The State of California
Military Land Use Collaboration

November 2009

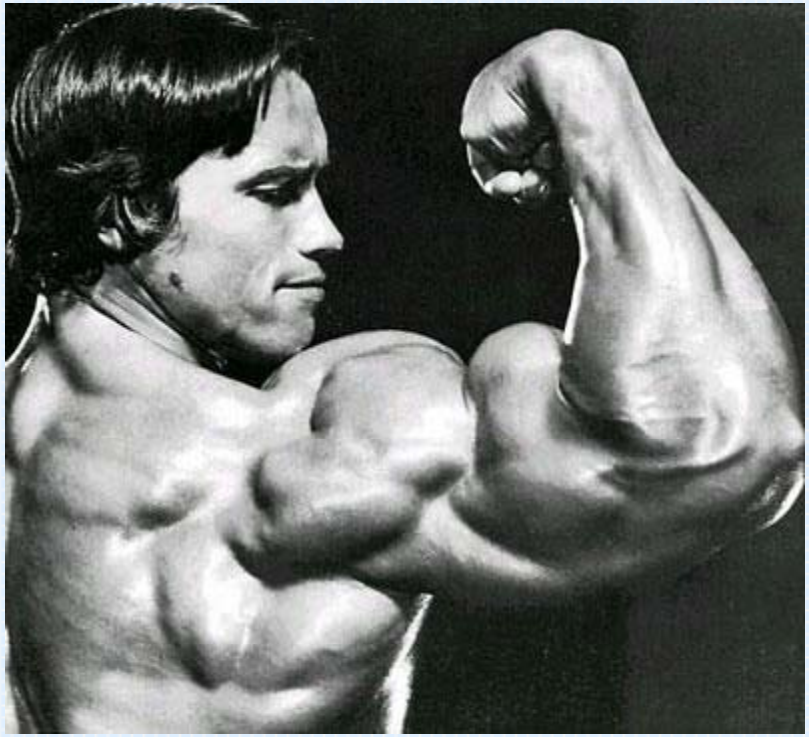
Scott Morgan, Acting Director

State Clearinghouse and Planning Unit

The Governor's Office of Planning and Research (OPR)

California's involvement with the Military:

- **Strong** commitment of Governor Schwarzenegger to support the military (Executive Order S-16-06)



California & the Military

- Importance of helping sustain the national assets in the state
- Recognition from both sides of the need for collaboration and partnership.
- $$$$$$$....Cognizant of the ~$50 billion industry that DoD represents

OPR's background and role:

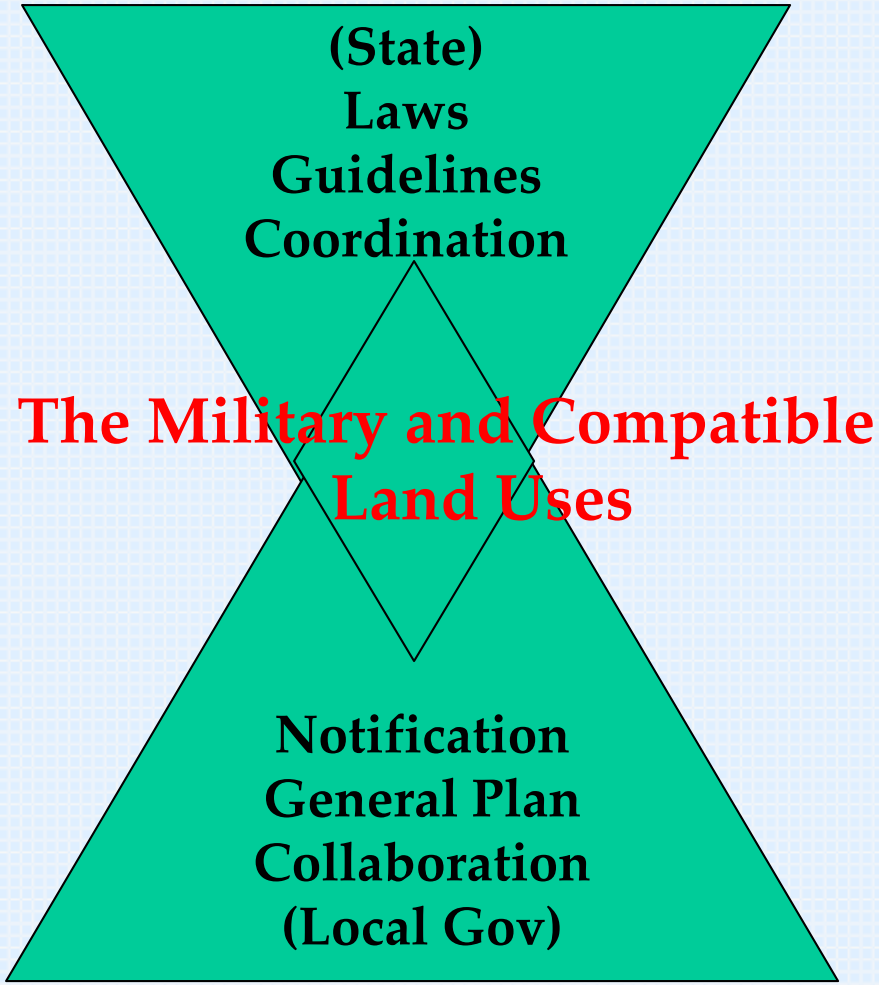
- Part of the Governor's Office
- Statewide land use planning agency
- Under executive order (S-13-06), OPR is responsible for coordinating state policies that affect the military, including land use planning, regulatory activities by state agencies, and state legislation.
- OPR is responsible for the coordination of state agency review and comment of environmental documents pursuant to CEQA and NEPA.
- OPR Director is Chair of the Strategic Growth Council

