outdoor recreational experiences.

Identification of objectives is the first step in developing a natural resources management course of action. The objectives determine management regimes to be followed, define management actions, set priorities, and govern the course of action to be taken. They become the standard by which the practicality and desirability of management actions are measured. If a proposed course of action does not support an objective, it should not be made part of the management program. The objectives should:

- Reflect the core values of the installation mission and philosophy of Marine Corps stewardship of natural resources.
- Provide a clear concept of the installation natural resources management policies, values and beliefs.
- Be achievable, measurable, and realistic given the commitment of the installation commander, regulatory climate, and underlying funding realities.

Developing the Natural Resources Management Course of Action

Once drivers define objectives, the next step is to prepare a natural resources management course of action. Usually this course of action consists of a list of projects that will be implemented during the life of the INRMP. In general, an INRMP planning horizon is 5 years. A plan may be longer, but it will require a review as to the operation and effect not less than every 5 years. Great care must be exercised when developing the list of projects as all specified projects must be implemented. Clearly, the mission and financial implications of a project must be considered. Project lists fall within two categories: those that must be implemented (“Must fund”), and those that may be implemented if circumstances are favorable (e.g., mission requirements allow access to land to conduct the project, funding is available).

“Must fund” conservation requirements are those projects and activities that are required to meet recurring natural and cultural resources conservation management requirements (Class 0) or current compliance (Class 1) needs. Not all projects listed in an INRMP are necessarily “must funds.” INRMPs should include valid Class 2 and 3 projects and actions that would enhance an installation’s natural resources.

Accordingly, two lists of projects should be developed, specific projects that will be implemented (subject to availability of funds), and types of projects that would be implemented given favorable circumstances. Both lists serve as the description of natural resources management. From a NEPA compliance perspective, both lists serve as the definition of the proposed action.

By their very nature, funding must be sought for certain projects because failure to fund and implement such projects would result in disruption of mission activities. These projects, from a funding perspective, are classified as “Class 0” or “Class 1.” Examples of these types of projects include:

- Terms and conditions of Biological Opinions,
- Terms and conditions of wetland fill permits,
- Memorandum Of Agreement/Understanding commitments,
- Other commitments (e.g., litigation settlement commitments),
- Vegetation management in support of mission requirements (e.g., clear zone vegetation management),

- Monitoring of agricultural lessees,
- Silvicultural activities in support of mission requirements, and
- Erosion control measures required in order to remain in compliance with natural resources protection regulations.

This list is not meant to be inclusive, rather it is meant to give an indication of the types of projects that could be included. The title and description of projects the INRMP team will develop will be based on the unique circumstances facing the installation.

Class 0 and Class 1 projects on this list, which must be implemented (subject to availability of funds), represent the most prudent course of action and, when considered together, must present a cohesive approach to managing the installation natural resources. Each project, once identified, should be defined with a description that identifies, at a minimum the:

- specific action to be taken,
- driver for its need and goal it will satisfy,
- timing of its accomplishment,
- funding required to implement,
- regulatory approvals needed (if any),
- vehicle for project implementation (i.e., in-house or via contract),
- priority relative to other projects in the INRMP, and
- method by which success will be measured.

A natural resources management course of action should also include a list of Class 2 and 3 projects, which are those for which no completion deadlines are established. While all Class 0 and Class 1 projects are usually funded, Class 2 and 3 projects are infrequently funded. However, from time to time, resources are made available from non-traditional sources to satisfy regional biodiversity goals and lower priority installation natural resources management objectives. These non-traditional sources of funds represent an important element in the Marine Corps natural resources program as they often are the only support for Class 2 and 3 projects. However, given the uncertain nature of the availability of these funds, it is difficult to make any commitment to implementing a specific project with these funds. Nonetheless, when available, these funds should be used. Accordingly, the second portion of the definition of the natural resources management course of action should include a list of the types of projects that would be implemented if funding were made available. These types of projects include:

- surveys of non-listed, sensitive biological resources,
- construction of “Watchable Wildlife Areas”, nature trails, or other environmental educational facilities,
- experimental methods of non-native, invasive species removal,
- experimental methods of erosion control,
- publication of pamphlets, bird lists, plant guides and other materials of an environmental educational perspective, and
- demonstration plantings of native plant materials.

This list is not meant to be inclusive, rather it is meant to give an indication of the types of projects that could be cited. The types of project on this list will be installation specific. It is possible that one installation will identify a specific project that must be implemented while another installation will identify a similar type of project that would be implemented commensurate with funding availability.

Unlike the list of Class 0 and Class 1 projects, the Class 2 and 3 project list should identify in general the specifics of project implementation. The INRMP preparation and/or revision team should keep in mind that this list only addresses the classes of projects that would be implemented (subject to availability of funds) and is not a firm commitment to actually implement a specific project.

Monitoring

Establishment of a good monitoring program is a means to demonstrate progress and to identify when the final target objective has been met. The success of the INRMP should not be based solely on when an objective is met but should acknowledge positive trends in meeting the objective. Monitoring should be clearly identified in the INRMP. If not, it should be addressed during the annual review and coordination with agencies. Resources for INRMP Implementation, a handbook for the natural resource manager the from Legacy Resource Management Program, provides a good source of information on types of monitoring, indicators, developing thresholds, data collection, analysis, and program success. The Handbook can be downloaded from the DENIX webpage at <http://www.denix.osd.mil/inrmp>; see Chapter 8, Monitoring Progress and Measuring Success, page 8-1.

Methods by which success will be measured should include a measure of how well the project is meeting the purposes of the INRMP: (1) help installation commanders manage natural resources more effectively so as to ensure that installation lands remain available and in good condition to support the installation's military mission (i.e., ensure "no net loss in the capability of military installation lands to support the military mission of the installation"); (2) conservation and rehabilitation of natural resources on military installations; (3) sustainable multipurpose use of resources and public access to military installations to facilitate the use of these resources; and (4) participation, as appropriate, in regional ecosystem initiatives. Examples of measures of success for the objectives listed above include:

Project	Measure of Success
Terms and conditions of Biological Opinions	Complying with the Endangered Species Act while maintaining unrestricted access to land for training
Terms and conditions of wetland fill permits	Complying with the Clean Water Act while maintaining unrestricted access to land for training
Memorandum Of Agreement/Understanding commitments	Providing suitable land to support high quality outdoor recreational experiences and participating in regional ecosystem initiatives while maintaining unrestricted access to land for training

Other commitments (e.g., litigation settlement commitments)	Maintaining unrestricted access to land for training
Vegetation management in support of mission requirements (e.g., clear zone vegetation management),	Eliminating bird/wildlife and aircraft strike hazards, preventing wildfire escape to surrounding lands while maintaining unrestricted access to land for training
Monitoring of agricultural lessees	Complying with natural resources laws and regulations.
Silvicultural activities in support of mission requirements	Preventing particulate matter emissions from ground activities
Erosion control measures required to remain in compliance with natural resources protection regulations	Preserving and restoring of maneuvering areas

Measures of success shall principally look at how well the installation is managing natural resources to ensure that installation lands remain available and in good condition to support the installation's military mission.

The measures of success can be either qualitatively or quantitatively but should focus on the broad categories on which the natural resources management goals were formed. For example, removal of an exotic/non-native species may be done in accordance with existing natural resources laws and regulations. However, it may also have a benefit on a federally listed species, improve the use of training lands on the site and/or allow for public access. A quantitative measure of success would be successful removal of a percentage of the species, percent increase in available training land, percent increase in available habitat for a federally listed species on the installation, percent increase in areas available for public access and/or percent increase in the available habitat of the species regionally. A qualitative measure of success would be successful removal of the exotic/non-native species, the suitability of the site for training, providing potential habitat for federally listed species, and/or availability for public access. A qualitative approach to monitoring may be appropriate when the project is initiated and quantitative monitoring when the initial implementation is complete.

