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December 1, 2016

On behalf of the Washington State Department of Commerce, I am pleased to submit the attached *Civilian-Military Land Use Study*, a legislatively mandated report. The study was prepared in accordance with the Washington Legislature's 2016 Second Engrossed Substitute House Bill 2376, Section 126(19), which directed Commerce to, "examine the effects of incompatible land use surrounding military installations within Washington state, and conduct a comparative analysis of best practices from other states to mitigate conflicts between local jurisdictions and neighboring military installations due to incompatible land use."

In July 2016, Commerce applied for and was awarded a \$585,000 grant from the Department of Defense-Office of Economic Adjustment to help complete the legislative report and for 2017 program funding. Commerce then commissioned the Spectrum Group, a third-party independent consultant with subject-matter expertise, to complete the legislative report as a starting point for further discussion. Spectrum met with stakeholders across Washington, and reviewed Commerce's past work on nationwide best practices in developing this report.

To encourage a conversation about the wide range of issues and potential practices, Commerce is providing the report as written by Spectrum. Recommendations contained in this report, therefore, are subject to further review and consideration by Commerce, stakeholders, and the Legislature.

While individual proposals may or may not be achievable, Commerce believes that this report highlights the need for increased civilian/military communication to ensure land use compatibility. Commerce looks forward to working with stakeholders and the Legislature to identify and prioritize actions for implementation.

Sincerely,

Brian Bonlender  
Director





Department of Commerce

# Civilian-Military Land Use Study

*Per ESSBB 6052.SL, Section 128(20) &  
2ESHB-2376, Section 126(19)*

**December 2016**



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# Civilian-Military Land Use Study

## Credits



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*Now in our 25<sup>th</sup> year, The Spectrum Group is a dynamic alliance of more than 100 highly respected and experienced subject matter experts from diverse professional, political, intelligence community and military backgrounds. Our Members deliver a wealth of expertise and on-the-ground insights as former senior executives and leaders in the military, federal government, intelligence community, financial industry, and in community development. Through our results-driven philosophy grounded in Experience, Expertise and Integrity, The Spectrum Group provides our commercial, government, international and non-profit clients with the tools and counsel necessary to achieve their objectives.*

## Acknowledgements

This report was completed with the support and contributions by hundreds of individuals who volunteered their time through meetings, briefings, and phone conferences. They included city and county planners, elected and appointed officials, community and business leaders, military personnel assigned to Washington State bases, and Washington State government officials. We want to especially highlight the contributions of three individuals in the Department of Commerce: Ms. Deanah Watson, the Program Manager for this project, Ms. Kristine Reeves, the Military and Defense Sector Lead, and Mr. Dave Andersen, Eastern Regional Manager, Growth Management Services. Their collaboration, cooperation, and orchestration of this study were instrumental in accomplishing this study and report.



## Department of Commerce

*This study was prepared by the Spectrum Group, a third-party contractor on behalf of the Washington State Department of Commerce. All findings and recommendations are based on engagement by the contractor and are subject to further review by the department.*



*This study was prepared under contract with the Washington State Department of Commerce, with financial support from the Office of Economic Adjustment, Department of Defense. The content reflects the views of the Washington State Department of Commerce and does not necessarily reflect the views of the Office of Economic Adjustment.*

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## TABLE OF CONTENTS

| <u>TITLE</u>   | <u>PAGE</u> |
|--|-------------|
| <b>Letter of Transmittal</b>   |             |
| <b>Table of Contents</b>   |             |
| <b>E1.0 <a href="#">Executive Summary</a> .....</b>                            | <b>1</b>    |
| E1.1 Purpose .....   | 1           |
| E1.2 Issue Summary .....   | 1           |
| E1.3 Report Methodology.....   | 1           |
| E1.4 Key Findings .....  | 1           |
| E1.5 Recommendations Summary.....  | 2           |
| <b>1.0 <a href="#">Introduction</a> .....</b>                                  | <b>5</b>    |
| 1.1 Background and Significance of Compatible Land Use.....                    | 5           |
| 1.2 Study purpose and goals.....   | 5           |
| 1.3 Report Methodology.....  | 6           |
| <b>2.0 <a href="#">Existing Conditions</a> .....</b>                           | <b>8</b>    |
| 2.1 Nationwide Best Practices .....  | 8           |
| 2.2 Washington State Policy Context.....                                       | 15          |
| 2.3 Statewide Planning Map .....   | 16          |
| 2.4 Installation Compatibility.....  | 19          |
| 2.5 The State’s Role .....   | 28          |
| 2.6 Process Map.....   | 32          |
| <b>3.0 <a href="#">Gap Analysis</a>.....</b>                                   | <b>34</b>   |
| 3.1 Overview .....   | 34          |
| 3.2 Public Lands .....   | 35          |
| 3.3 Education/School Siting .....  | 36          |
| 3.4 Transportation Infrastructure Development.....                             | 37          |
| 3.5 Energy Siting .....  | 38          |
| 3.6 Environmental and Cultural Resources.....                                  | 39          |
| 3.7 Other Areas.....   | 41          |
| <b>4.0 <a href="#">Findings and Recommendations</a> .....</b>                  | <b>43</b>   |
| 4.1 Geospatial Software and Interactive Mapping.....                           | 43          |
| 4.2 Greater Communications and Coordination.....                               | 45          |
| 4.3 Additional Federal Funding.....  | 47          |
| 4.4 Leveraging the Washington Military Alliance (WMA) .....                    | 47          |
| 4.5 Accounting for Total Economic Impact of State Military Installations ..... | 49          |
| 4.6 Evolving Definitions of Incompatibility.....                               | 50          |
| 4.7 Leveraging Environmental and Military Mutual Interests.....                | 50          |
| 4.8 Synchronizing Policy, Regulation, and Programs.....                        | 51          |
| 4.9 Compatible Use Best Practices .....  | 53          |
| 4.10 Light Pollution.....  | 53          |
| 4.11 Responding to new underwater technology risks.....                        | 54          |
| 4.12 Value of Steering Committees and Coordinating Committees.....             | 54          |

|            |  |           |
|------------|--|-----------|
| 4.13       | Creation of a Cabinet Level Official.....  | 55        |
| 4.14       | Including Military Base Considerations Under SEPA.....                             | 56        |
| 4.15       | Leveraging the Experience of Former Military and Congressional Officials .....     | 56        |
| 4.16       | Property Transfer Disclosure Requirements.....                                     | 58        |
| 4.17       | Considering Military Base Changes in Comprehensive Plan Updates.....               | 59        |
| 4.18       | Redefining Encroachment with Changes in Technology and Threats .....               | 60        |
| 4.19       | Addressing the US Coast guard as a military entity .....                           | 61        |
| 4.20       | Military Participation Regional Transportation Planning Organizations .....        | 62        |
| 4.21       | Inconsistent Language in the GMA.....  | 63        |
| 4.22       | Improving the Appeals Process to the GM Hearing Board.....                         | 64        |
| 4.23       | Insufficient Funding for Compatible Use .....                                      | 65        |
| 4.24       | Insufficient Alignment for Conservative Funding .....                              | 66        |
| 4.25       | Insufficient Funding for Local Officials on Compatibility Issues .....             | 66        |
| <b>5.0</b> | <b><a href="#">References</a></b> .....  | <b>68</b> |
| <b>6.0</b> | <b><a href="#">Appendices</a></b> .....  | <b>72</b> |
| 6.1        | <a href="#">Appendix A: Civilian-Military Land Use Policy Review</a> .....         | 72        |
| 6.2        | <a href="#">Appendix B: Civilian-Military Land Use Policy Matrices</a> .....       | 83        |
| 6.3        | <a href="#">Appendix C: Supplementary Mapping Information</a> .....                | 86        |
| 6.4        | <a href="#">Appendix D: Digital Mapping Information Provided to Commerce</a> ..... | 90        |
| 6.5        | <a href="#">Appendix E: Process Map</a> .....                                      | 94        |
| 6.6        | <a href="#">Appendix F: Agency Roles</a> .....                                     | 96        |

## E1. Executive Summary

**E1.1 Purpose:** The purpose of this study is to examine compatible planning, to understand current processes, and to identify potential State of Washington actions to improve compatible use planning and execution. This report examines effects of and mitigating efforts to address land use conflicts between local jurisdictions and neighboring military installations, per state of Washington Legislature ESSBB 6052.SL, Section 128(20) and 2ESHB-2376, Section 126(19).

**E1.2 Issue Summary:** Washington State's military bases represent an important sector in the State's economy. There is a direct base economic impact of \$12.6B in 2015 according to the Department of Defense (DoD) Office of Economic Adjustment (OEA), and significant additional impact from companies and military retirees who locate nearby military bases. The military in Washington also provides mission ready forces that can assist in the event of major emergencies and natural disasters. Ensuring military bases can continue to perform their mission is an important interest for the State. Simultaneously, economic prosperity in other sectors, including growth around military installations, as well as protection of the State's natural resources and environment, are also critical interests that must be balanced. This balance can be achieved through highly coordinated compatible development planning and execution. Washington should be commended for its many dedicated people that are working to achieve this outcome. However, the complexity regarding compatibility continues to increase. While direction and processes for compatible planning exist due to the Growth Management Act (GMA), there are resource, information, and process issues that should be addressed to reduce the challenges in achieving compatible development. This in turn will ensure Washington State balances these three interests.

**E1.3 Report Methodology:** This report was built on the considerable previous work that Washington State has done regarding compatible development with military installations. Our methodology was to first examine that previous work, perform additional research, conduct numerous site visits and phone interviews, and develop draft findings and recommendations that we shared with representatives from the Department of Commerce and the Washington Military Alliance (WMA). With input on the recommendations, we completed additional research and analysis and drafted the report, providing it for comment to the Department of Commerce. Once we received Commerce's input, we made revisions where appropriate and produced the final report.

**E1.4 Key Findings:** Washington State has done a great deal, and is to be commended, for its very forward-looking GMA, and especially for the inclusion of requirements for civilian-military base compatible growth. Likewise, the Department of Commerce has done much work to study other states, promote better processes, and build cooperative relationships between bases and community planners. While there are many areas that we determined are working exceptionally well, the focus of this report is items that we determined could be improved. Our detailed findings are in the main body of the report, but fall into four major subject areas:

**E1.4.1 Information:** We consistently heard a desire for more readily available information to assist compatible use planning, and noted a lack of geospatial tools to assist planners. Compatible use is

an evolving science, and there is a need to better inform and educate civilian and military planners and leaders on processes and practices in the State and best practices from around the Nation.

**E1.4.2 Complexity of compatibility efforts:** There are multiple regulatory and policy means that address compatible use across Departmental lines and echelons of government. While there are superb examples of methods to try to bring these together around the state, the State could make improvements to facilitate more collaborative efforts between the various programs and entities involved.

**E1.4.3 Legislation:** There is legislation that can be improved for clarity, made more inclusive or better define processes to resolve compatibility issues.

**E1.4.4 Funding:** There are insufficient funds for some programs that contribute to compatible use, and also for leveraging other sources of funding.