Things that the state and military are working on:

- Legislation, Statutory Changes
- Regulatory issues, CA Code of Regulations & application to military installations/operations
- Land use issues, JLUS program

Implementation and changes need to be from both the top down and bottom up.

TOP DOWN and BOTTOM UP



Some Land Use Related Issues in California

- Ranges, special use airspace in California are irreplaceable national assets
- California to grow to 60+- million people by 2050
- Encroachment can take many forms, not just residential development
- California's has many goals that impact/affect land use: (renewable energy, GHG reduction and climate change adaptation, clean water, public recreation, species protection, hazard mitigation).
- In California, local government largely controls land use decisions…statute requires cities/counties to adopt a General Plan for long range development.

State laws, policies and programs related to land use and the military

- Legislation
  - SB 1468 (2002)
  - SB 1462 (2004)
- Advisory Planning Handbook (published 2006)
- California Joint Land Use Studies
- General Plan Guidelines
- Mapping and Notification

SB 1468 (2002)

- Requires general plans to consider the impact of development on military activities
- Required OPR to publish an Advisory Planning Handbook.

The Advisory Planning Handbook

- Legislation required its publication for use by local officials, planners, and builders (G.C Section 65040.9)
- Purpose is to address land use conflicts between civilian development and military readiness activities
- OPR broadened scope to include military as audience
- Provides a range of resources, including:
  - Compatibility Issues
  - Compatibility Tools
  - Case Studies
  - Summary of Legislation
  - Explanation of California planning
  - Information on California military bases

1468 & the General Plan Guidelines

- General Plan Guidelines (GPGs) are an OPR publication (G.C. 65040.2) which provides advice to cities and counties for the preparation and content of the mandatory elements of general plans.
- "The guidelines shall contain advice including recommendations for best practices to allow for collaborative land use planning of adjacent civilian and military lands and facilities. The guidelines shall encourage enhanced land use compatibility between civilian land and any adjacent or nearby military facilities through the examination of potential impacts upon one another."(G.C. 65040.2(e)).

General Plan Guidelines

"The guidelines shall contain advice for addressing the effects of civilian development on military readiness activities carried out on all of the following"

1. Military Installations
2. Military operating areas
3. Military training areas
4. Military training routes
5. Military airspace
6. Other territory adjacent to those installations and areas."

(G.C. 65040.2(f))

Community and Military Compatibility Planning

- OPR has developed a supplement to the GPG's that is specific to consideration of military bases/training areas in the local general plan.
- Draft is currently out for review

Notification to Military

SB 1462

- Requires that local governments forward proposed general plan amendments to the military for comment (G.C. 65352(a)(6))
- Requires that local development proposals be forwarded to the military for comment, if the proposed action is:
  - within 1,000 feet of an installation
  - within special use airspace
  - beneath a low-level flight path

  (G.C. 65944(d))
- State and DOD developed the California Military Land Use Compatibility Analyst, on-line mapping function to identify projects to be forwarded to military.