When looking at measures of success examine not only the direct effect of the action but how that project will increase, decrease or cause the system to remain the same for:

- mission requirements;
- natural resources protection laws;
- public access; and
- regional ecosystem initiatives

Developing Alternative Courses of Action

The heart of a NEPA document is the alternative analysis. Similarly, the heart of an INRMP is the alternative analysis performed to perfect the course of action to be taken. However, similar to efforts in complying with NEPA, identification of alternatives for an INRMP will likely be the most challenging aspect of planning efforts.

Alternative analyses during INRMP preparation and/or revision should identify efficiencies to be gained via a specific course of action, trade-offs that may be necessary, funding required, and approvals required. Identification of these factors will highlight the desired course of action. Failure to consider alternative courses of action will lead to a failure to take advantage of

changes in technology, the regulatory climate, and funding realities. This failure will lead to a failure in INRMP implementation. Therefore, it is vital that alternatives be considered during INRMP preparation and/or revision.

Because NEPA is triggered by INRMP preparation or revision that has the potential to change the physical environment in a manner that has not been previously evaluated via NEPA, evaluation of alternatives will also help effect NEPA compliance. Not every combination of courses of action need be identified and evaluated--only a range of reasonable alternatives must be evaluated. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the INRMP preparers.

The “no action” alternative, defined as a continuation of the current course of action (status quo), is considered reasonable and must be included in the INRMP EA/EIS. For Marine Corps installations that have no natural resources programs, but should, no action means to continue to not manage their natural resources. Adoption of the no action alternative as the preferred alternative often has a negative connotation. However, for Marine Corps installations with mature programs, adoption of the no action alternative is a continuation of their management regimes and may be the most prudent course of action.

The paradigm of natural resources managers is to automatically select the optimum course of management. Development of alternatives should document the thought process by which the optimum course of action was defined. The key is to identify alternative means of meeting installation objectives. One way to develop alternatives is to develop mixes of management regimes for the major program elements of a natural resources program (e.g., agricultural outleasing, endangered species protection, environmental education, forestry, outdoor recreation). For example, an installation objective may be to eliminate bird/wildlife and aircraft strike hazards. Alternative ways of achieving this objective may be:

- to manipulate installation forest resources in such a manner as to draw birds away from the airfield environment.
- to outlease the clear zone so that vegetation that is not attractive to birds and wildlife may be maintained at no cost.
- a combination of the two approaches.

An example of alternatives to meet an installation objective to ensure compliance with wetlands protection requirements may be:

- to develop a wetland bank with specific mitigation ratios that correspond to permissible losses of wetland types.
- to work with the installation operations officer to designate wetland areas as “out of bounds” for specific military training.

A convenient way of developing alternatives may be to use a “high, medium, low” approach for management of each resource type. A low approach would be the minimum effort required to

remain in compliance. For example, bases supporting endangered species are required to undergo Section 7 Consultation under the Endangered Species Act. A low alternative for endangered species would be to engage in only those activities that meet the minimum regulatory requirements. A medium approach for the same resource would be to engage in some form of species enhancement projects. A high approach would be to work regionally with other landowners to adopt a regional approach for species accommodation.

Weighing alternatives in terms of whether they are high, medium or low might function as follows: a high silvicultural approach for fire proofing an impact area and surrounding buffer zone coupled with a low approach to environmental education may be an alternative to a medium wildlife habitat approach coupled with a high environmental education approach. A high wildlife habitat management approach coupled with a “high” environmental education approach for providing outdoor recreational opportunities may have as an alternative a low approach for both resources.

Yet another way of identifying alternatives is to prepare alternative project lists, both for the “must fund” projects “should fund” type of projects. These alternative lists, when matched against installation goals, should make clear alternative courses of management.

Existing Environment

Perhaps the greatest strength of Marine Corps natural resources programs is the depth of information that has been collected for each installation. Traditionally, this information has made up the bulk of natural resources management plans. However, it focused almost exclusively on resources “inside the fence line.” While this information should be presented in detail, existing information should also be included about resources in a regional context. There is great value in highlighting the relative importance of installation resources in a regional context as it gives a sense of the importance of these resources. In particular, those resources that are the focus of regional initiatives should be discussed. Maps and figures, as appropriate, should be included to provide a snapshot of the local and regional conditions of and around the installation.

The INRMP should provide a synopsis of past natural resources management activities, which should be an integrated view of the entire program and not a listing of actions taken by each discipline. This synopsis, a snapshot of the installations past practices, successes and failures will provide a baseline by which to judge anticipated impacts of proposed management regimes.

Data gaps should also be identified and their importance revealed as they play a role in evaluating the impacts of the management regime. They also may be important from a project priority perspective.

The greatest value of identification of the existing environment, though, is definition of the environmental baseline. Because the baseline will be used for other installation activities, such as changes in mission, military construction, or military training, it should reflect current

conditions of installation activities and not be confined to natural resources management. Other resources may be present that are not normally under the management of the installation natural resources manager, but nonetheless are of importance to the installation natural resources program. These resources include air quality, water quality, and presence of hazardous waste sites. The Marine Corps installation shall encourage participation of cooperating agencies on issues affecting compliance with natural and cultural resources laws and regulations. These agencies include, but are not limited to, National Oceanic and Atmospheric Administration Fisheries Service for Essential Fish Habitat and the Marine Mammal Protection Act; the State Historic Preservation Officer for cultural resources, the Environmental Protection Agency for the Clean Air Act; U.S. Fish and Wildlife Service for the Endangered Species Act and Migratory Bird Treaty Act, and the Army Corps of Engineers for wetlands.

Environmental Impacts

Because INRMP preparation and/or revision triggers NEPA, it is vital that environmental impacts be documented so that NEPA compliance may be effected. Impact analysis should focus on the effects of all the specific projects listed and from the type of actions that would be implemented if funding were available. While the impact of each project should be captured, the total impact, both in scope and tempo, should be addressed. Such an approach can be thought of as a programmatic approach in that envelopes of impacts are identified. This identification should be sufficiently narrow to suitably divulge impacts of management regimes and sufficiently broad to capture the impacts of the type of actions that would be accomplished if funding were made available.

For example, an installation's objectives might include fire management and providing outdoor recreational opportunities for on-base residents. Specific projects include prescribed burning of specific areas during the time span of the plan. Types of projects that would be implemented if funding were available include establishment of environmental education facilities, such as information kiosks, nature trails, and watchable wildlife areas. The impact analysis would address the biological and physical impacts of the prescribed burning program and the impacts from environmental educational facilities.

Impact analysis also assists in complying with environmental and natural resources protection laws. For example, emission analysis is required for compliance with the Clean Air Act in non-attainment areas. This analysis is important when evaluating impacts of prescribed burning programs. It can also be important in evaluating impacts of erosion control measures in order to reduce aerosol particulate matter. Impact analysis is also important for complying with Clean Water Act requirements associated with wetland protection. Often a permit is required to modify a wetland. Permit requirements often include an analysis of the impact of the project. Similarly, compliance with the Endangered Species Act also requires identification of impacts on listed species.

Finalizing the INRMP

As noted in the preceding section pertaining to SAIA requirements, INRMPs must be coordinated with FWS and the appropriate State Fish and Game Agency. They also must be made available to the public for review and comment.

Once prepared/revised, the working draft INRMP should be distributed to all internal stakeholders for review and comment, including the installation commander. Concerns of all internal stakeholders should be addressed and incorporated into the draft INRMP. If a particular concern could not be addressed, a detailed explanation should be provided to the internal stakeholder. It is important that the INRMP reflect the commitment of the installation as an institution and not just the commitment of the installation natural resources manager.

