



DEPARTMENT OF THE ARMY
DEPUTY CHIEF OF STAFF OF THE ARMY, G3
450 ARMY PENTAGON
WASHINGTON DC 20310-0450



DAMO-TR

19 MAY 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Range and Training Land Acquisitions and Army Compatible Use Buffers

1. Reference:

a. Section 2811, Bob Stump National Defense Authorization Act for Fiscal Year 2003, P.L. 107-314, "Agreements to Limit Encroachment and Other Constraints on Military Testing and Operation", amends Chapter 159 of title 10 United States Code.

b. Section 2812, Bob Stump National Defense Authorization Act for Fiscal Year 2003, "Conveyance of Surplus Real Property for Natural Resource Conservation Purposes", amends Chapter 159 of title 10, United States Code.

c. 32 C.F.R., Part 651 (2002), "Environmental Analysis of Army Actions".

d. Memorandum, Deputy Chief of Staff of The Army, G-3, Acting Director of Training (ADOT), 29 January 2003, subject: Policy for Acquisition of Army Range and Training Lands.

e. Memorandum, Secretary of Defense, 17 Nov 02, subject: Land Acquisition and Leasing of Office Space in the United States.

2. Purpose. This memorandum provides guidance for Major Army Commands (MACOMs), National Guard Bureau (NGB), and Installation Management Agency (IMA) for range and training land acquisition and Army Compatible Use Buffers (ACUBs) within the U.S.

3. Definitions.

a. Army range and training land acquisitions are defined as acquisitions by purchase, lease, transfer, donation, permit, withdrawal, or exchange of real property or an interest therein for range or training purposes. Renewals of existing withdrawals, leases, permits or other use agreements are not subject to this guidance unless the installation is being realigned or closed.

b. Army Compatible Use Buffers, as authorized by reference 1a, are defined as formal agreements between Army and eligible entities for acquisition by the entities of

land or an interest in land and/or water rights from willing sellers. Formal agreements may provide for limiting encroachment through acquisition of development rights, cooperative agreements, conservation easements, and other means in accordance with applicable laws. Development and implementation of an ACUB may not constitute an acquisition of real property as defined in paragraph 3a. Conveyances, as authorized by reference 1b, may supplement ACUBs or be executed individually.

4. Scope. This guidance is applicable to installations used for training or testing.

5. Background.

a. Army is pursuing a strategy to provide a comprehensive training lands master plan that effectively analyzes, justifies, and executes training land acquisition and ACUB decisions. The training lands master plan will facilitate the acquisition of lands capable of meeting Army's future training requirements and protect current and future operational areas through ACUBs.

b. Reference 1a.

(1) Permits the Secretary of Defense or the Secretary of a Military Department to enter into an agreement with an eligible entity (States, political subdivisions, or private conservation organization) to address the use or development of real property near a military installation for specific purposes; and to accept on behalf of the U.S. any property or interest acquired pursuant to such agreements.

(2) Provides for the acquisition by the eligible entity of all right, title, interest in and to any real property; and sharing by the U.S. and the entity of the acquisition costs.

(3) Requires the eligible entity, only upon the request of the Secretary of the Military Department concerned, to transfer to the U.S. the minimum property or interests necessary to avoid encroachment from the use or management of the property.

(4) Allows funds appropriated for Operations and Maintenance or Research, Development, Testing & Evaluation to be used for such agreements for purchase from willing sellers.

c. Reference 1b permits the Secretary of a Military Department to convey certain surplus real property to states, state political subdivisions, or certain nonprofit organizations for conservation of natural resources.