**E1.5 Recommendations Summary:** Detailed recommendations are in the main body of this report. However, our recommendations are highlighted below and fall into four broad overarching themes aligned with our findings:

**E1.5.1 Leverage the power of sharing through communications and coordination:**

- a) Build a web-based, interactive statewide map that can selectively display layers of relevant military compatibility information, and make it available to land use stakeholders and the interested public.
- b) Establish a structured approach to improving civilian-military communications on compatible use issues. Conduct periodic Governor-military base commander meetings. Designate an outreach position in the Department of Commerce to host Commerce-facilitated coordination meetings between installation and community planners as part of a larger Commerce Growth Management outreach and training program.
- c) Increase the use of the Washington Military Alliance (WMA) to promote communications, partnering, and problem solving regarding compatible land use, and support inclusion of military installations into partnerships that work at landscape levels. Institutionalize the WMA as a permanent organization and activity through legislation.
- d) Perform a comprehensive military economic impact analysis to capture the complete picture of the economic impact of the military in Washington State.
- e) Create a system that tracks change in compatible use practices across the US and communicates them to Washington state stakeholders.

**E1.5.2 Make the implementation of compatibility efforts more effective, simpler, and more comprehensive:**

- a) Highlight the role of the bases in wildlife and natural resource conservation. Leverage the convergence of mutual interests between installations and environmental groups by coordinating compatible use efforts.
- b) Align and prioritize Landscape Level Planning, Public Lands Designations and Leasing, Department of Defense Sentinel Landscapes Designations, and Land Protection Programs to help resolve and abate incompatible land use threats.
- c) Perform a detailed examination of local JLUS or other compatible use plans to determine best practices for compatible use across all domains, and a common set of standards for compatible use planning, to ensure complete local plans and the sharing of best practices across the state.
- d) Amend and pass HB 2057 to include the effects of light pollution of Washington's military bases' mission related activities.
- e) Craft a registry for underwater listening devices that are deployed to track locations and acquire acoustic data, limit their use in restricted areas, and ensure there are deadlines for their removal.
- f) Publicize that Steering and Coordinating Committees that monitor and implement compatible use plans are a technique that can be effective in ensuring the results of compatible planning are implemented.
- g) Create a senior level (Cabinet) position that serves as the principal military executive for the Governor on military base issues, including compatible use.
- h) Include impacts to military installations when conducting Washington State Environmental Policy Act (SEPA) reviews.
- i) Leverage the significant number of former senior military officials and Defense experienced former Congressional members living in Washington State to create a Military Advisory Council to advise the Governor and Legislature on military base related issues, including compatible development.

**E1.5.3 Amend certain legislation to make it clearer or more effective:**

- a) Add a disclosure requirement necessitating transparency from realtors or property owners about military installation impacts and compatible use development restrictions.
- b) Require that periodic updates of comprehensive plans consider major new increases or decreases to any military installation or training areas, and any updates to JLUSs or other compatible planning processes.

- c) Amend the GMA to better define what constitutes incompatible development with military installations.
- d) Amend the GMA and other appropriate sections of state law to include the Coast Guard as a military entity in compatible use.
- e) Amend RCW 47.80.060 to mandate non-voting membership on Regional Transportation Planning Organizations (RTPOs) for major military bases, and designate military bases as a category to be considered in growth management planning with parity among similar populated regional growth areas or major industrial areas.
- f) Amend the GMA language to clarify the role of each level of government in compatible use.
- g) Amend the GMA to halt further permitting, construction, or development on a project questioned in an appeal to the Growth Management Hearing Board regarding zoning or code until a determination by the Board or subsequent court has been completed.

**E1.5.4 Allocate funds in the State budget to promote compatible use:**

- a) Create a compatible use fund or a fund by a different name that could be used for conservation and non-conservation land purchases, land use easements, and resolution of compatibility issues.
- b) Enact legislation directing that conservation and environmental funds be prioritized to projects that both accomplish protection of wildlife habitat, conservation of rural areas, etc. and ensuring compatible development in Military Interest Areas (MIAs).
- c) Create an appropriation to responsively fund high priority military compatible use projects identified by communities.

# 1. Introduction

**1.1 Background and Significance of Compatible Land Use:** Issues attendant to sustaining compatible land, air, and water use across the U.S. are a natural result of competing political and economic systems at all levels of government. The State of Washington is continuously engaged in striking the right balance between support for the critical needs of its military installations and their strategic purposes, support for the equally important local need to develop and grow, and a strong and historic commitment to and stewardship of the environment and natural resources.

a) Washington State is home to several major military installations, and has a superb record of partnership in supporting those bases and valuing their strong national military purpose. The military is the 2d largest employer in the State with 112,560 employees in 2013, represents \$13.1 billion in direct expenditures, is vital to the economy, and plays a very important role in all compatible use planning across this dynamic and rapidly expanding environment. In that ever changing context, it is useful to sustain a continuous system that reviews current and future compatible use processes and procedures, embeds and supports enforcement and implementation mechanisms in state law or local regulation, and that plans for the best convergence of military, community and environmental goals in an open and structured manner. The Department of Commerce contracted with The Spectrum Group to review the current compatible use landscape, consider key previous studies such as the Military & Defense Sector Development through Land Use Compatibility, February 2016, Preliminary Report to the Legislature, and provide useful and actionable findings and recommendations to best serve the State of Washington. As the cited report noted earlier this year: “Compatible land use is one of the most important competitive tools states employ to support operational capacity at military bases, testing areas, and training ranges—including air and marine corridors.”

b) The strategic security environment is rapidly evolving and will continue to do so in ways highly relevant to the military capabilities of Washington State. The national strategic pivot towards the Pacific region is well underway, and climate change is increasing international competition in the Arctic regions. As weapon effects effects expand into new domains such as cyber and electronic warfare, and modern technology extends the range and increases accuracy of all weapon systems, there is much greater emphasis on joint operations and “cross-domain” effects. With capabilities representative of all domains, and geography where all domains can be simultaneously exercised, the Washington military presence is well positioned to train for these emerging approaches and respond to strategic requirements in the Pacific and Arctic. The more integrated approach to military operations, however, requires a more comprehensive view of the military presence across Washington State.

**1.2 Study purpose and goals:** The purpose of our study is to examine compatible planning, to understand its current processes, and to identify potential State of Washington actions to improve compatible use planning and execution. This report examines effects of and mitigating efforts to address land use conflicts between local jurisdictions and neighboring military installations, per ESSBB 6052.SL, Section 128(20) and 2ESHB-2376, Section 126(19). This Legislative Report on civilian-military land use compatibility incorporated preliminary research and findings on nationwide best practices (provided by Commerce), was based on the additional research and analysis of current conditions, and contains specific recommendations for improving civilian-military

compatible land use in Washington State. This report includes baseline references for best land use practices across the U.S., a review of current conditions in the State, and recommendations on how to implement best statewide land use management. With this report the State can maximize the economic development potential of its military installations and the communities adjacent to installations, training lands and ranges, increase the quality of the critical partnership between those local communities and military installations, and best ensure that any future national level federal cuts or Base Realignment and Closure legislation will not create undue or unexamined risk to the State.

**1.3 Report Methodology:** On receipt of the award for the Department of Commerce contract No. 16-63510-001, The Spectrum Group assembled a highly qualified team of its members and associates to conduct its initial research, organize a way ahead, and begin the process of responding to the specific requirements of the State of Washington. The team consisted of Major General Michael Jones, U.S. Army (Retired), Lieutenant General David Huntoon, U.S. Army (Retired), Colonel Don Fix, U.S. Army (Retired), Brigadier General David Fastabend, U.S. Army (Retired), and Ms. Lisa Bellefond, Government Affairs and Collaborative Conservation Consultant. Hon. Anthony Principi and Mr. Greg Sharp supervised the team.

**1.3.1** We conducted a kick-off meeting on September 7, 2016 in Olympia, Washington to brief key compatible use leadership from the State of Washington and the Department of Commerce on our study plan and to listen to their initial guidance and comments. Following additional research and communications with our key Washington State contacts, we conducted a series of on-site visits from September 18-24 which included travel to Fairchild Air Force base, meeting with key Spokane community leaders and those from adjoining communities, travel to Joint Base Lewis-McCord, meetings with key planning and other community leaders from the city of Tacoma, with the USCG at their Headquarters in Seattle, and with the Puget Sound Regional Council. We then visited with community leaders from Naval Base Kitsap, with US Navy liaison and planning staff from Bangor, with the city planning staff of Bremerton, and then with key planning officials from Naval Base Everett. We conducted follow-on phone calls and emails with key community leaders across the state from Island County to Benton County and from Yelm to Yakima. We have also done additional research, analysis, briefed a session of the Washington Military Alliance on preliminary recommendations, and prepared the findings and recommendations in this report.

**1.3.2** The first part of this study explores nationwide best practices, described well in the February 2016 report cited above as “those which support and enhance coordination between military installations and their neighboring communities; especially coordination between base personnel involved in land management and civilian decision makers involved in community land use regulation. The goal of the State’s effort is to ensure that civilian land uses are compatible with the scope of activities performed at individual bases in the fulfillment of their operating missions.” This part of the report is followed by a discussion of Washington State Policy Context, the presentation of a Statewide planning map, further discussion of Installation Compatibility which reviews military land use studies and reports from the last decade. The report then shifts to a discussion of the State’s role in compatible land use administration through the Growth Management Act (GMA), the National Environmental Protection Act (NEPA), the State Environmental Protection Act (SEPA) and other core processes. A process map shows where, when, and how each state entity touches the military compatible land use process. This is followed by a gap analysis of compatible land use

processes with special emphasis on public, lands, education/school siting, transportation, infrastructure development, energy siting, environmental and cultural resources. The report then turns to finding and recommendations. Finally the report closes with Appendices providing more detailed information on certain aspects of the report.

## 2. Existing Conditions

**2.1 Nationwide Best Practices:** Best practices for promoting civilian-military compatibility are those that support and enhance coordination between military installations and their neighboring communities; especially coordination between base personnel involved in land management activities and civilian decision-makers involved in community land use regulation.

**2.1.1** The goal of the State's effort is to ensure that civilian land uses are compatible with the scope of activities performed at individual bases and within their critical testing and training ranges. Washington seeks to promote mutually compatible civilian-military land use practices as a means of ensuring that military bases are not prevented from fulfilling their operating missions and training activities. Some common compatibility issues with adverse impacts to military missions include:

- a) Development pressures near the perimeter of military facilities and within military training routes (MTRs), airspace and marine corridors, or testing areas.
- b) Existing land uses not compatible with the operational mission of the base.
- c) Competing demands or capacity constraints on critical off base infrastructure such as roads or utilities.
- d) Air navigation interference of steam or smoke plumes from industrial activities.
- e) Interference of lighting with aircraft navigation and night-vision training operations.
- f) Activities that attract birds to critical air space.
- g) Loss of habitat lands due to development that pushes wildlife onto military lands, requiring additional on-base mitigation for displaced endangered species.

**2.1.2** Several tools provide opportunities to improve support of Washington's military bases. These tools are already in place elsewhere and have demonstrated potential to promote compatible land use decisions. Some of the practices identified as beneficial for communities and bases in other states include:

- a) Establishing mechanisms for improved civilian-military communications.
- b) Fostering positive intergovernmental relations in the areas surrounding, and including military bases and their testing or training ranges.
- c) Procedures to ensure civilian-military collaboration to complete joint land use studies (JLUSs) and other compatibility plans.
- d) Comprehensive plans, zoning codes, and development regulations that provide for compatible development around military installations.