Mapping database can be searched by:

- Street Address
- Zip Code
- County
- City/Town
- Place Name
- Latitude/Longitude
- Township/Range/Section

The program will generate a report with a map that indicates whether a copy of a project application or proposed action must be sent to the appropriate branch of the military by the local planning agency.

Statewide JLUS Program (OEA Grant funding)

Program included in Two Joint Land Use Studies

- Beale JLUS (Northern CA)
- R-2508 JLUS (Central/Southern CA)
  - Edwards AFB
  - NAWS China Lake
  - Fort Irwin
  - R-2508 Airspace Complex (SUA)

Why Statewide Program

Why a Statewide JLUS Program?

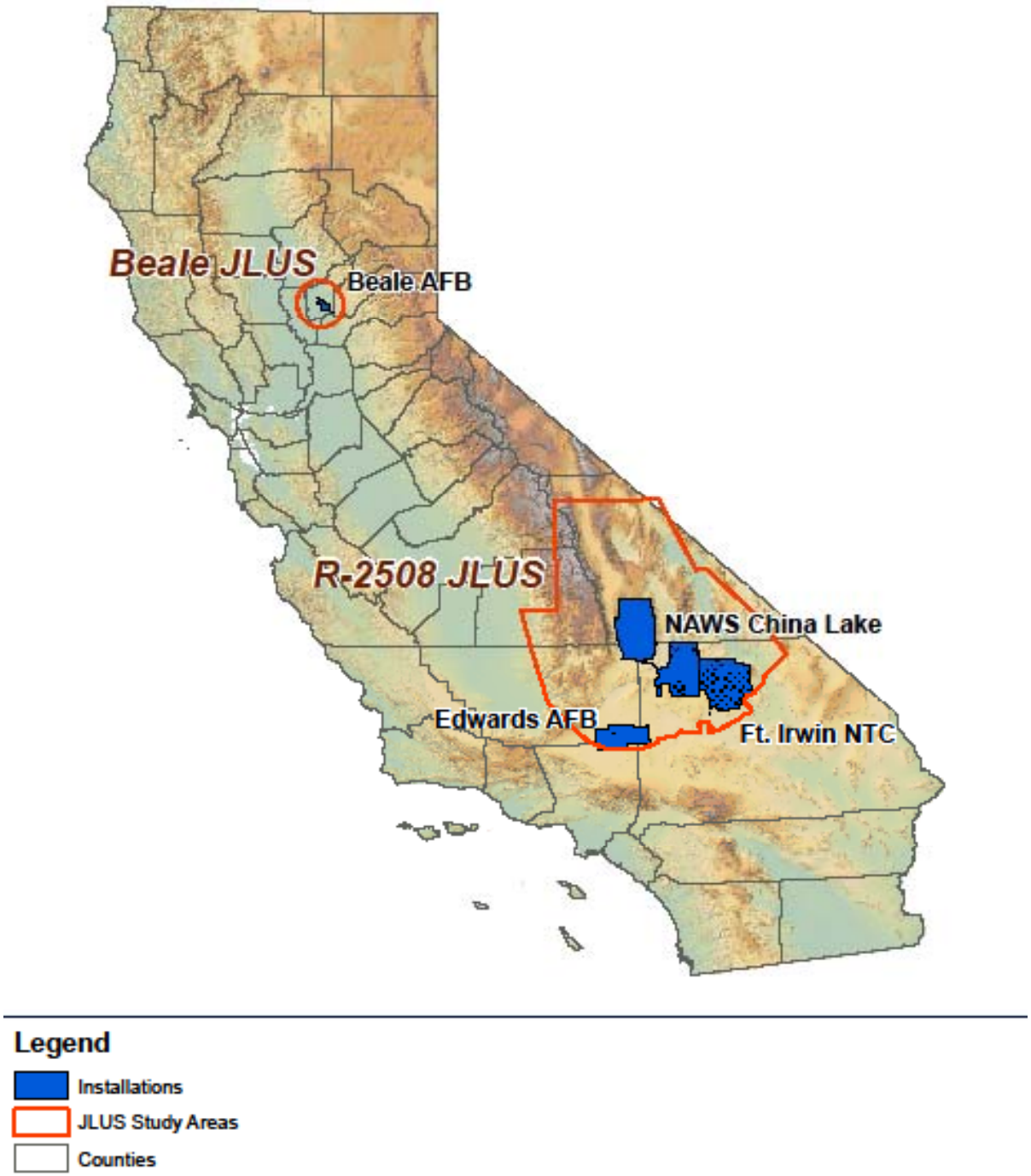
- Large Geo-Graphic area involved
- Number of jurisdictions, stakeholders, and agencies involved
- Variety of land management agencies
- Variety, Diversity and Number of "issues"
- DOD's desire and the need for a single state manager (OPR) to facilitate /manage the process

What is a Joint Land Use Study (JLUS)?