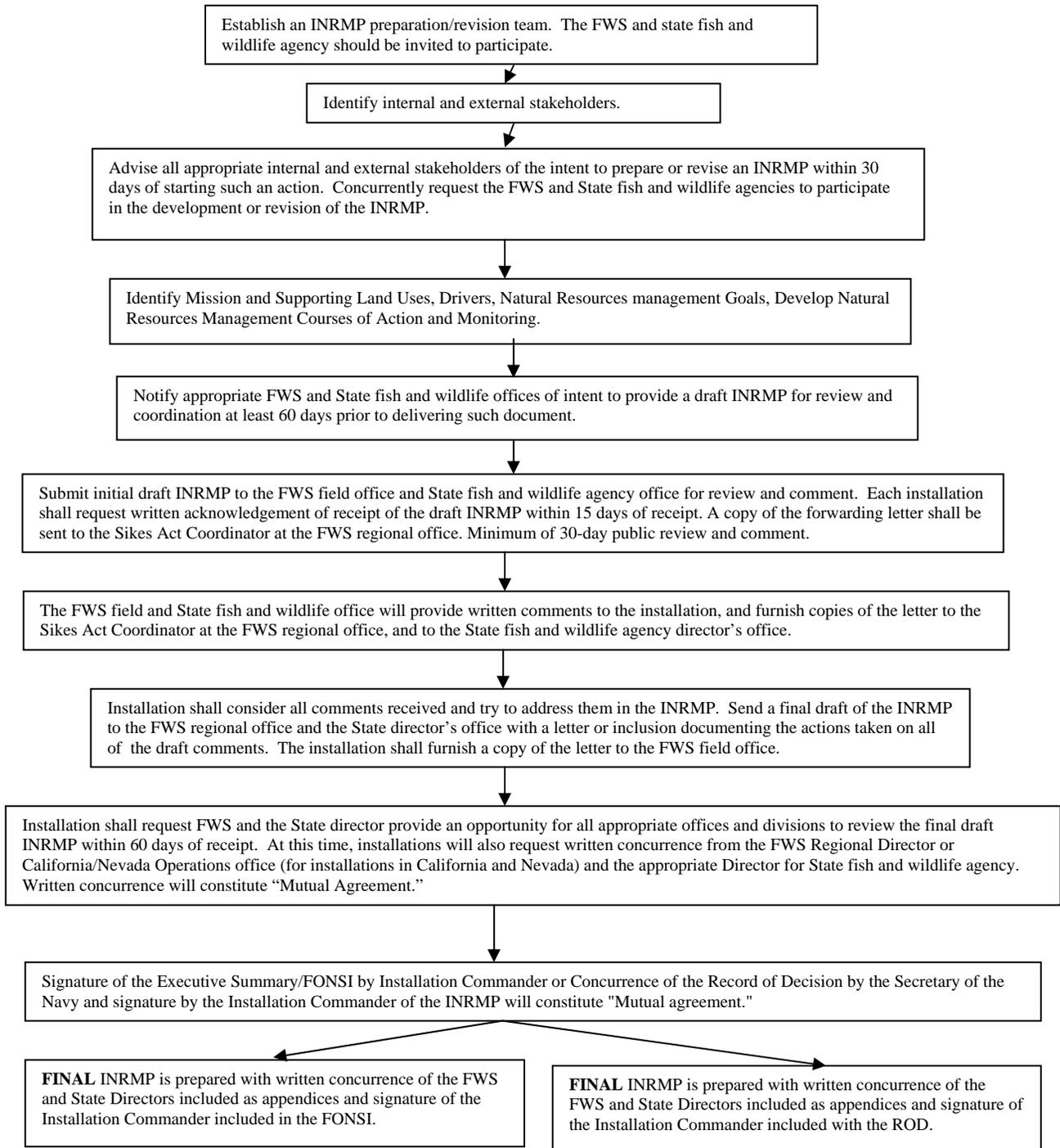
Next, the draft INRMP/NEPA document is distributed to external stakeholders for review and comment. The process discussed on Pages 6 - 9 of this guidance shall be used to facilitate coordination within and between the various organizations and to ensure adequate documentation of the coordination process. The draft INRMP must also be made available to the public for comment. The public should be afforded at least 30 days to review and submit comments on the draft INRMP. All comments received from stakeholders will be addressed and incorporated, if possible, in a draft final INRMP. A detailed matrix of comments and how they were considered, or why they were not incorporated, will be included with the draft final INRMP.

The draft final INRMP will be submitted to the FWS and State fish and wildlife agency. Installations shall request FWS and the State director provide an opportunity for all appropriate offices and divisions to review the final draft INRMP within 60 days of receipt. Written letters of concurrence will be requested upon submitting the draft final INRMP from the FWS Regional Director (or the Manager of the California/Nevada Operations office) and the Director of the appropriate State fish and wildlife agency. Written concurrence shall fulfill the requirement of “mutual agreement.” Installation Commander signature of the Executive Summary will connote approval of the INRMP and FONSI. The Secretary of the Navy signature of the Record Of Decision and installation Commander signature of the Executive Summary will connote approval of the EIS and INRMP.

Once the INRMP/NEPA document is complete, their disposition is taken up by the installation EIRB. Most, if not all, INRMPs will effect NEPA compliance via an EA. In those cases, assuming a Finding Of No Significant Impact (FONSI) is appropriate, the installation Commander may sign the document. Signature of the Executive Summary of the document would connote approval of the INRMP and FONSI. In the rare case that an EIS is required for an INRMP, the installation EIRB would forward the INRMP/EIS to HQMC for review and continuing action. The HQMC EIRB would review both the document and forward them to SECNAV for review and concurrence. SECNAV would approve the distribution of the EIS, sign the Record Of Decision (ROD) when appropriate and recommend the installation commander sign the INRMP when appropriate.

The final INRMP/NEPA document shall be produced with the signed FONSI/Executive Summary or signed ROD and Executive Summary included in the front of the document. FWS and State fish and wildlife agency letters of concurrence shall be included in an appendix to the final INRMP/NEPA document.

INRMP Preparation/Revision Process Chart



Funding the INRMP

Since SAIA requires implementation of the INRMP, there is a clear fiscal connection between INRMP preparation and budgeting. Implementation of the INRMP is subject to the availability of funds and funding to implement natural resources management will largely come from installation. Accordingly, it is vital the installation comptroller actively participate in INRMP preparation and/or revision. HQMC O&M,MC funding sources should be requested only for emergent, unforeseen or emergency funding situations.

DOD Instruction 4715.3, “Environmental Conservation Program,” May 3, 1996, describes the funding classification of recurring and non-recurring projects (i.e., Class 0, 1, 2, and 3).

These categories are descriptively summarized as:

Class 0: Recurring Natural and Cultural Resources Conservation Management Requirements

Class 0 shall contain any INRMP actions necessary to rehabilitate or prevent resource degradation that may affect military readiness.

Class 1: Current Compliance

Class 1 shall contain requirements to manage federally listed threatened or endangered species, proposed federally listed threatened or endangered species, candidates species, proposed critical habitat on the installation or court ordered actions to prevent listing of species or habitat that could affect military readiness.

Class 2: Maintenance Requirements

Class 3: Enhancement Actions beyond Compliance

“Must fund” conservation requirements are those projects and activities that are required to meet recurring natural and cultural resources conservation management requirements (Class 0) or current compliance (Class 1) needs. “Must fund” projects and actions include those required to:

- Meet the FWS special management criteria for threatened and endangered species management
- Provide for qualified natural resources personnel
- Prevent resource loss or degradation (e.g., soil loss, other maintenance activities) that may effect military readiness

INRMP preparation is considered a Class 1. INRMP revisions (after initial preparation) are considered to be Class 2 in the years prior to the year it is due. The year the revision is due, INRMP revisions are considered Class 1.

Specific projects can be Class 0, Class 1, Class 2 or Class 3. The priority of the project depends on its importance in preserving installation access to lands for training or for preserving installation compliance with natural resources protection laws. The priority of funding each project will in large part be determined by the flexibility the installation has for implementing the project. Those projects for which there is limited flexibility due to regulatory, biological, logistical or other limiting factors (e.g., annual monitoring of an endangered species in compliance with a Biological Opinion term and condition) will be considered as Class 1.

Projects with some flexibility (e.g., creation of a habitat bank by a specified time) will be considered as Class 2. Projects with no deadlines (e.g., creation of a nature trail) will be considered as Class 3.