- e) Participation in technical assistance programs with agencies like the U.S. Department of Defense (DoD), including financial and planning assistance.
- f) Conservation partnerships.
- g) State growth and development policies that discourage or specifically aim to prevent encroachment.
- h) Investments in critical off-base infrastructure such as transportation projects facilitating ingress and egress to the base.
- i) State and local capital expenditure policies that promote compatible development.
- j) Avoiding individual land use decisions that may not appear to impede base operations, but incrementally gradually compromise critical base operations. A base’s incremental accommodation to external development pressure of neighboring jurisdictions can challenge a base’s long-term viability or cripple essential testing and training operations

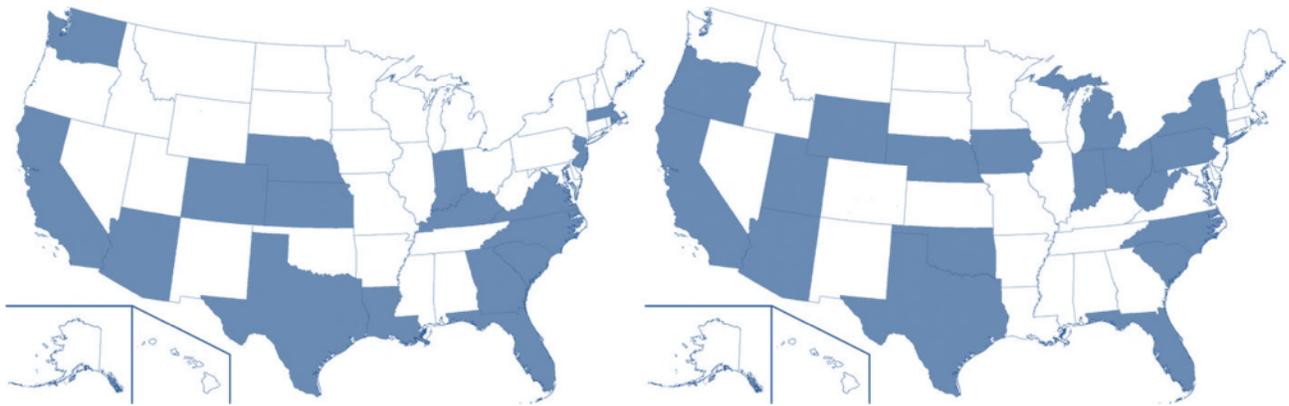
**2.1.3** Many states have pursued a number of initiatives to promote land use compatibility between their communities and military installations ranging from policy initiatives to legislative action. 17 states require notification to, or communication with, military installations regarding land use decisions; 19 states have dedicated funding to acquire land or development rights surrounding military bases; 23 states have compatible land use statutes; and 12 states have adopted “dark skies” legislation to reduce light pollution which interferes with night vision technologies, training, and flight navigation. Through legislative action, the top 10 states in defense spending have acknowledged that civilian land use decisions directly impact the long-term viability of military bases and their training areas and ranges. The table and figures below depict the “top 10’s” involvement in these issues, and it should be noted that only two (Arizona and Texas) have taken a proactive approach in all four of the key areas of compatibility support.

**Table 1 Legislative Approaches to Civilian-Military Land Use Among Washington’s Peer States**

| Legislation  | AZ | CA | CT | FL | GA | MD | PA | TX | VA | WA |
|--|----|----|----|----|----|----|----|----|----|----|
| Mandated civilian/military communication or coordination | X  | X  |    | X  | X  |    |    | X  | X  | X  |
| Funding for property/development rights near bases       | X  | X  |    | X  |    |    | X  | X  |    |    |
| Compatible land use statutes                             | X  | X  |    | X  | X  |    |    | X  | X  | X  |
| “Dark Skies”/light pollution legislation                 | X  |    | X  |    |    |    |    | X  |    |    |

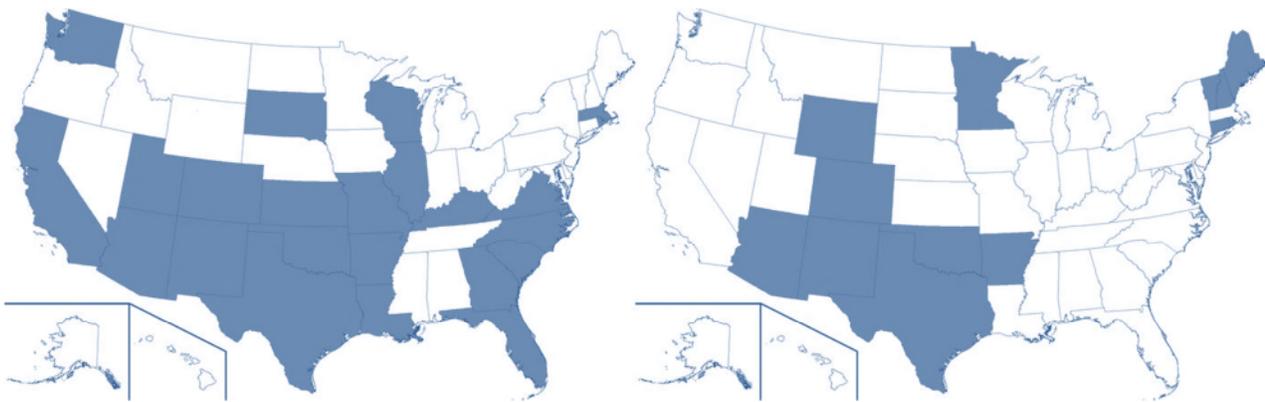
Source: National Council of State Legislatures, *Minimizing Encroachment and Incompatible Land Use near Military Installations*, 2013, <http://www.ncsl.org/research/military-and-veterans-affairs/minimize-encroachment-on-military-installations.aspx>.

**Figure 1. (Left) Statutes for Improved Civilian Government/Military Communication (Right) Statutes to Fund the Purchase of Property or Development Rights**



Source: National Council of State Legislatures, *Minimizing Encroachment and Incompatible Land Use near Military Installations*, 2013, <http://www.ncsl.org/research/military-and-veterans-affairs/minimize-encroachment-on-military-installations.aspx>

**Figure 2. (Left) Statutes to Support Compatible Land Use (Right) Statutes to Reduce Light Pollution**



Source: National Council of State Legislatures, *Minimizing Encroachment and Incompatible Land Use near Military Installations*, 2013, [www.ncsl.org/research/military-and-veterans-affairs/minimize-encroachment-on-military-installations.aspx](http://www.ncsl.org/research/military-and-veterans-affairs/minimize-encroachment-on-military-installations.aspx)

Some of the specific actions taken by several of these states are outlined below:

#### **2.1.4 Arizona**

Arizona requires local governments to coordinate with military airports in their vicinity. Local governments must consult with, advise, and provide opportunity to comment on land use surrounding the installation. Arizona’s statute establishes a “political subdivision” wherever non-military property exists within high noise or accident potential zones. Communities are required to adopt comprehensive plans, general plans, and school district development plans (if applicable) for property within the zones. Other jurisdictions are required to “adopt and enforce” zoning regulations for property in the zones in order to assure compatible development.

Arizona also allows exchange of state trust lands with military facilities to protect base operations. Between 2001 and 2007 Arizona enacted a number of laws to support military base operations by promoting civilian-military communication, enforcing planning, zoning, and noise requirements, particularly surrounding military airports and low-level training routes (ARS Ann. §9-461.05 *et seq.*; ARS Ann. §28-8480 and §28-8481; ARS Ann. §32-2183.05; 2001 SB 1525; 2004 HB 2140; 2004 HB 2141; 2004 HB 2662; 2006 HB 2060).

### **2.1.5 California**

California's first civilian-military land use legislation (SB 1468) was enacted in 2002, and expanded by amendment in 2004. The statute requires cities and counties to consider development impacts on military readiness. It also required the Governor's Office of Planning and Research (OPR) to publish a planning guidebook with technical information on the implementation tools available to help communities plan for compatibility. Local governments were required to revise their development permit application forms and must notify the military when general plan (comprehensive plan) actions/amendments and development projects might impact their operations complex. DOD funding also provided financial support to complete an Encroachment Action Plan for Naval Base Coronado. Some compatibility strategies that emerged included:

- a) Formal designation of areas of concern or Military Influence Areas (MIA) to plan for and around mission-related activities.
- b) Means for the acquisition through donation, easement, or purchase of private land and/or development rights as a land use planning tool.
- c) Participation in the DOD Air Installation Compatible Use Zones (AICUZ) planning program to reduce land use conflicts around military airfields.
- d) Airport Land Use Compatibility Plans (ALUCP) for local governments
- e) Deed restrictions/covenants for private property.
- f) Inter-governmental Memoranda of Understanding (MOUs).
- g) Bird/Wildlife Strike Hazard (BASH) programs to minimize military aircraft and animal collisions.

California also devised a web-based, public interactive map (CMLUCA) to share compatible use zoning information with the public. Additionally, in 2006, the State of California collaborated with local, state, and federal stakeholders to develop and publish an Advisory Planning Handbook for Community and Military Compatibility Planning. This handbook was updated in 2016, and contains valuable information ranging from understanding military operations and sustainability to providing strategies and tools for improving land use compatibility between all relevant stakeholders. It defines compatibility as a balance between the needs and interests of the community and the military with the ultimate goal of promoting an environment where both entities can coexist successfully. The handbook covers in detail the five key steps in the Compatibility Planning Process outlined below:

**Step 1: Evaluate the Military Presence** - Evaluate whether or not there is a military presence in your area that requires consideration of land use compatibility planning.

**Step 2: Engage and Coordinate** – Engage and coordinate with your counterparts on the other side of the military fence line to understand each other’s perspective, and to foster a productive relationship going forward.

**Step 3: Identify Challenges and Areas of Concern** – Identify the nature of the encroachment challenges that could arise if measures are not taken to plan for land use compatibility with local military activities and, perhaps most importantly, identify which areas are most susceptible to each type of concern.

**Step 4: Establish a Policy Framework** - Establish a sound policy framework to support the successful implementation of compatibility solutions.

**Step 5: Monitor and Maintain** – Monitor the effectiveness of your planning solutions and adapt to changing conditions to maintain compatible land use over time.

The development of a similar handbook for compatibility planning in Washington State would be advantageous for community and military planners, as well as property owners and developers, and anyone interested in ensuring the long-term viability of the State’s military installations.

#### **2.1.6 Connecticut**

The state of Connecticut enacted “dark skies” legislation (SHB 5686). The basis of Connecticut’s legislation is to reduce light pollution focused on environmental impacts. However the presence of dark skies legislation has benefits for military operations conducted at night since illumination and reflection from communities can interfere with navigation, night vision, and landing field training.