- A **roadmap** for compatibility between military operations and civilian land uses
- Leads to **recommendations** which are non-binding
- Seeks to **accommodate** growth and economic development, and protect public health and safety

CA JLUS Basics

- Four installations (Northern and Central/Southern CA)
- Involving 3 services: Air Force, Army, and Navy
- One airspace complex
  - 20,000 square miles in area
  - Touches 7 counties
  - Affecting 10 cities
- Cooperating local partners
- One federal grant
- One private contractor
- One statewide manager (OPR)


Beale JLUS
Beale AFB
R-2508 JLUS
NAWS China Lake
Edwards AFB
Ft. Irwin NTC
Legend
Installations
JLUS Study Areas
Counties

CA JLUS Objectives

- Understanding: convene the military and communities to study issues in an open forum
- Collaboration: encourage cooperative land use planning between military installations and the surrounding communities
- Actions: provide a set of tools, activities, and procedures to implement study recommendations

JLUS Objectives

- Address the full range of compatibility issues of concern to local jurisdictions, agencies, the public, and the military, such as:
  - Antiterrorism/Force Protection requirements (ATFP)
  - Frequency Spectrum Interference
  - Noise
- Develop an implementation strategy for preventing and mitigating encroachment
  - Recommendations may involve local jurisdictions, state and federal agencies, private organizations, and/or military

OPR Objectives

- Emphasize compatibility, not encroachment.
- Follow a transparent and inclusive process.
- Apply our land use planning experience to
  - engage,
  - educate and
  - facilitate
  - mutually beneficial outcomes.

Collaborative Process

- It is essential to have an inclusive and collaborative process
  - Ensure all inputs are heard and understood
  - Provide implementation strategy that can succeed
  - Build consensus among stakeholders

JLUS Committee Structure
Advisory & Technical Committees

- **Advisory Committee**: Policy representatives to shape study recommendations
  - Local government
  - State government
  - Military
  - Business community
  - Environmental community
  - Tribal organizations

Technical Committee

- Base staff
- Local planning staff
- Technical experts

Common Features of Committees

- Both committees:
  - Use knowledge and expertise to inform JLUS development
  - Identify and provide insight on community and military issues
  - Provide outreach to constituencies
  - Encourage participation
  - Share information and ideas