Not all projects listed in an INRMP are necessarily “must funds.” INRMPs should include valid Class 2 and 3 projects and actions that would enhance an installation’s natural resources. Non-traditional sources of funding for natural resources programs include non-appropriated reimbursable funds (i.e., agricultural outleasing, forestry, hunting and fishing fees), and appropriated reimbursable funds (e.g., DOD Legacy Program, DOA Pest Management Program). The non-appropriated reimbursable funding programs are relatively stable and there is little chance that these funds will increase. Appropriated reimbursable accounts appear to be increasing in number, though not necessarily in size. These accounts are sources of funds for Class 3 projects. Installations, though, should not count on reimbursable programs to fund their natural resources management programs. The primary source of funds should be from installation O&M, MC.

Formal adoption of an INRMP by the installation commander constitutes a commitment to seek funding and execute, subject to the availability of funding, all “must fund” projects and activities in accordance with specific timeframes identified in the INRMP. Under SAIA, any natural resources management activity that is specifically addressed in the plan must be implemented (subject to availability of funds). Failure to implement the INRMP is a violation of SAIA and may be source of litigation.

Anti-Deficiency Act

Each Marine Corps installation shall include in the INRMP the following language regarding funding limitations:

“All actions contemplated in this INRMP are subject to the availability of funds properly authorized and appropriated under federal law. Nothing in this INRMP is intended to be nor shall be construed to be a violation of the Anti-Deficiency Act, 31 USC § 1341.

The following Appendices are attached to this USMC INRMP Guidance as they are source materials for the guidance:

- Appendix A – 16 USC 670 *et. seq.*
- Appendix B - OSD memo of 10 Oct 02 transmitting Implementation of Sikes Act Improvement Amendments: Updated Guidance
- Appendix C - Department of Navy, Assistant Secretary of the Navy transmitting New Guidance on the Sikes Act Improvement Amendments, 25 Oct 2002
- Appendix D - Headquarters Marine Corps, Installations and Logistics, New Guidance on the Sikes Act Improvement Act, 15 Nov 2002
- Appendix E – OSD Implementation of Sikes Act Improvement Amendments: Updated Guidance
- Appendix F – Sample form letter for Annual Feedback from U.S. Fish and Wildlife Service and State fish and wildlife agency
- Appendix G - Annual INRMP Report

Appendix A – 16 USC 670 *et. seq.*

UNITED STATES CODE

TITLE 16- CONSERVATION

CHAPTER 5C – CONSERVATION PROGRAMS ON GOVERNMENT LANDS

SUBCHAPTER I - CONSERVATION PROGRAMS ON MILITARY INSTALLATIONS

Sec. 670. Definitions

In this subchapter:

- (1) Military installation. The term "military installation" -
 - (A) means any land or interest in land owned by the United States and administered by the Secretary of Defense or the Secretary of a military department, except land under the jurisdiction of the Assistant Secretary of the Army having responsibility for civil works;
 - (B) includes all public lands withdrawn from all forms of appropriation under public land laws and reserved for use by the Secretary of Defense or the Secretary of a military department; and
 - (C) does not include any land described in subparagraph (A) or (B) that is subject to an approved recommendation for closure under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).
- (2) State fish and wildlife agency. The term "State fish and wildlife agency" means the one or more agencies of State government that are responsible under State law for managing fish or wildlife resources.
- (3) United States. The term "United States" means the States, the District of Columbia, and the territories and possessions of the United States.

Sec. 670a. Program for conservation and rehabilitation of natural resources on military installations

- (a) Authority of Secretary of Defense
 - (1) Program
 - (A) In general the Secretary of Defense shall carry out a program to provide for the conservation and rehabilitation of natural resources on military installations.
 - (B) Integrated natural resources management plan.
To facilitate the program, the Secretary of each military department shall prepare and implement an integrated natural resources management plan for each military installation in the United States under the jurisdiction of

the Secretary, unless the Secretary determines that the absence of significant natural resources on a particular installation makes preparation of such a plan inappropriate.

- (2) Cooperative preparation. The Secretary of a military department shall prepare each integrated natural resources management plan for which the Secretary is responsible in cooperation with the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, and the head of each appropriate State fish and wildlife agency for the State in which the military installation concerned is located. Consistent with paragraph (4), the resulting plan for the military installation shall reflect the mutual agreement of the parties concerning conservation, protection, and management of fish and wildlife resources.
- (3) Purposes of program. Consistent with the use of military installations to ensure the preparedness of the Armed Forces, the Secretaries of the military departments shall carry out the program required by this subsection to provide for -
 - (A) the conservation and rehabilitation of natural resources on military installations;
 - (B) the sustainable multipurpose use of the resources, which shall include hunting, fishing, trapping, and nonconsumptive uses; and
 - (C) subject to safety requirements and military security, public access to military installations to facilitate the use.
- (4) Effect on other law. Nothing in this subchapter -
 - (A)
 - (i) affects any provision of a Federal law governing the conservation or protection of fish and wildlife resources; or
 - (ii) enlarges or diminishes the responsibility and authority of any State for the protection and management of fish and resident wildlife; or
 - (B) except as specifically provided in the other provisions of this section and in section 670B of this title, authorizes the Secretary of a military department to require a Federal license or permit to hunt, fish, or trap on a military installation.
- (b) Required elements of plans. Consistent with the use of military installations to ensure the preparedness of the Armed Forces, each integrated natural resources management plan prepared under subsection (a) of this section -
 - (1) shall, to the extent appropriate and applicable, provide for -
 - (A) fish and wildlife management, land management, forest management, and fish- and wildlife-oriented recreation;
 - (B) fish and wildlife habitat enhancement or modifications;
 - (C) wetland protection, enhancement, and restoration, where necessary for support of fish, wildlife, or plants;
 - (D) integration of, and consistency among, the various activities conducted under the plan;
 - (E) establishment of specific natural resource management goals and objectives and time frames for proposed action;

-
- (F) sustainable use by the public of natural resources to the extent that the use is not inconsistent with the needs of fish and wildlife resources;
 - (G) public access to the military installation that is necessary or appropriate for the use described in subparagraph, subject to requirements necessary to ensure safety and military security;
 - (H) enforcement of applicable natural resource laws (including regulations);
 - (I) no net loss in the capability of military installation lands to support the military mission of the installation; and
 - (J) such other activities as the Secretary of the military department determines appropriate;
- (2) must be reviewed as to operation and effect by the parties thereto on a regular basis, but not less often than every 5 years; and
 - (3) may stipulate the issuance of special State hunting and fishing permits to individuals and require payment of nominal fees therefor, which fees shall be utilized for the protection, conservation, and management of fish and wildlife, including habitat improvement and related activities in accordance with the integrated natural resources management plan; except that -
 - (A) the Commanding Officer of the installation or persons designated by that Officer are authorized to enforce such special hunting and fishing permits and to collect, spend, administer, and account for fees for the permits, acting as agent or agents for the State if the integrated natural resources management plan so provides, and
 - (B) the fees collected under this paragraph may not be expended with respect to other than the military installation on which collected, unless the military installation is subsequently closed, in which case the fees may be transferred to another military installation to be used for the same purposes.
- (c) Prohibitions on sale and lease of lands unless effects compatible with plan. After an integrated natural resources management plan is agreed to under subsection (a) of this section -
 - (1) no sale of land, or forest products from land, that is within a military installation covered by that plan may be made under section 2665(a) or (b) of title 10; and
 - (2) no leasing of land that is within the installation may be made under section 2667 of such title 10; unless the effects of that sale or leasing are compatible with the purposes of the plan.
 - (d) Implementation and enforcement of plans. With regard to the implementation and enforcement of integrated natural resources management plans agreed to under subsection (a) of this section -
 - (1) neither Office of Management and Budget Circular A-76 nor any successor circular thereto applies to the procurement of services that are necessary for that implementation and enforcement; and
-

- (2) priority shall be given to the entering into of contracts for the procurement of such implementation and enforcement services with Federal and State agencies having responsibility for the conservation or management of fish or wildlife.
- (e) Applicability of other laws. Integrated natural resources management plans agreed to under the authority of this section and section 670b of this title shall not be deemed to be, nor treated as, cooperative agreements to which chapter 63 of title 31 applies.
- (f) Reviews and reports.
 - (1) Secretary of Defense. Not later than March 1 of each year, the Secretary of Defense shall review the extent to which integrated natural resources management plans were prepared or were in effect and implemented in accordance with this subchapter in the preceding year, and submit a report on the findings of the review to the committees. Each report shall include -
 - (A) the number of integrated natural resources management plans in effect in the year covered by the report, including the date on which each plan was issued in final form or most recently revised;
 - (B) the amounts expended on conservation activities conducted pursuant to the plans in the year covered by the report; and
 - (C) an assessment of the extent to which the plans comply with this subchapter.
 - (2) Secretary of the Interior. Not later than March 1 of each year and in consultation with the heads of State fish and wildlife agencies, the Secretary of the Interior shall submit a report to the committees on the amounts expended by the Department of the Interior and the State fish and wildlife agencies in the year covered by the report on conservation activities conducted pursuant to integrated natural resources management plans.
 - (3) "Committees" defined
In this subsection, the term "committees" means -
 - (A) the Committee on Resources and the Committee on National Security of the House of Representatives; and
 - (B) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate.