#### **2.1.7 Florida**

The Florida Commercial Development and Capital Improvements Act contains a subsection dedicated to military base retention (FS 288.980), which describes the importance of ensuring compatible land use near military bases. In 2009 Florida enacted a 10-year, \$3 billion program (the Florida Forever Act, FS 259.105) to set aside valuable land, including land surrounding military bases. Any agency funded under the program is required to cooperate with military bases to preserve military influence areas on-land and protect military airspace. In 2012, the Florida legislature revised its Community Planning Act to improve civilian-military communication, promoting exchange of information between the military and local governments. Together these acts establish Florida’s framework for promoting compatible land use.

#### **2.1.8 Georgia**

Land use compatibility issues surrounding Georgia’s military bases have been reduced through strategies to increase civilian-military coordination and through targeted efforts to purchase lands where incompatible use issues have been identified. Communities seek input from the commanding officer at their neighboring base in order to assess and resolve impacts of planning or zoning decisions on military operations. Several specific cases of conflicting land uses have been identified through civilian-military coordination, resulting in funding partnerships between the DOD, the Georgia Department of Natural Resources, the state legislature, and local governments, toward the purchase and site-clearance of houses and mobile home parks. Land acquisition, site-clearance, and

maintenance have been provided through county matching funds to federal grants, county sales-tax referendums, city spending, and pledged amounts from the state Legislature. New uses for the acquired lands will include alternatives, such as leasing for agriculture or low-density commercial operations.

### **2.1.9 Maryland**

Counties in Maryland have taken lead roles in addressing land use compatibility issues through Joint Land Use Studies (JLUS)s, most recently in a JLUS for Naval Support Facility (NSF) Dahlgren, which is near completion. The NSF Dahlgren JLUS identified common compatibility issues related to the presence of endangered species on base lands, limitations to airspace, airborne noise, and the possibility of new civilian development activity near the base.

### **2.1.10 Pennsylvania**

The State granted funding to a county in southeastern Pennsylvania toward the formation of a local defense group to support neighboring National Guard training center Fort Indiantown Gap. The defense group, formed by county commissioners, is comprised of military staff, county planners, local elected officials, business leaders, and other stakeholders.

### **2.1.11 Texas**

Strategies in Texas to promote compatible land use have involved funding programs, enabling legislation to address light pollution and to improve civilian-military communication. Proposition 20 (2003) amended the State constitution to allow general obligation bonds of less than \$250 million to fund loans to defense-related communities for economic development or projects that enhance the value of military installations. The state of Texas has enabled some counties to adopt ordinances to regulate the installation and use of outdoor lighting within five miles of a military base, if such an action has been requested by a military base (Texas Local Government Code §240.032; 2009 House Bill 1013).

### **2.1.12 Virginia**

The Virginia Legislature has explored state budget strategies to acquire land within military influence areas in order to ensure low-density development nearby. The legislation aligns with the state's understanding of compatible land use derived from various JLUSs findings. JLUSs for naval installations in Virginia have emerged from city-military partnerships, including Virginia Beach, Chesapeake, and Norfolk with funding for encroachment-related remedies sourced at the local-level and partially from the Navy. JLUS recommendations have proposed land acquisition and rezoning of key tracts of land in activity corridors where military operations occur and/or impact areas between military bases. The *APZ-1/CZ Master Plan* (2008) completed in Virginia Beach for Oceana Naval Air Station was incorporated as a component of the city's comprehensive plan and frames its discussion of compatible development as follows:

“In general the DOD recommends that noise-sensitive uses (e.g., houses, churches, amphitheaters, etc.) be placed outside the high noise zones, that people intensive uses (e.g., regional shopping malls, theaters, etc.) not be placed in APZs and that sound attenuating methods be incorporated into building design and construction.”

The Oceana NAS case is a key example of what the results of encroachment can lead to. The BRAC 2005 Commission added Oceana NAS to its list of realignments stating that the East Coast Master Jet Base, which was located there, would, in fact, be realigned to Cecil Field, FL unless the cities of Virginia Beach and Chesapeake took appropriate action to enact and enforce legislation to prevent further encroachment within a six-month period. Ultimately, the cities did take the required actions specified by the BRAC Commission and retained the East Coast Master Jet Base. A proactive, collaborative land use approach by the cities would have precluded this near disastrous, encroachment scenario.

### **2.1.13 Other Relevant Legislative Examples**

- a) The National Governors Association Center for Best Practices (NGA Center) released an issue brief to assist policymakers in promoting compatible development around military installations. The brief identified several key elements in encroachment prevention policies including: state-level growth management policies that discourage incompatible land uses; encroachment-specific legislation; use of comprehensive plans and zoning to promote compatible development; state and local expenditure policies to direct growth away from installations; DOD financial and planning assistance, and conservation partnerships.
- b) Whereby Washington has amended the GMA to require that communities' comprehensive plans grant special consideration to land use around military bases, some states have enacted legislation specifically intended to address civilian-military land use compatibility. Two cases of existing legislation that exemplify the best practices outlined by the NGA Center's brief may be found in Indiana and Kansas.
- c) Indiana offers one example, as its legislature passed a Military Base Protection Act (House Bill 1022) in 2005. The Act establishes a Military Base Planning Council comprised of representatives from state agencies (environmental management, emergency management, and transportation, etc.), local government, military personnel, and other parties outlined in the language of the Act. The legislation includes provisions to involve the base commander in land use decisions and grants certain priorities and immunities to the military in support of their base mission.
- d) In addition to establishing the Military Base Planning Council, Indiana's Military Base Protection Act (2005) provides provisions to avoid encroachment and impacts to military operations. The law requires communities to give prior-notification to the base commander when considering planning or zoning changes within a three-mile area surrounding the facility.
- e) In accordance with the Act, the Indiana Department of Environmental Management is required to grant priority to permit applications related to base activities such as ordinance testing or disposal. Further, the Act provides the military base with immunity from lawsuits related to noise issues within two miles, or telecommunications interference within five miles of the base.

- f) In 2010, the state of Kansas enacted legislation (HB 2445) as a multi-faceted approach to civilian-military land use compatibility. The Act's provisions included: a designation of a defined military installation study area for communities with bases nearby; required coordination between the base and municipalities regarding any development, project, or operational change with impact on land use agreements; annually-prescribed meetings between base commanders and civilian officials, and a definition of "critical areas" that includes lands vital to military functions.
  
- g) Critical areas of military importance and national security are defined within the legislation based on designations already established by military branches to promote compatible land use. The designations are identified as military Air Installation Compatible Use Zones (AICUZ) study areas, Joint Land Use Study (JLUS) areas, Army Compatible Use Buffer (ACUB) areas, or Environmental Noise Management Plan (ENMP) areas of an active duty military installation. Any change to use, development, or operations that occur within these designated areas require both military and local government coordination. However the legislation does not have enforcement provisions, nor may a state exercise mandating authority over a military installation. Therefore the goals of the legislation are achieved where mutual civilian-military cooperation thrives.

#### **2.1.14 Best Practices Summary**

The best way to ensure civilian-military land use compatibility and maintain the long-term viability of the military's \$13B+ annual economic impact to the State, while also ensuring local communities opportunity to grow and expand, is to continue to promote coordination, collaboration, and cooperation among all relevant stakeholders. The previous studies have clearly pointed out, and the additional research, site visits, and follow-up interviews for this report have further substantiated, that the State's focus on land use compatibility, albeit extremely favorable, does have room for improvement in order to make a good system even better. Several policy issues and legislative initiatives have been outlined in the previous reports, as well as the findings in this report. A compilation of the recommended actions to be considered include the following which are covered in more detail in the Findings and Recommendations Section of this report (Section 5.0):

- a) Supporting civilian-military partnerships
  
- b) Collaborating to identify military influence areas
  
- c) Establishing official land use designations for Military influence Areas (MIAs)
  
- d) Setting aside supportive funding to promote compatibility
  
- e) "Dark skies" legislation that supports land use compatibility
  
- f) Reinforcing civilian-military land use compatibility through growth management
  
- g) Leveraging the power of sharing: communications and coordination

- h) Make the implementation of compatibility efforts simpler and more comprehensive and effective
- i) Amending the Growth Management Act (GMA) to improve clarity and effectiveness

## **2.2 Washington State Policy Context**

**2.2.1** Civilian-military land use compatibility planning and execution is a complex process that is impacted by Federal, State, Local, and Department of Defense (DOD) and individual Military Services' policies, procedures, and guidelines.

**2.2.2** The principle document guiding civilian-military land use compatibility in the State is the Washington State Growth Management Act (GMA) which was amended in 2004 to include a provision that discourages civilian land use decisions that are incompatible with the ability of military bases to carry out their missions.

**2.2.3** Washington's GMA states that comprehensive plans or amendments – and development regulations or amendments – “should not allow development in the vicinity of a military installation that is incompatible with the base's ability to carry out its mission requirements.” In Washington, counties and cities by military bases must provide (60-days) notice to the installation's commander for any proposed changes to land use plans or regulations for areas adjacent to its border in order to prevent incompatible development. Before proceeding with proposed changes to land use around a military base, the jurisdiction must request recommendations and supporting facts from the base commander.

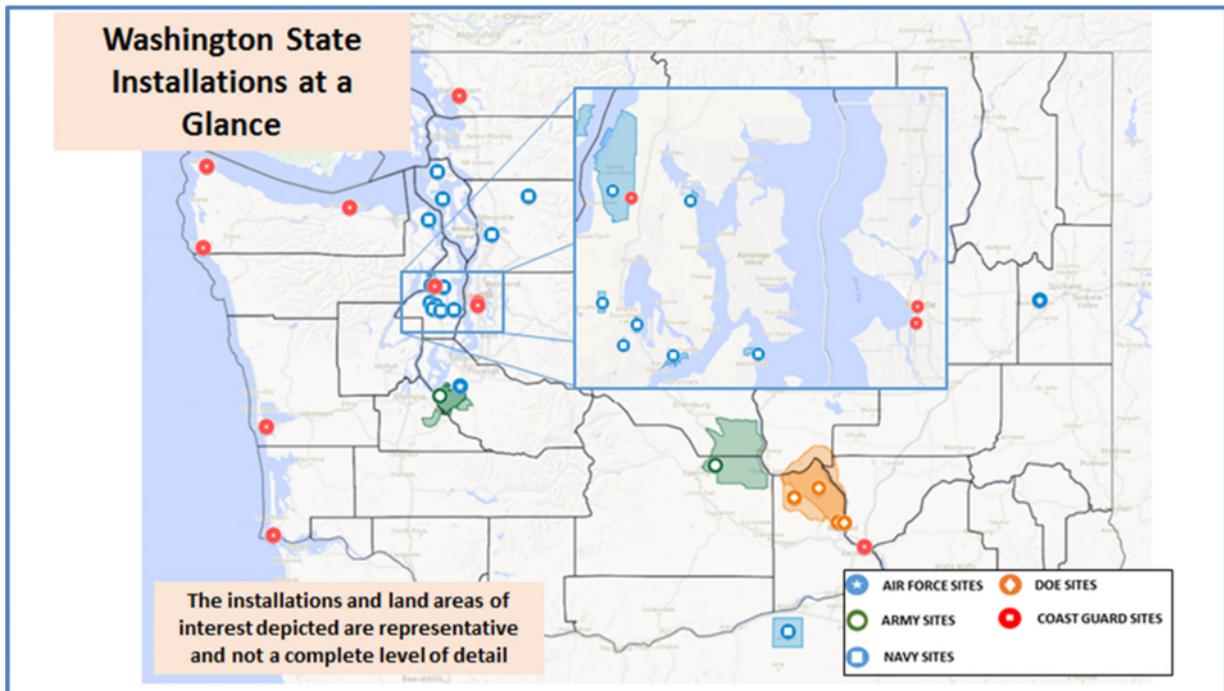
**2.2.4** However, to give the reader a sense and appreciation for the extent of the policy documents that can impact the process from the Federal to the local level, Appendix A of this report provides a general outline, and brief description, of the applicable policy documents. Additionally, the Appendix contains policy matrices depicting several areas of civilian-military compatibility examined in the report. Consequently, many of these statutes would provide an opportunity for amendment that would support and advance the State's efforts to promote civilian-military land use compatibility. For example, real estate disclosures for mutually-compatible uses could find relevance as an amendment to RCS 64.06 Real Property Transfers-Sellers' Disclosures; noise abatement may relate to RCW 70.107- Noise Control Act or 84.34 – Building Codes; conservation in or for MIAs might be advanced through the State's ESA, and/or RCW 76.09 – Forest Practices, and/or RCW 84.34 – Open Space, Agricultural, Timberlands-Current Use-Conservation Futures; as well as several other statutes that could be appropriately amended.