DAMO-TR

SUBJECT: Army Range and Training Land Acquisitions and Army Compatible Use Buffers

6. Guidance.

a. Headquarters, Department of The Army, G-3 (HQDA G3), MACOMs, and Mission Commanders have the responsibility to identify land acquisition and ACUB requirements. Assistant Chief of Staff for Installation Management (ACSIM), IMA, and Garrison Commanders have the responsibility for facilitating land acquisitions and ACUBs based on mission requirements. HQDA G3, MACOMs, and Mission Commanders and ACSIM, IMA, the U.S. Army Corps of Engineers (USACE), and Garrison Commanders must work in concert to acquire or encumber lands capable of meeting Army's future training requirements and protecting current and future operational areas through ACUBs.

b. ACSIM has overall management responsibility for ACUB and conveyance programs. HQDA G3 has overall management responsibility for range and training land acquisition program. HQDA G3 will establish mission based priorities and long-term goals for both programs that will be overseen by an integrated management team as described at paragraph 6e.

c. HQDA G3, MACOMs, and Mission Commanders and ACSIM, IMA, and Garrison Commanders are encouraged to foster good working relationships with stakeholders, the environmental community, and the general public surrounding Army installations through outreach programs. Additionally, cultivation of relationships with potential ACUB partners is encouraged subject to the limitations contained in reference 1e on making major land acquisition proposals public.

d. Installations will not enter into binding agreements, as authorized by reference 1a and 1b until HQDA has approved the proposal. Additionally, as directed by reference 1e, Army will not enter into binding agreements, as authorized by reference 1a, which provide acquisitions that exceed one thousand acres in size or with an estimated purchase or annual lease price in excess of one million dollars until the Office of the Secretary of Defense has approved the Army proposal.

e. Installations with existing ACUBs and those considering participating in an ACUB are encouraged to establish a team comprised of at a minimum: natural resources personnel, range personnel, master planners, and the staff judge advocate; or as directed by the Garrison Commander. The co-chairs of the Army Range Sustainment Integration Council (ARSIC), Director of Environmental Programs, and Chief of Training and Simulations Division, will establish and coordinate the activities of an ARSIC working group to review installation range and training land acquisition and ACUB proposals. The panel shall include a representative from the HQDA offices of: Director of Environmental Programs, Deputy Chief of Staff G3 (Training Simulations Division), Army Training Support Center, Army Environmental Center, IMA (Operations

DAMO-TR

SUBJECT: Army Range and Training Land Acquisitions and Army Compatible Use Buffers

Directorate), Environmental Law Division, and USACE (Directorate of Real Estate). Representatives from the IMA, Environmental Law Division, and USACE are non-voting members of the panel.

f. Installation Teams shall forward proposals to the IMA Region or NGB for ACUBs/conveyances, and MACOM or NGB for land acquisition. The IMA Regions and MACOM will coordinate with each other as necessary and validate the proposals. IMA Regions will forward proposals to the IMA. IMA or NGB will forward ACUB validated proposals to Office of the Director of Environmental Programs, Training Support Division, within 45 days of receipt for coordination with the ARSIC. The MACOM or NGB will forward validated land acquisition proposals to HQDA G3, Training Simulations Division, within 45 days of receipt for coordination with the ARSIC. The range and training land acquisition proposal format is outlined in reference 1d.

g. Installation Team ACUB proposal will include:

- (1) A description of the purpose and need for the action.
- (2) A description of the proposed action and a preliminary list of alternatives to that proposed action, including the "no action" alternative.
- (3) An explanation of funding requirements, including cost estimates, and how they will be budgeted/programmed. Additionally, an estimate and explanation of restoration and long-term management costs is required.
- (4) A brief description of potential issues of concern or controversy, including any issues of potential Army-wide impact.
- (5) A timeline with milestones for the proposed action.
- (6) A plan for scoping and public participation.
- (7) A color map of the proposed action.

h. To facilitate range and training land acquisitions and ACUBs under this guidance, MACOMs and NGB shall forward to HQDA G3, Training Simulations Division, a range and training land acquisitions report using the format at enclosure 1; IMA and NGB shall forward to the Office of the Director of Environmental Programs, Training Support Division, an ACUB report using the report format at enclosure 2. HQDA will use these reports for prioritization of range and training land acquisitions and prioritization for ACUBs.