Focus of Committees

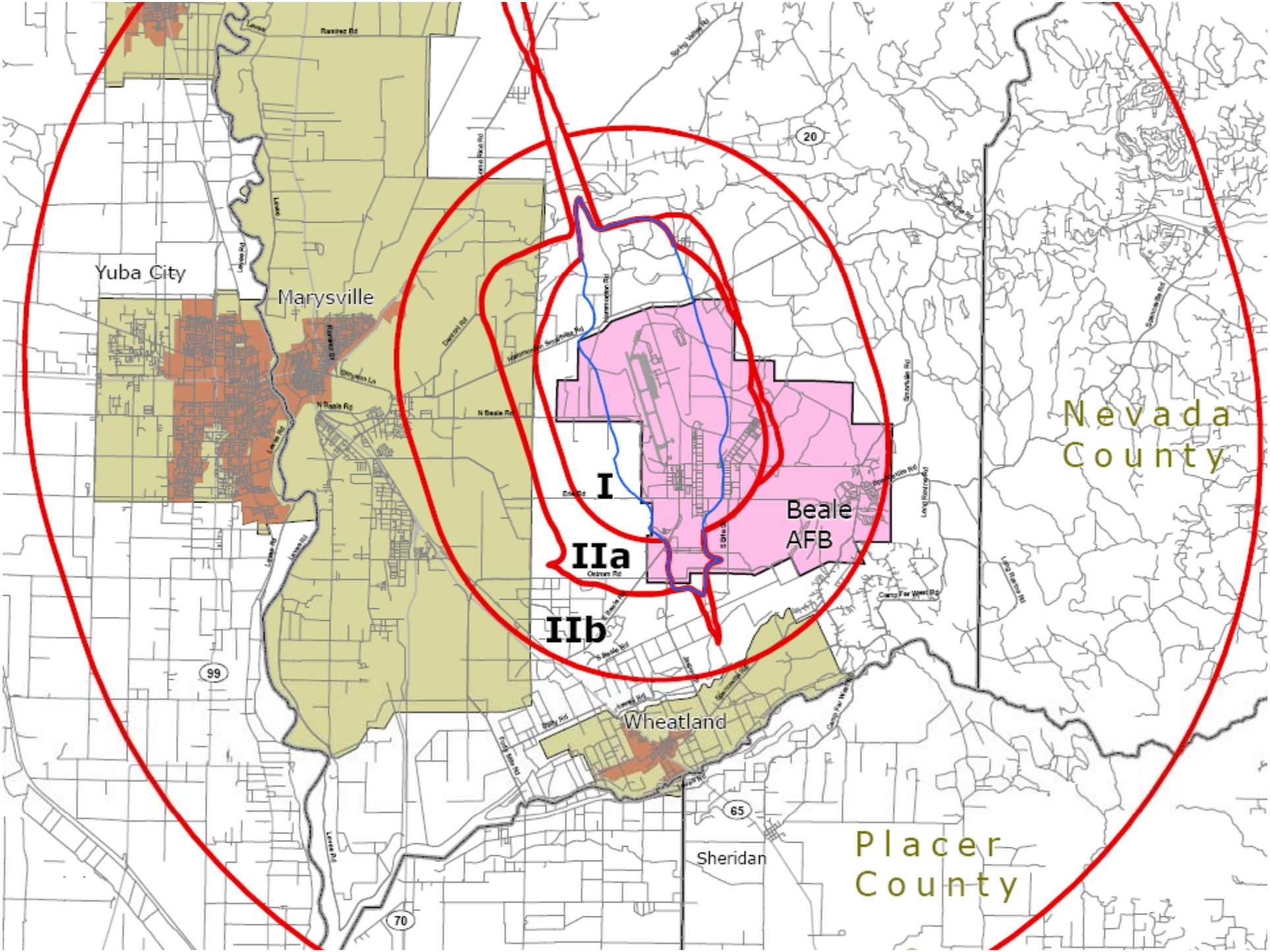
- Advisory Committee
  - Look at the big picture
  - Focus on policy
  - Represent organizations in developing the implementation strategy

- Technical Committee
  - Provide technical expertise to OPR and consulting team
  - Review ideas developed by Advisory Committee
  - Develop Subcommittees to address specific issues

BEALE JLUS

Beale JLUS Facts:

- Northern California Location
- Air Force Base
- Rural setting with residential encroachment issues
- Base within one county but close to two others.
- Large, single property owner, with proposed development close by.


Yuba City
Marysville
Beale AFB
I
IIa
IIb
Nevada County
Placer County
Wheatland
Sheridan
20
99
65
70

BEALE JLUS Recommended Strategies

A total of 59 Recommendations/Strategies
21 Strategy Types/Areas

- Military Influence Areas(1)
- Acquisitions(7)
- AICUZ(1)
- Airport Land Use Compatibility(3)
- Avigation(1)
- BASH Coordination(2)
- Beale Planning and Operations(4)
- Building Codes(2)
- Capital Improvement Programs(3)
- CEQA/NEPA(2)
- Code Enforcement(2)
- Communication/Coordination(11)
- Deed Restrictions(1)
- General Plans(2)
- Habitat Conservation Tools(1)
- Hazard Mitigation Plans(1)
- MOU's(2)
- Real Estate Disclosure(1)
- Zoning/Subdivisions/Other Reg(6)
- Other(3)
- JLUS Areas of Concern(AOC)(3)

What Next?