**2.3 Statewide Planning Map.** This study inventoried key installations, sites, training areas and restricted zones associated with missions of the Department of Defense, United States Coast Guard, and the Department of Energy. Military geospatial boundaries exist across the land, maritime and air domains, but many of the most important ones are invisible and literally “transparent” to the public. The delineated zones come with a wide range of constraints ranging from preclusion to cautionary warning, and zones from multiple domains will frequently overlap. Geospatial depiction

of these locations, areas and zones is a fundamental communication tool for shared understanding across the wide group of land use compatibility stakeholders.

**2.3.1** The statewide depiction of DoD, USCG and DoE assets is presented in three dimensions (ground / maritime / air) in the next three charts. These summary views communicate immediately the scope and extent to which land use compatibility issues are relevant to all portions of the State of Washington.

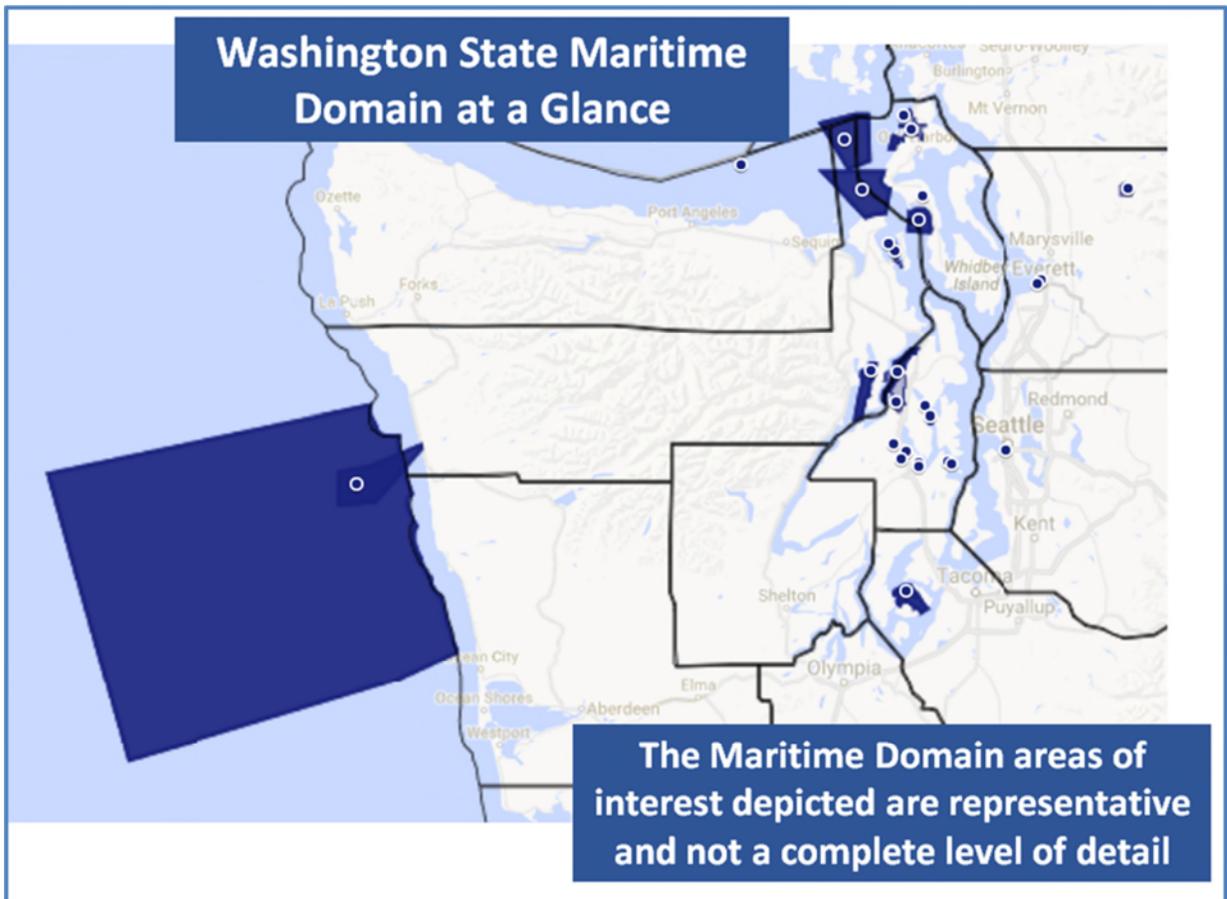
**Figure 3. Installations at a glance**



**2.3.2** This Washington State installations overview features the major facility and site locations of the US Air Force, US Navy and US Coast Guard, the Army bases locations and major ground training locations at Fort Lewis and Yakima, the Boardman Bombing Range (located in the State of Oregon but managed by NAS Whidbey Island), and the DoE facilities and reservation vicinity Hanford. (The installation locations are identified in greater detail at Appendix C).

These facilities have associated maritime and air areas of interest for purposes of security, training, or military capability development.

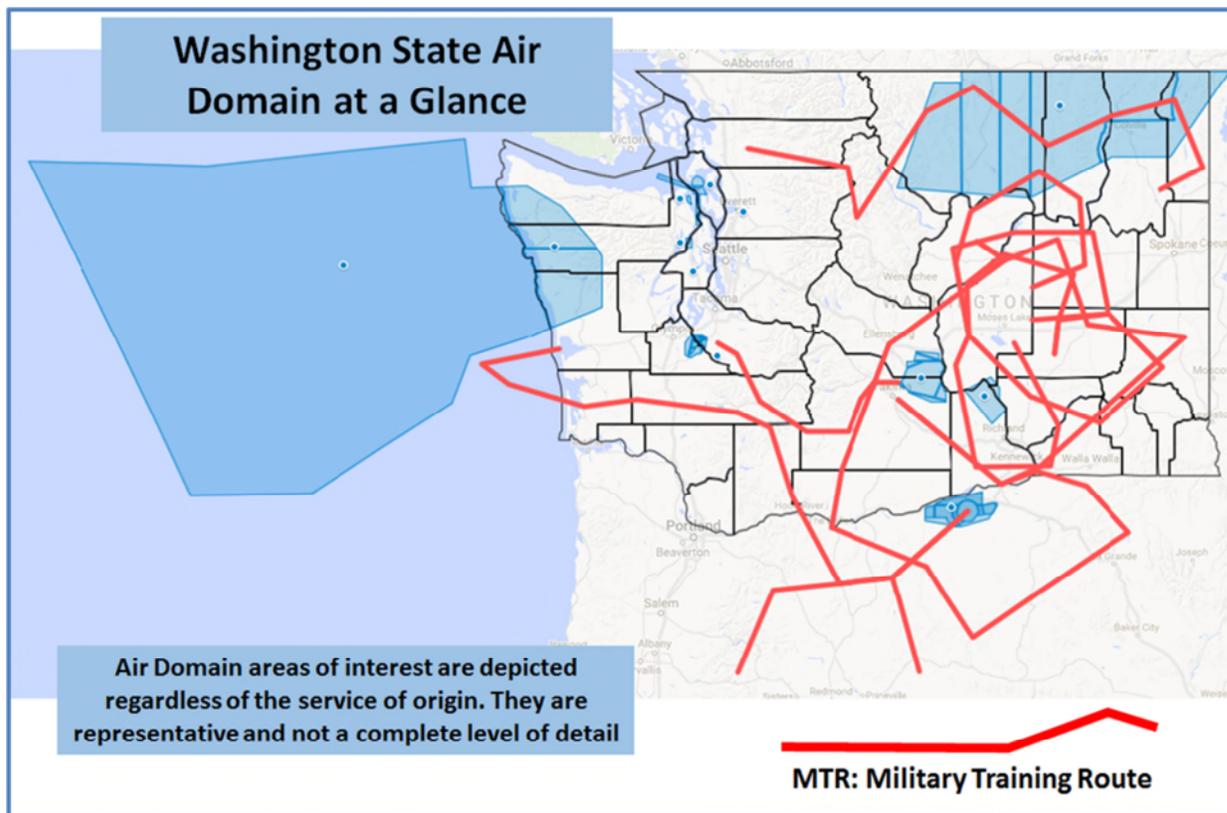
**Figure 4. Maritime Domain at a glance**



**2.3.3** The Maritime Domain areas of interest are on the coast with Quinalt Underwater Tracking Range (QUTR) and various Naval Restricted Areas (NRAs), Naval Operating Areas (NOAs), and security zones adjacent to Naval facilities throughout the Puget Sound area. (The Maritime Domain areas of interest are identified in greater detail at Appendix C).

**2.3.4** The Air Domain areas of interest for compatibility land use issues in the State include Warning Areas, Military Operating Areas (MOAs), Restricted Areas, National Security Zones and Military Training Routes (MTRs) across the State and adjacent waters. Some of these MTRs extend across State boundaries. (The Air Domain areas of interest are identified in greater detail at Appendix C).

Figure 5. Air Domain at a glance



## 2.4 Installation Compatibility

**2.4.1** At the federal-level, the DOD’s Office of Economic Adjustment (OEA) promotes cooperative planning efforts between military and civilian interests through a Compatible Use Program. The Compatible Use Program functions through the use of a strategic plan document called a Joint Land Use Study that includes specific implementation actions that support land use compatibility. A JLUS is a “cooperative land use planning effort between affected local governments and the military installation” which results in policy recommendations that promote civilian-military compatibility.

**2.4.2** The process of creating a JLUS involves the active involvement of civilian and military stakeholders in order to improve communication and collaboration to achieve mutually beneficial land use goals. The completion of a JLUS is dependent upon the participation of a broad range of interests in order to arrive at recommendations that are customized to the local area’s unique characteristics and specific military/civilian needs. Washington’s bases and neighboring communities already participate in JLUS, although Washington State does not have a framework for enforcing JLUS the policy recommendations that are produced by the process.