Sec. 670b. Migratory game birds; permits; fees; Stamp Act and State law requirements

The Secretary of Defense in cooperation with the Secretary of the Interior and the appropriate State agency is authorized to carry out a program for the conservation, restoration and management of migratory game birds on military installations, including the issuance of special hunting permits and the collection of fees therefore, in accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior and the appropriate State agency: Provided, That possession of a special permit for hunting migratory game birds issued pursuant to this subchapter shall not relieve the permittee of the requirements of the Migratory Bird Hunting Stamp Act as amended (16 U.S.C. 718 et seq.) nor of the requirements pertaining to State law set forth in Public Law 85-337.

Sec. 670c. Public outdoor recreation resources program

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

Sec. 670c-1. Cooperative agreements for land management on Department of Defense installations

- (a) Authority of Secretary of a military department. The Secretary of a military department may enter into cooperative agreements with States, local governments, nongovernmental organizations, and individuals to provide for the maintenance and improvement of natural resources on, or to benefit natural and historic research on, Department of Defense installations.
- (b) Multiyear agreements. Funds appropriated to the Department of Defense for a fiscal year may be obligated to cover the cost of goods and services provided under a cooperative agreement entered into under subsection (a) of this section or through an agency agreement under section 1535 of title 31 during any 18-month period beginning in that fiscal year, without regard to whether the agreement crosses fiscal years.
- (c) Availability of funds; agreements under other laws. Cooperative agreements entered into under this section shall be subject to the availability of funds and shall not be considered, nor be treated as, cooperative agreements to which chapter 63 of title 31 applies.

Sec. 670d. Liability for funds; accounting to Comptroller General

The Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of the program or programs authorized by this subchapter any funds which may have been or may hereafter be collected, received or expended pursuant to, and for the purposes of, this subchapter, and which collections, receipts and expenditures have been properly accounted for to the Comptroller General of the United States.

Sec. 670e. Applicability to other laws; national forest lands

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

Sec. 670e-1. Federal enforcement of other laws

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

Sec. 670e-2. Natural resources management services

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

Sec. 670f. Appropriations and expenditures

- (a) Expenditures exclusively under plans; availability of funds until expended. The Secretary of Defense shall expend such funds as may be collected in accordance with the integrated natural resources management plans agreed to under sections 670a and 670b of this title and cooperative agreements agreed to under section 670c-1 of this title and for no other purpose. All funds that are so collected shall remain available until expended.
- (b) Authorization of appropriations to Secretary of Defense. There are authorized to be appropriated to the Secretary of Defense not to exceed \$1,500,000 for each of the fiscal years 1998 through 2003, to carry out this subchapter, including the enhancement of fish and wildlife habitat and the development of public recreation and other facilities, and to carry out such functions and responsibilities as the Secretary may have under cooperative agreements entered into under section 670c-1 of this title. The Secretary of Defense shall, to the greatest extent practicable, enter into agreements to utilize the services, personnel, equipment, and facilities, with or without reimbursement, of the Secretary of the Interior in carrying out the provisions of this section.
- (c) Authorization of appropriations to Secretary of the Interior. There are authorized to be appropriated to the Secretary of the Interior not to exceed \$3,000,000 for each of the fiscal years 1998 through 2003, to carry out such functions and responsibilities as the Secretary may have under integrated natural resources management plans to which such Secretary is a party under this section, including those for the enhancement of fish and wildlife habitat and the development of public recreation and other facilities.
- (d) Use of other conservation or rehabilitation authorities. The Secretary of Defense and the Secretary of the Interior may each use any authority available to him under other laws relating to fish, wildlife, or plant conservation or rehabilitation for purposes of carrying out the provisions of this subchapter.



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

OCT. 10 2002

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY
ASSISTANT SECRETARY OF THE NAVY
ASSISTANT SECRETARY OF THE AIR FORCE
DIRECTOR, DEFENSE LOGISTICS AGENCY

SUBJECT: Implementation of Sikes Act Improvement Act: Updated Guidance

This memorandum provides updated guidance for implementing Sikes Act Improvement Act requirements consistently throughout the Department of Defense (DoD). This guidance replaces implementing guidance dated September 21, 1998, same subject.

The following attachments define coordination, reporting, implementation, and miscellaneous Sikes Act Improvement Act requirements:

- *Coordination Requirements: the scope of Fish and Wildlife Service (FWS) and State involvement in developing integrated natural resources management plans (INRMPs); defining "mutual agreement" with the FWS and appropriate State fish and wildlife agency; soliciting public comments; specific coordination requirements; integrating other plans, programs, and policies; plan availability.*
- *Reporting Requirements: reporting deadlines and formats to use for providing information to our office for consolidation into required DoD reports to Congress; establishing formal new conservation metrics for preparing and implementing INRMPs.*
- *Implementation Requirements: budgeting for INRMP projects; defining implementation; INRMPs as a substitute for critical habitat designation; special management criteria; the INRMP Handbook.*
- *Miscellaneous Requirements: when and how to prepare and revise INRMPs; how to accommodate public access; addressing the no net loss to military lands o requirement; INRMPs for closing bases; funds authorization for 18 months; authorization for cooperative agreements with private, State, and local organizations.*

These guidelines are effective immediately. Please forward your respective implementing instructions by December 31, 2002. If you have any questions, please contact Mr. Peter Boice at (703) 604-0524.

Raymond F. DuBois
Deputy Under Secretary of Defense
(Installations and Environment)

Attachments:
As stated





DEPARTMENT OF THE NAVY
THE ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

25 October 2002

MEMORANDUM FOR VICE CHIEF OF NAVAL OPERATIONS
ASSISTANT COMMANDANT OF THE MARINE CORPS

Subj: NEW GUIDANCE ON THE SIKES ACT IMPROVEMENT AMENDMENTS

Encl: (1) OUSD memo of 10 Oct 02 (w/attachment)

Enclosure (1) is the revised Department of Defense guidance for implementing the Sikes Act Amendments of 1997. The new guidelines are effective immediately. We encourage you to provide your installations having conservation program responsibilities with a copy for immediate implementation.

The new guidance replaces Sikes Act implementing guidance dated 21 September 1998. It contains programming and budgeting criteria, performance measures of merit, and other significant changes to ensure Sikes Act requirements are consistently implemented throughout the military departments. The new conservation metrics for preparing and implementing Integrated Natural Resources Management Plans (INRMPs) may require field notification and new data systems to collect.

The new guidance should strengthen our justification for advocating that properly prepared and implemented INRMPs are an adequate substitute for critical habitat designation. Please distribute the guidance to subordinate commands and activities as appropriate and ensure its incorporation in applicable instructions.

Your responses to our request for input during the redrafting period helped to make the new guidance a more concise and useful product. Please contact Mr. Tom Egeland on my staff at 703/588-6671 if there are questions.