- Update of the Airport Land Use Compatability Plan with consideration of JLUS recommendations.
- Air Force purchasing property for donation to Trust for Public Land
- Yuba County in process of updating General Plan
- On-going communication between Air Force and local communities representatives

Lesson Learned

Issues and Lesson's Learned, things that could have been done differently:

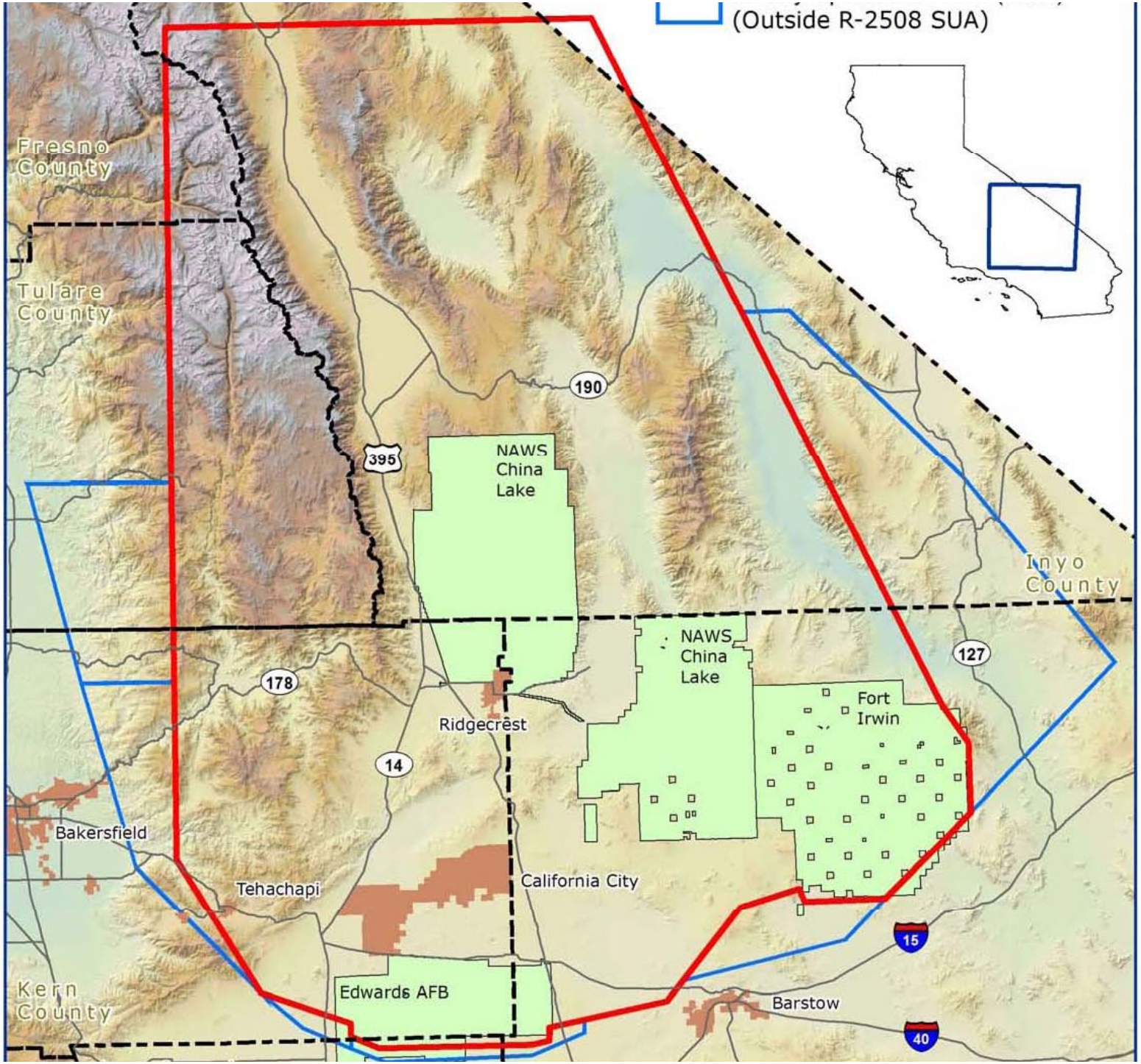
- Could have had more up-front sales job by Gov
- Could have met earlier with local elected officials to get buy in/set the table, get the right players at the table. Advisory Committee make-up.
- Communication between representatives within same organizations/governments.
- Local staff caught between elected officials.