**2.4.3** Other joint-produced programs exist independent of the JLUS, or may be incorporated within a JLUS—including, but not limited to installation master plans, land/habitat management plans, Installation Complex Encroachment Management Action Plans (ICEMAP or EMAP). The Air Installations Compatible Use Zone (AICUZ) Program is another DOD mechanism to promote compatible land use and minimize impacts to neighboring communities, as well as the Navy and

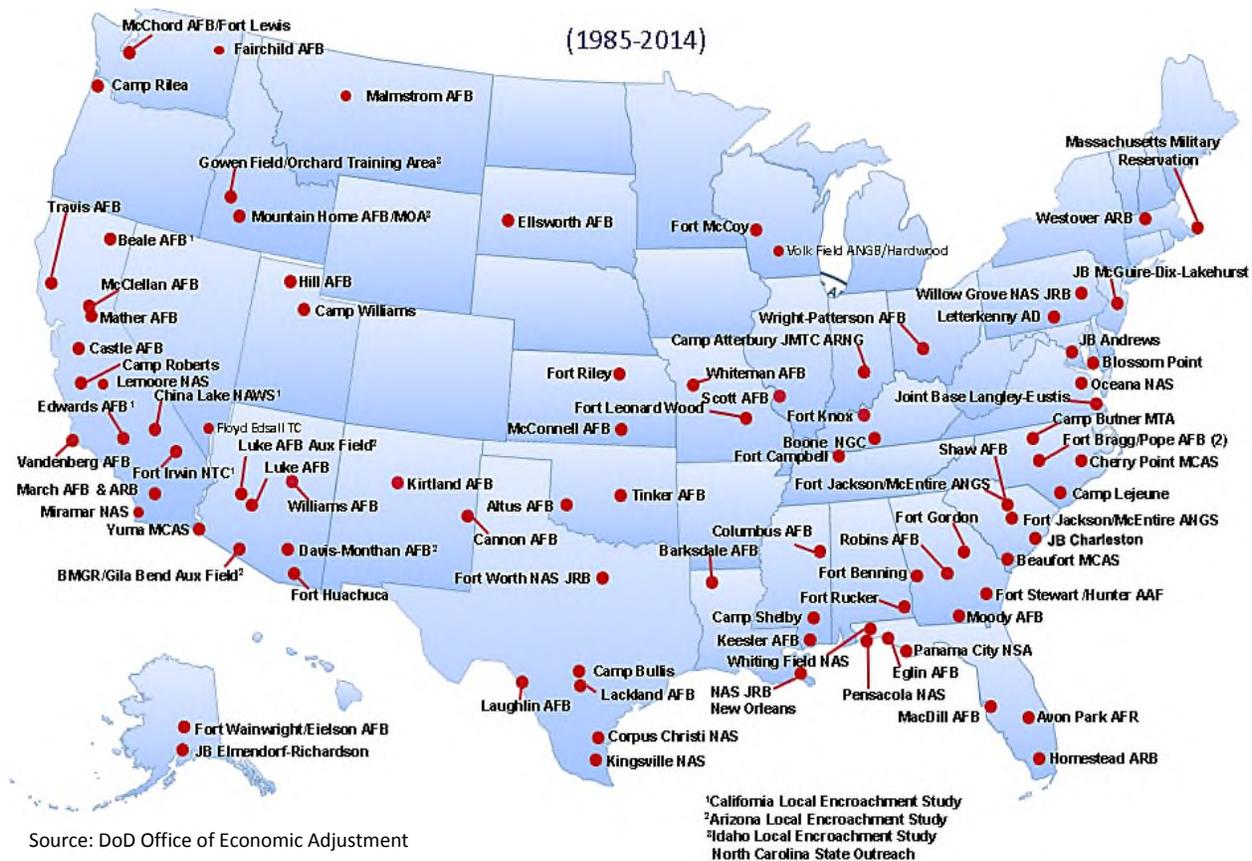
Marine Corps Range Air Installations Compatible Use Zones (RAICUZ) Program and the Army's Operational Noise Management Plan (ONMP) and its Range Management Plan (RMP) Program.

**2.4.4** AICUZ is a tool that outlines appropriate safety and noise buffer areas over and surrounding airfields among the various branches. An AICUZ study is limited in scope to the base but may become a component in a community's more comprehensive JLUS as it identifies multi-tiered zones to guide land use decisions, as is the case also with the RAICUZ, ONMP, and RMP programs.

More than 100 Joint Land Use Studies have been completed since 1985 (see map at Figure 6), including Joint Base Lewis-McChord (JLBM), Fairchild Air Force Base (FAFB), and Naval Base Kitsap and Naval Magazine Indian Island in Washington State. The studies have helped bases and neighboring communities identify innovative means to help support land use compatibility.

**Figure 6. Completed Joint Land Use Studies**

**103 completed since 1985, as of January 2014**



Source: Department of Defense, Office of Economic Adjustment, Compatible Use Program, Joint Land Use Study, [Overview and NAS Lemoore JLUS Background, January 2015](#)

**2.4.5** Some methods have involved establishing overlay zones with special land use regulations that promote compatible uses—such as special height and density restrictions surrounding Fairchild Air Force Base (FAFB). The studies also promote improved means of communication between civilian

and military personnel in relation to land use decisions—this is especially highlighted as communities revise their comprehensive plans, as is the case with JBLM’s JLUS.

**2.4.6** The JLUS has three primary phases: 1) Planning; 2) Conduct of the Study; and 3) Implementation/Execution of the Recommendations. Because of the comprehensive nature of the study and extensive involvement of the military and local government entities, it becomes very labor intensive. The JLUS requires the dedicated participation of all concerned to develop the recommendations and execute the recommended actions to ensure the mitigation and elimination of compatible use issues to the military installation, while simultaneously allowing managed growth in the local community. A short summary of the various JLUS, AICUZ and ICEMAP programs conducted in the State is outlined below:

#### **2.4.7 Fairchild AFB (JLUS – 2009)**

- a) Several strategies and tools were developed and evaluated in the study to ultimately devise the recommended actions to be pursued to prevent encroachment to Fairchild AFB (FAFB). The 17 strategies evaluated include the following key categories:
  - Military Influence Area (MIA) Strategy
    - Define and establish MIAs
  - Comprehensive Plan Strategies
    - Set compatibility policy
    - Create policy on sound attenuation
    - Incorporate military housing needs in local Comprehensive Plans
  - Acquisition Strategies
    - Identify priority locations for acquisition
    - Maintain existing easements
    - Establish Conservation Easement Program
    - Use land and water conservation fund grants
    - Use DOD Easement Partnership Program
  - AICUZ Strategy
    - Implement AICUZ recommendations
  - Aviation Easement Strategies
    - Update aviation easement requirement for Spokane County
    - Update aviation easement requirement for Airway Heights
    - Develop or Update Aviation Easement Programs
  - Bird Aircraft Strike Hazard (BASH) Strategies
    - Modify Spokane County’s zoning ordinance on BASH
    - Modify zoning ordinances for BASH
    - Make BASH a consideration in jurisdiction or agency projects
    - Develop and distribute BASH educational materials
    - Control bird and wildlife attractions near base
  - Fairchild Planning and Operational Strategies
    - Consider flight operations for future missions
    - Update Fairchild AFB General Plan

- Develop public summary for Fairchild AFB General Plan
  - Involve local jurisdictions in defining data needs
- Building Code Strategies
  - Develop sound attenuation standards for new construction
  - Develop sound attenuation standards for existing structures
- Capital Improvement Programs (CIP) / Infrastructure Master Plan Strategies
  - Incorporate compatibility planning concepts in CIPs / Infrastructure Master Plans
  - Ensure adequate transportation infrastructure
- Code Enforcement / Building Inspection Strategies
  - Ensure construction standards for sound attenuation are met
  - Enforce code relative to compatibility concerns
- Communications / Coordination Strategies
  - Establish a JLUS Coordinating Committee
  - Establish procedures for plan review and comment
  - Include Fairchild as part of pre-application review
  - Refer development applications to Fairchild for review and comment
  - Involve Fairchild AFB officials in airport planning
  - Coordinate on school site planning
  - Coordinate other sensitive uses in MIA 4
  - Conduct outreach on education planning
  - Develop and distribute public education materials
  - Include Fairchild Public Affairs Liaison on the JLUS Coordinating Committee
  - Provide technical support for local decision making process
  - Establish and maintain Compatibility Clearinghouse
- Deed Restrictions / Covenants Strategy
  - Provide for deed notification in impacted areas
- MOU Strategies
  - Develop general MOU to implement JLUS process
  - Develop specific MOUs to implement JLUS recommendations
- Real Estate Disclosure Strategy
  - Develop an enhanced real estate disclosure ordinance
- SEPA / NEPA Strategies
  - Refer SEPA documents to Fairchild AFB
  - Refer NEPA documents to local jurisdictions
  - Establish SEPA documentation requirements
- Zoning / Subdivision Strategies
  - Establish land uses allowed in MIA 4
  - Intensify standards for non-residential uses
  - Encourage area planning approach
  - Identify residential zoning expansion limits
  - Ensure FAA Part 77 compliance
  - Develop or update light and glare controls

- Establish a Dark Skies ordinance
    - Modify subdivision regulations / disclosure
  - Other Strategies
    - Maintain existing and pursue additional missions at Fairchild AFB
- b) With the evaluation of these key strategy categories, the JLUS ultimately developed 57 major recommendations, which are depicted within the 17 strategy categories above, and are outlined in detail in Section 5 of the JLUS.
- c) FAFB has a positive working relationship with the planning elements of Spokane County, the cities of Spokane and Airway Heights, and the Spokane International Airport (SIA) which has led to cooperation in establishing balanced zoning heights adjacent to the base and base involvement in SIA's proposed second runway. Additionally, the base has been a cooperating agency in the development of the Environmental Impact Statement (EIS) for the Spokane Tribe Economic Project (STEP), which entails the construction of a new casino in the proximity of the base's aircraft traffic patterns.
- d) Fairchild AFB has worked for years through a variety of programs and plans to achieve compatible development. A number of the programs and plans are listed below:
- Air Installations Compatible Use Zones (AICUZ) Study
  - Fairchild Joint Land Use Study (JLUS)
  - Fairchild AFB Overlay Zones (Military Influence Areas)
  - Fairchild Installation Encroachment Management Team (IEMT)
  - Integrated Natural Resources Management Plan (INRMP)
  - Integrated Cultural Resource Management Plan (ICRMP)
- e) Most recently, in October 2016, Fairchild AFB completed its latest plan that is the Installation Complex Encroachment Management Action Plan (ICEMAP). This plan is the centerpiece of the Air Force Encroachment Management (AFEM) Program and is an installation specific plan that addresses current and potential encroachment, as well as sustainment challenges facing the installation and surrounding communities. The ICEMAP assists the installation leadership in accomplishing the following:
- Preventing encroachment challenges
  - Reducing such challenges
  - Training installation and community personnel
  - Engaging internal and external stakeholders
- f) The Fairchild AFB ICEMAP looked at the following 12 categories and determined that several challenges did exist, in each category, and would require ongoing collaboration and cooperation with the surrounding communities:
- Airspace and Land Restrictions

- Vertical development in the 5 to 10 mile-wide corridor from Fairchild AFB to Deer Park Airport
- Airborne Noise
  - Communities located south of Fairchild AFB and helicopter noise
- Urban Growth
  - Incompatible land use off-base, under easement, in Clear Zone
  - Incompatible land use off-base in Accident Potential Zones
  - Incompatible land use off-base in high noise zones; roadway congestion along U.S. Highway 2 in the immediate vicinity of Fairchild AFB's main gate and near White Bluff
  - Monitoring zoning and development decisions in Spokane County; and population trends under the MOAs and ARs
  - Monitoring on-going relations between JLUS communities
- Frequency Spectrum
  - Maintaining partnerships for NEXRAD National Weather Service and the Federal Aviation Administration for radar services
- Threatened or Endangered (T/E) Species/Critical Habitat
- Air Quality
- Water Resources
  - Firefighting water capacity, and assurance of redundancy and adequacy of water
- Cultural Resources
- Unexploded Ordnance (UXO) and Munitions
- Energy Compatibility and Availability
  - Risk and ramifications of a loss of certain infrastructure
- Security
  - Development near a Geographically Separated Unit
- Natural Factors / Climate Effects
  - Risk and ramifications of a loss of energy supply and other supply-chain shortages that would occur in the event of a major quake to the west

The ICEMAP conclusions stressed that maintaining the continuing positive relationships between the base and the surrounding communities was a major goal of the study and would ensure long-term benefits to both entities in precluding encroachment and promoting managed growth.