HT Johnson
H. T. Johnson

Copy to:
SECNAV
UNSECNAV
CNO
CMC



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

MAILED REFER TO:

5090
LFL/1

16 NOV 2002

From: Commandant of the Marine Corps

Subj: UPDATED GUIDANCE ON IMPLEMENTATION OF SIKES ACT
IMPROVEMENT ACT

Encl: (1) OUSD memo of 10 Oct 2002 (w/attachment)
(2) ASN memo of 25 Oct 2002

1. Enclosure (1) is the Updated Guidance on Implementation of the Sikes Act Improvement Act from the Deputy Secretary of Defense. The new guidance replaces the Sikes Act Implementing Guidance dated 21 September 1998.
2. Enclosure (2) is a memorandum from the Assistance Secretary of the Navy encouraging installations to implement the new guidance immediately.
3. We are revising HQMC Sikes Act Improvement Act Guidance for Preparing, Revising and Implementing INRMPs. Draft guidance will be sent for formal review and comment in December 2002. Our goal is to finalize the guidance in February 2003.
4. Please direct questions or comments regarding this issue to Ms. Heidi Hirsh at DSN 225-8240 or hirshh@hqmc.usmc.mil.

A handwritten signature in black ink, appearing to read "R. S. Coleman".

R. S. COLEMAN
By direction

Appendix E - DOD Sikes Act Guidance

DEPARTMENT OF DEFENSE UPDATED GUIDANCE FOR IMPLEMENTATION OF THE SIKES ACT IMPROVEMENT ACT

Coordination Requirements of the Sikes Act

The scope of Fish and Wildlife Service (FWS) and State involvement in developing integrated natural resources management plans (INRMPs); Defining “mutual agreement” with the FWS and the appropriate State fish and wildlife agency; Coordinating INRMPs with other planning statutes

Legislative Language

Section 101(a)(2) of the Sikes Act states that the INRMP shall reflect the “mutual agreement” of the FWS and State “concerning conservation, protection, and management of fish and wildlife resources.”

The Conference Report (H.Rpt. 105-340) accompanying the National Defense Authorization Act for Fiscal Year 1998 states that “The conferees agree that reauthorization of the Sikes Act is not intended to expand the management authority of the U.S. Fish and Wildlife Service or the State fish and wildlife agencies in relation to military lands.”

Section 101(a)(4)(ii) of the Sikes Act states that nothing in this law “enlarges or diminishes the responsibility and authority of any State for the protection and management of fish and resident wildlife.”

Section 101(a)(2) of the Sikes Act requires that the Secretary of a Military Department shall prepare each INRMP for which the Secretary is responsible “in cooperation with” the FWS and each appropriate State fish and wildlife agency.

DoD Policy

This document provides updated guidance for implementing Sikes Act Improvement Act (SAIA) requirements consistently throughout the Department of Defense. It replaces implementing guidance dated September 21, 1998, same subject. It is issued under authority of Department of Defense Directive 4715.1, “Environmental Security” (February 24, 1996) and Department of Defense Instruction 4715.3, “Environmental Conservation Program” (May 3, 1996).

The "old" Sikes Act §101(a) (1) "authorized," but did not require, the Secretary of Defense to develop cooperative plans "mutually agreed upon" by the three parties.

The new SAIA "requires" the Secretaries of the Military Departments to prepare INRMPs in cooperation with the other two parties, and require the plans to reflect "mutual agreement of the parties concerning the conservation, protection, and management of fish and wildlife resources." The new §101(a) language achieves four important objectives:

1. INRMPs -- comprehensive plans for the management of all installation natural resources (substantially expanded beyond the scope of fish and wildlife cooperative plans) --are now mandatory "unless the Secretary determines that the absence of significant natural resources on a particular installation makes preparation of such a plan inappropriate."

2. INRMPs shall be prepared to assist installation commanders in their efforts to conserve and rehabilitate natural resources "[c]onsistent with the use of military installations to ensure the preparedness of the Armed Forces." INRMPs are intended principally to help installation commanders manage natural resources more effectively so as to ensure that installation lands remain available and in good condition to support the installation's military mission (i.e., ensure "no net loss in the capability of military installation lands to support the military mission of the installation").

3. INRMPs are to be prepared "in cooperation with" the FWS and appropriate State fish and wildlife agencies. It is expected that the entire INRMP will be developed in cooperation with these agencies -- not just those portions of the INRMP that specifically address fish and wildlife conservation and management. This cooperation begins at the development stage of the INRMP and extends through preparation and coordination to completion.

4. Mutual agreement should be the goal with respect to the entire plan. However, mutual agreement is required only with respect to those elements of the plan that are subject to the otherwise applicable legal authority (i.e., authority derived from a source other than the Sikes Act, such as the Endangered Species Act) of the FWS and State fish and wildlife agencies to conserve, protect, and manage fish and wildlife resources. Nothing in the SAIA is intended to either enlarge or diminish the existing responsibility and authority of the FWS or State fish and wildlife agencies concerning natural resources management on military lands. Although it is not expected to occur often, where the FWS or a State fish and wildlife agency withholds its agreement with an INRMP based on objections to elements of the INRMP clearly not within the scope of the particular agency's authority, an installation may, notwithstanding the objections, finalize the INRMP and proceed to manage its natural resources in accordance with the terms of the plan.

The Department of Defense is satisfied that the revised Sikes Act will enable the Military Departments to take advantage of the FWS and State fish and wildlife agencies expertise in preparing meaningful and useful INRMPs that are consistent with the use of military installations.

Soliciting public comments*Legislative Language*

Section 2905(d) (1) of the SAIA requires each military department to provide “an opportunity for the submission of public comments” for new INRMPs and on changes to certain existing cooperative plans. In addition, as a matter of policy, DoD intends to invite public comment on all new plans and plan amendments.

DoD Policy

The National Environmental Policy Act (NEPA) process may be used to meet DoD’s INRMP public review requirements and to document the decision to adopt formally an INRMP. The NEPA process, however, will satisfy SAIA public comment requirements only if the public is provided a meaningful opportunity to comment upon the draft INRMP as part of the NEPA process. Absent some extraordinary circumstance, the public should be afforded a minimum of 30 days to review and comment upon a draft INRMP, whether as part of the NEPA process or through some other process.

Each installation shall afford the appropriate State and FWS offices the opportunity to review all public comments received on its INRMP. This will inform these offices of potential issues sufficiently early in the review process to permit appropriate consideration during the overall review of the INRMP

Specific coordination requirements*DoD Policy*

Each DoD installation shall establish and maintain regular communications with the appropriate FWS and State fish and wildlife agency offices to address issues concerning natural resources management that are not addressed in the INRMP. At a minimum, this shall include annual coordination with all cooperating offices.

Each DoD installation shall invite the FWS and State fish and wildlife agency to participate cooperatively in the scoping, design, and preparation of the INRMP. This will serve to inform these offices about the DoD mission; invite them to consider solutions to difficult resource management problems; and expedite final INRMP coordination.

Each DoD installation shall advise all appropriate internal and external stakeholders of the intent to prepare or revise an INRMP within 30 days of starting such an action. When providing this notification to FWS and State fish and wildlife agencies, each DoD installation shall concurrently request the FWS and State fish and wildlife agencies to participate in the development or revision of the INRMP.

Each DoD installation shall notify appropriate FWS and State fish and wildlife offices of its intent to provide a draft INRMP for review and coordination at least 60 days prior to delivering such document.

For the FWS, the appropriate office for initial contact by installations, for development and review of INRMPs, will be a field office. Pursuant to current FWS Sikes Act Guidance, a field office must review the INRMP and provide preliminary agreement concerning the conservation, protection and management of fish and wildlife resources detailed in the INRMP prior to review in the regional office and final action by a Regional Director. (A list of current FWS Regional Sikes Act Coordinators is attached). If an installation needs assistance in contacting a field office to work with, they may contact the FWS Regional Coordinator for further information.

The following process shall be used to facilitate coordination within and between the various organizations and to ensure adequate documentation of the coordination process.