DAMO-TR

SUBJECT: Army Range and Training Land Acquisitions and Army Compatible Use Buffers

i. Proposals and prioritization reports will assist HQDA in scoping Army range and training land acquisition and ACUB efforts. The HQDA panel will evaluate and prioritize the proposals for inclusion in the Army Training Lands Master Plan and respond back to the MACOM and IMA with implementing guidance and instructions for execution of the proposals.

j. Range and training land acquisitions, ACUBs, and conveyances, like all Army real estate transactions, require legislative authority; and they are subject to normal budgeting and programming approval process, National Environmental Policy Act process (reference 1c), AR 405-10 (for acquisitions), AR 405-90 (for disposals), AR 200-1, and other applicable policy, regulations, and law.

7. POCs for this action are Mr. Bill Woodson, Office of the Director of Environmental Programs, Training Support Division, 703-693-0680, william.woodson@hqda.army.mil; and Mr. Ted Richan, HQDA G3, Training Simulations Division, 703-692-6445, ted.richan@hqda.army.mil.



LARRY J. LUST
Major General, USA
Assistant Chief of Staff
for Installation Management


JAMES B. GUNLICKS
Acting Director of Training

DAMO-TR

SUBJECT: Army Range and Training Land Acquisitions and Army Compatible Use
Buffers

DISTRIBUTION:

CHIEF, NATIONAL GUARD BUREAU, ATTN: NGB-ART-S, 111 SOUTH GEORGE
MASON DRIVE. ARLINGTON, VA 22304-1382
COMMANDER, U.S. ARMY FORCES COMMAND, ATTN: AFOP-TS, FORT
MCPHERSON, GA 30330-1062
COMMANDER, U.S. ARMY SPECIAL OPERATION COMMAND, ATTN: AOP-TRR,
FORT BRAGG, NC 28307-5200
COMMANDER, U.S. ARMY RESERVE COMMAND, ATTN: AFRC-OPT-S, 1401
DESHLER STREET, SW, FORT MCPHERSON, GA 30330-2000
COMMANDER, U.S. ARMY TRAINING AND DOCTRINE COMMAND, ATTN: ATTG-ZA
FORT MONROE, VA 23651-5000
COMMANDER, U.S. ARMY MILITARY DISTRICT OF WASHINGTON, ATTN: ANOP-T
FORT MCNAIR, WASHINGTON, DC 20319-5058
COMMANDER, U.S. ARMY PACIFIC COMMAND, ATTN: APOP-TR, FORT SHAFTER,
HI 96858-5100
COMMANDER, U.S. ARMY MEDICAL COMMAND, ATTN: MCCS-GPTMS, MCCS-BRL
FORT SAM HOUSTON, TX 78234-6000
SUPERINTENDENT, U.S. MILITARY ACADEMY, ATTN: MAAS-MAEN, WEST POINT,
NY 10996-1596
COMMANDER, U. S. ARMY TRAINING SUPPORT CENTER, ATTN: ATIC-LD-RT,
ATIC-LD-LM, FORT EUSTIS, VA 23604
COMMANDER, US ARMY TEST AND EVALUATION COMMAND, ATTN: CSTE-CS,
4501 FORD AVENUE, ALEXANDRIA, VA 22302-1458
COMMANDER, US ARMY MATERIEL COMMAND, ATTN: AMCOPS-CP, 5001
EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001
COMMANDER, US ARMY SPACE AND MISSILE DEFENSE COMMAND, ATTN:
SMDTEC, PO BOX 1500, HUNTSVILLE, AL 35807-3801
COMMANDER, US ARMY CORPS OF ENGINEERS, ATTN: CEMP-EA, CERE-R,
441 G Street NW, Washington, DC 20314-1000
DIRECTOR, INSTALLATION MANAGEMENT AGENCY, ATTN: SFIM-Z, 2511
JEFFERSON DAVIS HIGHWAY, ARLINGTON, VA 22202
COMMANDER, US ARMY ENVIRONMENTAL CENTER, ATTN: SFIM-AEC-RD, 5179
HOADLEY ROAD, ABERDEEN PROVING GROUND, MD 21010-5401

CF:

DASA (I&H)

DASA (ESOH)