#### **2.4.8 Naval Base Kitsap and Naval Magazine Indian Island (JLUS – September 2015)**

- a) With multiple facilities and locations 20 miles west of Seattle, Naval Base Kitsap (NBK) and Naval Magazine Indian Island (NAVMAGII) are considered some of the most complex bases in DOD's inventory.
- b) The JLUS conducted for NBK and NAVMAGII identified several compatibility issues and recommend several tools and strategies to refine the land use compatibility process. The five major compatibility issues analyzed included:

- Communication and coordination
  - Adjacent land uses and infrastructure coordination
  - On-water and shoreline activities
  - Transportation
  - Natural and cultural resources
- c) As a result of the compatibility analysis, several “high priority” strategies and recommendations were presented for implementation consideration. These high priority strategies and recommendations include:
- Community outreach by the Navy
    - Provide updates to elected officials and other stakeholders
    - Increase community awareness of the Navy mission
  - Conservation programs for protecting land use compatibility
    - Publicize climate change / sea level rise
    - Publicize lease and purchase of development rights, easements, and land
    - Publicize Readiness and Environmental Protection Integration (REPI) and other military funding
  - Strategic Coordination among stakeholders
    - Conduct military planning and coordination committee and community workshops
    - Create Memorandum of Understanding
    - Coordinate on growth-Inducing infrastructure
    - Coordinate on tribal cultural resources
  - Regional land use planning
    - Publicize freight routes used by the Navy
    - Publicize and use the Washington Military Alliance
  - Local government comprehensive planning
    - Update local government comprehensive plans
    - Update transportation and parking plan
    - Plan for recreational boating
  - Land Use and Development
    - Develop statutory notice area in the comprehensive plan and development regulations
    - Provide notice for development permits and re-zonings
    - Collaborate to identify potential projects of concern
    - Publicize freight routes used by the Navy
    - Develop coordination and land use overlay zones
- d) In addition to ranking the priorities (high and medium), the JLUS listed specific implementation tasks associated with the priorities, as well as provided task descriptions, responsible parties, anticipated time frames, estimated costs, and funding sources. Regarding funding, mention was made that the capacity of the cooperating jurisdictions to

conduct and complete actions which implement the high priority recommendations is constrained by reduced general funds and limited staff and budgets. Therefore, additional financial assistance would be helpful to implement the high priority recommendations in a timely manner.

#### **2.4.9 Joint Base Lewis-McChord (JLUS – October 2015)**

- a) The Joint Base Lewis-McChord (JBLM) JLUS Compatibility Analysis Report captured one of the most comprehensive lists of compatibility factors that could be considered for evaluation. The list is comprised of the following factors:
- Air Quality
  - Alternative Energy Development (could produce glare, EMI, or tall structures)
  - Antiterrorism/Force Protection (AT/FP)
  - Bird or wildlife air strike hazards
  - Competition for Airspace
  - Drainage/Storm-water
  - Dust
  - Economic Development
  - Frequency Spectrum
  - Ground Transportation
  - Growth Pressures/Future Development
  - Historic or Cultural Sites
  - Housing (lack of adequate off-base private rental housing)
  - Infrastructure Capacity
  - Interagency and Stakeholder Coordination
  - Legislative Initiatives/Authority
  - Light and Glare
  - Noise
  - Public Safety (safety of off-base housing)
  - Public Trespassing/Perimeter Security
  - Safety Zones (air)
  - Safety Zones (training buffers)
  - Threatened and Endangered Species (requires protection and could reduce training flexibility)
  - Vertical Obstructions
  - Vibration
  - Water Quality
- b) The core set of issues addressed in the compatibility analysis consisted of seven major issues, which consisted of:
- Urban Growth
  - Aircraft Safety
  - Noise from Military Operations

- Threatened and Endangered Prairie Species and Habitat
  - Regional Transportation Impacts
  - Trespass and Unauthorized Access to JBLM Range and Training Areas
  - Communication and Coordination
- c) A summary of the conclusions from the compatibility analysis of these seven major factors is outlined below:
- Urban Growth
    - Prohibit additional urban growth within the McChord Field North CZ
    - Direct urban growth away from high noise areas and APZs, where feasible
    - Avoid significant growth in the Thurston Highlands Master Planned Community if it represents potential incompatibility
  - Aircraft Safety
    - Existing non-conforming incompatible uses in the McChord Field North CZ represent the most critical encroachment issue facing JBLM
    - JBLM should seek federal, state, and local funding to resume property acquisition efforts in the McChord North CZ
    - In APZ II, medium and high density residential uses in Tacoma and recreational uses in Lakewood are categorized as incompatible
    - Jurisdictions should seek to phase out incompatible uses in APZs through zoning, property acquisition, and public facility siting decisions
  - Noise
    - Areas in Lakewood and Tacoma near I-5 are zoned for residential, mixed use, and recreational uses are categorized as incompatible or conditionally compatible
    - Incompatible or conditionally compatible land uses in the JBLM large weapon noise zones include Roy, parts of Yelm and DuPont, the Nisqually Indian Reservation, and parts of the urban growth area in unincorporated Thurston County near Lacey
  - Endangered and Threatened species and Habitat
    - Listed species requirements limit the scope of training on JBLM training lands
  - Transportation
    - Continuation of current and exploration of new solutions for JBLM-related and other traffic are needed, particularly as it affects local road networks
  - Trespass and Unauthorized Access to JBLM Range and Training Lands
    - The continuing management of access to training lands will limit trespass and competition for access to military training lands while maintaining legitimate compatible recreational uses
  - Communication and Coordination
    - Communication and coordination among JLUS partners are critical for the implementation of compatibility recommendations
- d) Naval Station Everett (NSE) and Naval Air Station Whidbey Island (NAS Whidbey Island) have not completed JLUS studies, and it would be advisable that these studies be requested and completed in the near future. The completion of these studies would not only help to identify

and mitigate any encroachment issues at these locations, but would ultimately contribute to increasing the military value of these key naval facilities. However, NAS Whidbey Island did complete an AICUZ Study Update for Ault Field and Outlying Landing Field Coupeville in March 2005. A further AICUZ update could be included in a JLUS study that would bring all aspects of land use compatibility issues up to date.

#### **2.4.10 NAS Whidbey Island (AICUZ Study Update – March 2005)**

- a) Naval Air Station (NAS) Whidbey Island's Ault Field and Outlying Landing Field (OLF) Coupeville were the subjects of an Air Installations Compatible Use Zones (AICUZ) Study in 1977, which was later updated in 1986 and March 2005. The primary goal of the DoD's AICUZ Program is to protect the health, safety, and welfare of those living near a military airfield while preserving the operational capability of the airfield.
- b) Under the AICUZ Program, the DOD identifies noise zones as a land use planning tool, as well as identifying Accident Potential Zones (APZs) where an accident is most likely to occur. Ultimately, land use development should be compatible with noise zones and APZs around a military airfield. Both the DOD and the Federal Aviation Administration (FAA) also encourage local communities to restrict development or land uses that could endanger aircraft in the vicinity of the airfield including the following:
  - Lighting (direct or reflective) that could impair the pilot's vision;
  - Towers, tall structures, and vegetation that penetrate navigable airspace or are to be constructed near the airfield;
  - Uses that would generate smoke, steam, or dust;
  - Uses that would attract birds, especially waterfowl; and
  - Electromagnetic interference with aircraft communications, navigation, or other electrical systems.
- c) As a part of the March 2005 AICUZ update at NAS Whidbey Island a noise study was conducted to plan for the transition from the EA-6B aircraft to the new EA-18G aircraft that would present modest changes to the noise contours.
- d) Based on the study which involved the Navy, local governments, the public, real estate professionals, and local businesses, the following recommendations were made to ensure compatible development and the continuation of the NAS's operational mission while precluding potential encroachment resulting from changes in land use controls and zoning regulations:
  - Maintain a Community Plans and Liaison Officer (CP&LO) in the continued implementation of the AICUZ program at NAS Whidbey Island.
  - Continue the extensive public awareness and intergovernmental coordination and cooperation in AICUZ implementation with local, regional and State government agencies.
  - Seek the update of current local planning and zoning ordinances to reflect compatible land use recommendations for APZs as outlined in the study.

- Support maintaining current aircraft noise related compatible land use and zoning provisions, reflected in land use and zoning provisions and contours, as currently enacted by Island County and the City of Oak Harbor.
  - Seek implementation of AICUZ land use compatibility recommendations with the Town of Coupeville.
- e) The recommendations from these completed JLUS, AICUZ, and ICEMAP studies contain certain recommendations (e.g. acquisition of buffer properties; need for outreach programs and enhanced communications among the key stakeholders; a requirement for state-level funding to adequately resource the studies and facilitate the implementation of the priority findings and recommendations, etc.) that are consistently and clearly articulated. As such, many of these key recommendations have been incorporated in this study's list of recommend actions contained in the Findings and Recommendations Section of this report (Section 4).

## **2.5 The State's Role**

**2.5.1** Compatible development with military installations can be achieved if local, county, and state governments coordinate their efforts with their military installations and visa versa in order to promote and achieve compatible use. The National Governor's Association (NGA) Center for Best Practices developed a guide of planning tools and policies to encourage compatible development near military installations and recommended a combination of the following approaches and tools:

- a) General plans and zoning codes that encourage compatible development around military installations
- b) State growth and development policies that discourage encroachment
- c) State legislation specifically aimed at preventing encroachment
- d) State and local capital expenditure policies that direct growth away from military installations
- e) DoD financial and planning assistance
- f) Conservation partnerships

**2.5.2 General Plans and Zoning Codes:** Although a local tool, implementation of general, comprehensive plans through zoning and the commencement of capital improvements can have negative, albeit unintentional, impacts on military installations. To minimize land use compatibility issues, planners and community leaders must carefully consider the missions of local installations, as well as adjacent maneuver training lands and ranges. To ensure compatible growth with military installations, several of the JLUS and AICUZ studies completed in the State have recommended that certain study findings and recommendations be incorporated into the local municipalities' comprehensive planning documents, as well as Countywide Planning Policies (CWPPs). A statewide

effort to codify the incorporation and implementation of these findings and recommendations would greatly facilitate the prevention of encroachment.