- Each DoD installation shall send an initial draft INRMP to the FWS field office and State fish and wildlife agency office for review and comment. A copy of the forwarding letter shall be sent to the Sikes Act Coordinator at the FWS regional office to inform them that the review process has begun .
- Each installation shall request written acknowledgement of receipt of the draft INRMP within 15 days of receipt.
- The FWS field office will provide written comments to the installation, and furnish copies of the letter to the Sikes Act Coordinator at the FWS regional office, and to the State fish and wildlife agency director's office.
- The State fish and wildlife office will provide written comments to the installation, and furnish copies of the letter to the Sikes Act Coordinator at the FWS regional office.
- The installation shall consider all comments received and send a final draft of the INRMP to the FWS regional office and the State director's office with a letter documenting the actions taken on the draft comments. The installation shall furnish a copy of the letter to the FWS field office.
- Each installation should request that the FWS and the State director provide consolidated written comments from all appropriate offices and divisions within 60 days of receipt of the final draft INRMP, unless the participants mutually agree upon a longer review period because an installation has a particularly large or complex INRMP.

The following special situations are exceptions to this timeline. In these cases, the DoD installation shall request the FWS regional office and field office to notify the installation of the appropriate review timeline within 15 days of receipt of the draft INRMP:

- If formal section 7 consultation is required, the time frames for that process will apply.
- If the installation is requesting that the INRMP substitute for designation of critical habitat on the installation.
- The FWS may choose to comment separately from an INRMP review response on these issues.

Except for the special situations described above, if after a period of 120 days no final comments are received from the appropriate State and FWS offices, an installation may request expedited review of its INRMP. The installation should submit a written request to designated Headquarters representatives of the DoD and FWS, and to the director of the appropriate State fish and wildlife agency. Representatives from these offices will meet within 30 days of receipt of such a request to resolve any outstanding coordination issues.

“Mutual agreement” with respect to those elements of the INRMP concerning the conservation, protection, and management of fish and wildlife resources shall be presumed only upon receipt of written concurrence on those elements of the INRMP from:

- For the FWS, the Regional Director. (Exception: The Manager of the California/Nevada Operations office will coordinate on INRMPs for installations in California and Nevada).
- For the appropriate State fish and wildlife agency, the Director.
- For DoD, the installation commander.

FWS Policy

Current FWS policy is described in its 8 June 2001 memo, “Guidance for Coordination on DoD Sikes Act INRMPs.” This memo is available electronically at <http://www.fws.gov/r9dhcbfa/sikes.pdf>.

Integrating other plans, programs, and policies

DoD Policy

INRMPs shall be prepared in coordination with installation master plans, range plans, training plans, Integrated Cultural Resources Management Plans (ICRMPs), pest management plans, installation restoration plans that address contaminants covered by CERCLA and related provisions, and other appropriate plans and offices. It is not intended that INRMPs will function as a comprehensive compilation of detailed information on all these related topics. Rather, the INRMP should briefly summarize the key interrelationships with these plans, reference where the plans may be obtained, and describe where detailed information can be found.

Availability of INRMPs

DoD Policy

Unclassified portions of all final INRMPs shall be available electronically via the World Wide Web, CD-ROM, or other similar means. Draft INRMPs may also be made available electronically to expedite review and comments. All such documents should undergo appropriate security review prior to being made available.

DoD installations shall ensure that any such security review consider the security of locational information on natural and cultural resources that may be subject to pilfering or vandalism, as well as military security.

REPORTING REQUIREMENTS OF THE SIKES ACT

Defining which installations require INRMPs

Legislative Language

Section 2905 of the SAIA required the Secretary of each Military Department by August 18, 1998, to review each military installation in the United States under his or her jurisdiction to determine which military installations require INRMPs.

Section 101(a)(1)(B) of the Sikes Act authorizes the Secretary of each Military Department to identify installations for which an INRMP is not needed if “the Secretary determines that the absence of significant natural resources on a particular installation makes preparation of such a plan inappropriate.”

DoD Policy

Installation size (acreage) should not be used as the sole determining factor in deciding whether or not an installation requires an INRMP. The specific nature of an installation (e.g., a fully built-up area) or the negative findings of a biological survey may be adequate reasons to justify not preparing an INRMP if they can adequately demonstrate the absence of “significant” natural resources.

An installation will normally require an INRMP if it undertakes more than one of the following activities: fish and wildlife management; threatened and endangered species management; hunting and fishing management; land management; forest management; natural resources-based outdoor recreation; on-the-ground military mission operations.

All DoD Components with land management responsibilities are subject to the requirements of this and all other sections of the SAIA, and shall develop policies for the criteria that determine INRMP requirements.

Each DoD Component shall provide a written explanation of any changes to the November 18, 2001, list of DoD installations requiring INRMPs as a part of the next scheduled conservation In Progress Review (IPR).

Reporting deadlines and formats for report to Congress on installations which require INRMPs*Legislative Language*

Section 101(f)(1) of the Sikes Act requires that by March 1, 1999, and by each March 1 thereafter, the Secretary of Defense shall submit a report which includes the number of INRMPs in effect, the amounts expended on conservation activities pursuant to these plans, and an assessment of the extent to which the plans comply with the Sikes Act.

DoD Policy

The new conservation measures of merit described immediately below shall be reported in the annual Environmental Quality Report to Congress. These metrics are intended to meet the INRMP tracking requirements established by the SAIA.

New Conservation Metrics for Preparing and Implementing INRMPs*DoD Policy*

The following elements are established as formal measures of merit for the conservation program. Progress toward meeting these measures of merit shall be reported at each conservation IPR, and in the annual Environmental Quality Report to Congress, effective for FY 2003. Specifically, for each installation with significant natural resources, report:

- The installation name and state.
- The year the most recent INRMP was completed or revised.
- Date planned for the next revision.*
- Was the INRMP coordinated with appropriate military trainers and operators?
- Were projects added to the INRMP as a result of comments from military trainers and operators?
- Were segments of the INRMP concerning the conservation, protection and management of fish and wildlife resources agreed to by the U.S. Fish and Wildlife Service (FWS) Regional Director? (FWS coordination)
- Were projects added to the INRMP as a result of FWS comments?
- Has annual feedback been requested from the FWS?
- Has annual feedback been received from the FWS?
- Were segments of the INRMP concerning the conservation, protection and management of fish and wildlife resources agreed to by the State fish and wildlife agency Director? (State coordination)
- Were projects added to the INRMP as a result of State comments?
- Has annual feedback been requested from the State fish and wildlife agency?
- Has annual feedback been received from the State fish and wildlife agency?

- Does the INRMP contain a list of projects necessary to meet plan goals and objectives, as well as timeframes for implementation of any such projects?
- \$ spent in reporting FY to implement the INRMP.
 - \$ spent on Class 0 and 1 requirements.
 - \$ spent on Class 2 and 3 projects.
- \$ requirements for unfunded Class 0 and 1 projects.
- # of Class 0 and 1 projects required.
- # of Class 0 and 1 projects unfunded.
- List of unfunded Class 0 and 1 projects >\$50K.
- # of Class 2 and 3 projects funded.
- Did the installation seek public comment on the draft INRMP?
- Were projects added to the INRMP as a result of public comments?

The attached Excel spreadsheet shall be used to report this information.

*NOTE: To facilitate future review and more evenly distribute the workload for FWS and the State fish and wildlife agencies, the Military Services shall endeavor to stagger the dates that future INRMP reviews and revisions are to be completed, especially with respect to those INRMPs that are likely to require substantial revision.

IMPLEMENTATION REQUIREMENTS ASSOCIATED WITH THE SIKES ACT

Identifying and Budgeting for INRMP projects

DoD Policy

“Must fund” conservation requirements are those projects and activities that are required to meet recurring natural and cultural resources conservation management requirements or current compliance needs.