R-2508 JLUS

- Airspace complex
- Huge Geographic scale
  - 20,000 square miles in area
  - Touches 7 counties
  - Affecting 10 cities

What Makes It Challenging

- First of its kind
- Number of stakeholders
- Range of issues (compatibility factors)


(Outside R-2508 SUA)
Fresno County
Tulare County
Kern County
Inyo County
NAWS China Lake
NAWS China Lake
Fort Irwin
Ridgecrest
California City
Bakersfield
Tehachapi
Edwards AFB
Barstow
190
395
178
14
127
15
40

R-2508 JLUS: Two committees provided information and policy guidance to the Project Team:

- Advisory Committee: policy-level representatives from organizations with regulatory authority or management of land use
- Technical Committee: technical experts and representatives from stakeholder groups

Federal Agencies on the Advisory Committee:

- Bureau of Land Management
- Inyo National Forest
- Sequoia and Kings Canyon National Park Service
- U.S. Fish and Wildlife Service

State agencies on the Advisory Committee:

- California Department of Fish and Game
- California State Parks

Cities on the Advisory Committee:

- City of Adelanto
- City of Bakersfield
- City of Barstow
- City of Bishop
- City of California City
- City of Lancaster
- City of Palmdale
- City of Ridgecrest
- City of Tehachapi
- City of Victorville

Counties on the Advisory Committee:

- County of Inyo
- County of Kern
- County of Los Angeles
- County of San Bernardino
- County of Tulare

Tribal Organizations on the Advisory Committee:

- Kitanemuk and Yowlumne Tejon Indians
- San Fernando Band of Mission Indians
- San Manuel Band of Serrano Mission Indians
- Tejon Indian Tribe

DoD Organizations on the Advisory Committee:

- Air Force Flight Test Center/Edwards AFB
- Marine Corps Installations West
- National Training Center/Fort Irwin
- NAVAIR Ranges
- Naval Air Weapons Station China Lake
- Office of Economic Adjustment

Technical Committee:

- Staff from the federal, state, tribal, military organizations
- Representatives from other stakeholders: property owners, building industry, realty associations, environmental groups, water districts, community colleges, chambers of commerce, wind energy developers, local base support groups…

STUDY RECOMMENDATIONS

A total of 61 strategies/recommendations
15 Strategy Types/Issue Areas

- Acquisitions(1)
- ALUCP(1)
- Avigation(1)
- Capital Improvements Programs((5)
- **Communications/Coordination (24)**
- Deed Restrictions/Covenants(1)
- General Plans and Management Plans(12)
- Habitat Conservation Tools(1)
- Legislative Initiatives(1)
- Light and Glare Controls(1)
- Memorandum of Understanding(2)
- Military Installation Operations(1)
- Military Operations Area(1)
- Real Estate Disclosure(2)
- Zoning/Subdivisions/other Regs(7)

What is next:

- Implementation of Strategies
  - Kern County taking lead on implementing strategies, OEA Implementation Grant
  - Workgroup to convene first quarter of 2010
  - Web-based applications for review/comment of docs
  - Create new format for participation that does not include travel because of geographic area of the JLUS.
  - Bi-Annual meetings

R-2508 Lessons Learned

Issues and Lessons Learned, things that could have been done differently:

- OPR could have done better job writing the "scope of work" especially related to public participation.
- Better communication between contractor, lead(OPR) and community representative on public participation
- Success of R-2508 JLUS, and implementation of recommendations, stems from local strong leadership and strong relationships between military and local representatives.

JLUS Final Points

Some final points:

- The JLUS has been essentially a public participation process which resulted in agreed upon recommended strategies.
- Incompatibility can take many different forms
- Questions will continue to arise about how various planning initiatives relate to each other and how the strategies will be implemented.
- Have strong upfront plan and communication about Process, Decision points, how to reach decisions/agreements.

OTHER COLLABORATIONS with the MILITARY

Collaboration on Renewable Energy Issues

- State recently signed an MOU with DOI and DOD related to designation of transmission corridors and renewable energy zones.
- Military is interested in developing renewable energy on bases, collaboration with CEC/PUC on making that happen.

Collaboration on Regulatory, Statutory & other State Hurdles

- Fish and Game Environmental Fees (possible statutory change)
- Water Quality Permits and Regional Water Control Boards (clarification from the SWRCB/Cal EPA)
- State owned lands and Base Expansion(29 Palms)
  - Coordination/consultation and possible land swap with State Lands Commission/BLM/Military

Ultimate Test of Collaboration: OHV & Training?

Thank You

The State of California
Military Land Use Collaboration

November 2009