Detailed definitions for Class 0, 1, 2, and 3 projects are located in Enclosure 4 to DoD Instruction 4715.3, “Environmental Conservation Program,” May 3, 1996. These categories are descriptively summarized as:

- Class 0: Recurring Natural and Cultural Resources Conservation Management Requirements
 - Class 0 shall contain any INRMP actions necessary to rehabilitate or prevent resource degradation that may affect military readiness.
- Class 1: Current Compliance
 - Class 1 shall contain requirements to manage species and habitats of concern to prevent listing of species that could affect military readiness.
- Class 2: Maintenance Requirements
- Class 3: Enhancement Actions beyond Compliance

- “Must fund” projects and actions include those required to:
 - Meet the FWS special management criteria for threatened and endangered species management
 - Provide for qualified NR personnel
 - Prevent resource loss or degradation (e.g., soil loss, other maintenance activities) that may effect military readiness

Not all projects listed in an INRMP are necessarily “must funds.” INRMPs should include valid Class 2 and 3 projects and actions that would enhance an installation’s natural resources.

Defining Implementation

“Implementation” anticipates the execution of all “must fund” projects and activities in accordance with specific timeframes identified in the INRMP.

An INRMP is considered to be implemented if an installation:

- Actively requests, receives, and uses funds for “must fund” projects and activities;
- Ensures that sufficient numbers of professionally trained natural resources management personnel are available to perform the tasks required by the INRMP;
- Coordinates annually with all cooperating offices; and
- Documents specific INRMP action accomplishments undertaken each year.

Each installation shall invite annual feedback from the appropriate FWS and State fish and wildlife agency offices on the effectiveness of the INRMP. The form letter in the INRMP Handbook (see below) may be used to request this feedback.

Installations shall inform the FWS and State fish and wildlife agency which INRMP projects are, or will be, “must fund.” This information need not be contained in the INRMP, but may be provided after review and validation of the classes and estimated costs of the requirements.

INRMPs as a Substitute for Critical Habitat Designation

FWS Policy

According to FWS policy, if adequate special management or protection is provided by a legally operative plan that addresses the maintenance and improvement of the primary constituent elements important to the species and manages for the long-term conservation of the species, habitat identified as essential to the protection and recovery of a species may be omitted from federal critical habitat designation.

An installation may have its INRMP serve as “adequate special management”—and obviate the need for critical habitat designation-- if the INRMP addresses the maintenance and improvement

of the primary constituent elements important to the species and manages for the long-term conservation of the species.

Special management criteria

Special management or protection is a term that stems from the definition of *occupied* critical habitat in section 3 of the ESA. For occupied habitat, one first determines whether the area contains the physical and biological features essential to the conservation of the species and, in addition, whether this area has or needs special management or protection.

Additional special management is not required if adequate management or protection is already in place. If *unoccupied* areas are determined to be essential to the conservation of the species, such unoccupied areas should be included only where special management or protection is required.

The FWS uses the following three criteria to determine if an INRMP provides adequate special management or protection:

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

The INRMP Handbook*DoD Policy*

Resources for Integrated Natural Resources Management Plan (INRMP) Implementation: A Handbook for the Natural Resources Manager provides practical implementation guidelines for the DoD natural resources manager. It is available electronically at <https://www.denix.osd.mil/inrmp>

MISCELLANEOUS REQUIREMENTS OF THE SIKES ACTWhen and how to prepare and revise INRMPs*Legislative Language*

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

Section 2905(c) of the SAIA requires the Secretary of each Military Department to prepare and begin implementing INRMPs for those installations where an INRMP is appropriate by November 18, 2001.

Section 2905(c) also states that in the case of any installation for which there was in effect a cooperative plan under section 101(a) of the Sikes Act as of November 17, 1997, the Secretary of each Military Department may “complete negotiations with the Secretary of the Interior and the heads of the appropriate State agencies regarding changes to the plan that are necessary for the plan to constitute an INRMP.”

H.Rpt. 105-340 states that “The conferees intend that the plans that meet the criteria established under this provision should not be subject to renegotiation and reaccomplishment.”

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

DoD Policy

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

All INRMPs shall be reviewed annually by the DoD installation with the cooperation of the FWS and State fish and wildlife agency. Annual reviews shall verify that:

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

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

How to accommodate public access

Legislative Language

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

DoD Policy

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

- “The principal purpose of DoD lands and waters is to support mission-related activities. Those lands and waters shall be made available to the public for educational or recreational use of natural and cultural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness. Opportunities for such access shall be equitably and impartially allocated. INRMPs and integrated cultural resource management plans shall describe areas appropriate for public access.”
- American Indians shall have reasonable access to DoD sites and resources that are of religious importance, or that are important to the continuance of their cultures, or where treaties allow.

How to address the no net loss capability of military lands to support mission requirements.*Legislative Language*

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

DoD Policy

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

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

When to prepare INRMPs for Closed or Closing Bases*Legislative Language*

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

DoD Policy

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

Funds Authorization for 18 months for the Cost of Goods and Services provided under a Cooperative Agreement*Legislative Language*

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

DoD Policy

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

Authorizing Cooperative Agreements for Land Management on DoD Lands*Legislative Language*

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

DoD Policy

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

Appendix F: Sample Annual FWS Review & Reporting Letter

U.S. Fish and Wildlife Service
Area Field Office

Dear Sir:

In accordance with Marine Corps Guidance for meeting the Sikes Act Improvement Act requirements, we annually review our Integrated Natural Resources Management Plans (INRMP) with the cooperation of the FWS and State fish and wildlife agency. Under this Guidance, an INRMP annual review shall verify the following:

- 1) We currently have/do not have sufficient professionally trained natural resources management staff available to implement the INRMP. {An explanation must be given if sufficient professionally trained natural resources management personnel are not available to implement the INRMP}.
- 2) We have/have not identified significant changes to the installation's mission requirements or its natural resources. {Significant changes to the installation's mission requirements or its natural resources will be explained}.
- 3) Projects identified in the INRMP as "must fund" have/have not been budgeted for and implementation is/is not on schedule. {An explanation will be provided if projects have not been budgeted for and/or implementation is not on schedule. Adaptive management decisions will be explained for those changes to projects based on the results of a previous years effort}.
- 4) All required Federal, State and installation coordination has occurred.
- 5) Progress toward meeting agreed upon measures of merit for natural resources management is documented in the enclosed annual INRMP report {an enclosure should be provided that summarizes INRMP implementation activities and their success in meeting conservation goals}.
- 6) Projects identified in the INRMP for the fiscal year have met or exceeded the measures of success established for the project {an explanation will be provided for those projects that have not met measures of success established for the project (e.g., a project did not meet the measure of success because drought affected the regional population of a targeted species)}.

The following reports document the monitoring efforts undertaken to measure the success of each project:

{Enclosed monitoring reports}

At this time we request your feedback on the effectiveness of the INRMP and invite you to visit the installation to visit any of the projects. Please provide us with any questions, comments or concerns on our INRMP implementation within 30 days of receipt of this letter.

Sincerely,

Enclosure: Annual INRMP Report and Monitoring Report(s)

Appendix G: Sample Annual Integrated Natural Resources Management Plan Report

INRMP Preparation & Coordination

INRMP Completion Date		Coordination				Public Comments		Project List Current?
Most Recent	Update Required	Military Trainers and Operators				Solicited?	Projects Added?	
MM/YY	MM/YY	Coordinated?	Projects Added?	Annual Feedback		Y/N	Y/N	Y/N
				Sought	Received			
		Y/N	Y/N	Y/N	Y/N			
		US Fish and Wildlife Service						
		Coordinated?	Projects Added?	Annual Feedback				
				Sought	Received			
		Y/N	Y/N	Y/N	Y/N			
		State Fish and Game Agency						
		Coordinated?	Projects Added?	Annual Feedback				
				Sought	Received			
		Y/N	Y/N	Y/N	Y/N			

INRMP Funding & Implementation

Current/Prior Fiscal Year					List of unfunded Class 0 & 1 Projects over \$50K	Reason Project Not Funded
Class 0/1 Required	Class 0/1 Funded	Class 0/1 Unfunded	Class 2/3 Funded	Class 2/3 Unfunded		
\$ 000	\$ 000	\$ 000	\$ 000	\$ 000	(Project Title & Cost)	(description)