**2.5.3 State Growth and Development Policies that Encourage Compatible Growth:** The State can also help achieve compatible use by directing growth and development away from problematic locations by requiring consistency in local, countywide and statewide development and land-use policies. Several states have achieved this through the designation of “Areas of Critical State Concern” or “Regionally Important Resources” whereby the state can review and revise local government comprehensive plans and land development regulations to ensure that these areas are adequately protected.

- a) The Department of Commerce Phase 1 Report specifically recommends a two-tiered approach to designating the State’s “Military Influence Areas” thus promoting compatible use. The first-tier area would align with the bases existing standard designations like clear zones, safety zones, and other defined zones adopted around the individual bases. The second-tier designation would identify a broader area of influence based on the installation’s potential expansion capacity and would require an assessment of the base’s land, air, water and infrastructure long-term needs.
- b) The official designation of a special district or overlay zone provides local jurisdictions with a clear sense of areas that are suitable for set-asides of natural areas or conservation land; acquisition of easements; land purchase or lease; transfer of development rights; potential site-clearance; or restrictive zoning and development regulations. All of which will help achieve compatible growth with the State’s military installations in the near-term and the long-term.
- c) These “Military Influence Areas” would provide official recognition and would highlight the importance of land around the State’s individual military installations by requiring that they receive special consideration by the local areas when comprehensive plans and zoning regulations are developed and updated. Property under military training routes could also qualify as “Military Influence Areas” as they often are subject to the same noise and potential accidents as properties within close range of the State’s military installations. The air routes used by the military to train are of particular interest because they are often spread geographically across the State and well beyond the local jurisdictions. The State is in the best position to preserve the integrity of these training routes because of the opportunity to implement policies that have a statewide impact.

**2.5.4 State Legislation Specifically Aimed at Encouraging Compatible Development:** Approximately 22 states have enacted land-use related laws to address compatible use or encroachment concerns. The three categories that these laws fall under include: Land-Use Planning, Notification of the Military, and Land Conservation.

- a) With the adoption of the Growth Management Act (Chapter 36.70A RCW) by the State Legislature in 1990, the State and local governments are required to manage the State’s growth by identifying and protecting critical areas and natural resource lands, designation

urban growth areas, preparing comprehensive plans and implementing them through capital investments and development regulations. Known as the GMA, the Growth Management Act was adopted as it was found that uncoordinated and unplanned growth posed a threat to the environment, sustainable economic development, and the quality of life in the State.

- b) In 2004, the GMA was amended (RCW 36.70A.530) to include a provision that discourages civilian land use decisions that are incompatible with the ability of military bases to carry out their missions. In addition to their missions to safeguard safety and national security, the GMA's military provision is an acknowledgment of the importance military facilities have for the economic welfare of Washington.
- c) Although this amended portion of the GMA significantly enhanced the State's ability to assist in promoting compatible use and preventing the encroachment of its military installations, it currently does not totally preclude the opportunity for encroachment. Modifications to the GMA (RCW 36.70A.530) should be considered to achieve the following:
  - Add more specific and restrictive language on county and city obligations
  - Provide a clear definition of incompatible development and encroachment
  - Develop procedural requirements for consultation with the State's military installations
  - Establish a requirement to specifically address the military installation's concerns
- d) Additionally, State agencies can use their authorities and programs to be intermediaries between the federal regulatory agencies and the military to assist in resolving land-use conflicts. The State agencies can also provide technical assistance by sharing data and proactive planning. Examples include the Department of Health's assistance on drafting water systems plans under the EPA's Safe drinking Water Act for installations, and the Washington Department of Fish and Wildlife supports implementation of Habitat Conservation Plans under the USFWS Endangered Species Act. The State agencies also can assist through use of their data and outreach resources to assist in public participation and communications to secure community input and support.
- e) Also, the State Environmental Policy Act (SEPA) developed a comprehensive checklist for projects with the purpose of ensuring the protection of resources and land-uses, and to make the ultimate determination whether the project would warrant the preparation of an Environmental Impact Statement (EIS). Although many of the checklist items connect with potential military compatibility issues, there is no specific mention in the checklist that refers to or addresses the impacts on military installations or their training facilities and ranges.

### **2.5.5 State and Local Capital Expenditure Policies**

- a) Another approach to achieve compatible use is to avoid spending State funds in a way that encourages incompatible development around its military installations. This strategy could involve the issuance of Executive Order by the Governor that would limit state funding that encourages incompatible development. State funded or subsidized projects such as public roads, schools, and water and sewer infrastructure often result in significant growth around

these areas of improvement. A potential redirection of these funds would, in fact, assist in ensuring growth was compatible.

- b) Conversely, many states are investing heavily in infrastructure projects inside and outside the fence-line of their military installations in order to enhance their ability to perform their mission. Washington State has invested heavily in these added-value infrastructure projects as evidenced by the Washington State Department of Transportation's (WSDOT's) investments in the JBLM vicinity to ensure its positioning as a premier Power Projection Platform for the DoD.

**2.5.6 DoD Financial and Planning Assistance:** The State's Department of Commerce has been very aggressive in securing significant funding from the DoD's Office of Economic Assistance (OEA) to conduct numerous assessments and studies, such as this report, to enhance all aspects of the State's military installation and defense sector readiness and growth potential.

### **2.5.7 Conservation Partnerships**

- a) The State is a national leader in conservation initiatives, led by the Washington State Conservation Commission (SSC) and its 45 conservation districts. An interesting program that a Washington State military installation has taken the lead in is the Sentinel Landscapes Partnership. This program is a partnership between the Departments of Agriculture, Defense, and the Interior, as well as state, local, and private groups.
- b) The program was started in 2013 and the first military installation selected for participation in the program was JBLM. The purpose of this conservation program is to:
  - Benefit farms, ranches, and forests
  - Preserve habitat and natural resources
  - Protect vital military testing and training activities
- c) JBLM was chosen as the first base for this innovative program because of its fragile prairie ecosystem, which supports three species, recently listed under the Endangered Species Act – the streaked horned lark, the Mazama pocket gopher and the Taylor's checker spot butterfly. The South Sound Prairie partners continue to support JBLM in this innovative conservation effort, and together they hope to ensure the viability of JBLM's mission, the imperiled species, and the working agricultural land in the South Puget Sound.
- d) With the tremendous success of this first Sentinel Landscapes Partnership, the Departments of Agriculture, Defense, and the Interior continue to add new DoD bases and ranges to the program benefitting all participants at the federal, state, and local levels while ensuring civilian-military land-use compatibility.

**2.6 Process Map:** The following process map outlines the workflow and planning timelines in the steps involved in Washington State compatible use planning and a more detailed version is included in the appendices.

**Figure 6. Processes for Proposals to Change and Update Comprehensive Plans and Land Use Codes**



### 3. Gap Analysis

**3.1 Overview:** Our study of current compatible use practices in the State of Washington is intended to provide tools and best practices from other states and insights and observations from our research and analysis, which promote effective collaboration, partnerships, and continuous communication. It is intended to identify current gaps between the goal and the practice, which lead to the best possible outcomes for all three of the major elements described earlier – the military value of each installation, the need for strong economic development and growth at the local community level, and the need to sustain the value of the environment and natural resources. This section will analyze the current state of compatible land use processes, and roles of associated state agencies, with special focus on Education/School Siting, Transportation Infrastructure, Energy Siting, Environmental and Cultural resources and other areas. Washington State has taken a cutting edge approach in the Growth Management Act and in a number of other strategic planning initiatives to create a strong administrative structure in which to manage and resolve compatible use issues. However, there is always the potential to do more, and prudent to reassess on a continuous basis. This will ensure that compatible use planning is matched by the capacity to enforce state policies and implement a long term approach to these dynamic civilian-military partnerships in the face of significant growth in population economic development, transportation, education, and energy requirements, and the uncertainty of the state’s budget.

**3.1.1** A typical comment from a senior planner in a community highlighted the following concerns: “Planning things seem to come together at the regional level OK. Since WMA creation, it’s gotten better. Not so much improvement at the local level since cities still can do whatever they want. State seems to lack a consistent funding strategy for how to deal with its military installations.”

**3.1.2** Another common theme is concern about the ad hoc system or serendipity of communications between bases and communities (and other stakeholders) versus the presence of a structured approach to sharing information. An example comment was “Information sharing is personality dependent. If we didn’t have such a great team and relationships at JBLM, we wouldn’t know what the military requirements are.”

**3.1.3** There is general concern about who is responsible to enforce JLUS and other compatible use planning documents mechanisms. Several examples were cited of either ignorance of restricted areas or confusion about who should adjudicate these issues. One comment noted: “Property owners were not aware of the zoning requirements in the APZs and CZ...Day care and adult family homes are exempt from local control, yet can be built in air corridors and create problems...[We should] Have state not allow schools to grow if they are in buffer areas or flight corridors or zones.” There is broad support for the planning process, proven in the teamwork between bases and communities in creating JLUS or in meeting as necessary, but equally broad concern that the process does not lead to resolving compatible use issues with a clear sense of the role of the state as a final authority.

These are the major areas we focused on in our gap analysis:

**3.2 Public Lands:** State-owned public lands and waters are in some instances also providing training areas for the military, as well as serving as protected areas to abate incompatible land uses that could threaten training missions. The Army and the Navy are using DoD's Readiness and Environmental Protection Integration (REPI) program funding and partnering agreements to secure enhanced protection and restoration of state-owned public lands.

**3.2.1** The Department of Natural Resources (DNR) manages over 5.6 million acres of forest, range, agricultural, aquatic, and commercial lands and is collaborating closely with the US Navy on Puget Sound's Hood Canal. They are working on compatible land use agreements for expanding public lands and the long-term leasing of aquatic lands that provide for the Navy's training and testing requirements. The DNR aquatic lands program has worked with the Navy at Bangor to implement leasing programs for the use of bedlands within Jefferson County. In these bedlands leases, the Navy pays for long-term use of these areas to abate incompatible shoreline development that could impede naval testing. DNR also participated in a Joint Land Use Study (JLUS) in Kitsap County and is now implementing the JLUS recommendations by advancing new leasing efforts on the Kitsap County side of Hood Canal.

**3.2.1** DNR also engages in increasing public land ownership through the expansion of Natural Area Preserve sites to protect lands that harbor significant biodiversity, which are also valuable to the Navy by limiting incompatible shoreline development. Both the leases and land protection efforts are cost-shared through an Encroachment Partnering Agreement between the Navy and DNR that is funded through the REPI program. This is a great example of how environmental and natural resource protection and military-civilian compatible use can be very complementary.

**3.2.2** The Washington Department of Fish and Wildlife (WDFW) protects and restores wildlife areas, manages fish and wildlife populations and provides technical assistance to the Army. WDFW and DNR work with the Army at JBLM to abate land use compatibility conflicts by protecting and enhancing public lands they manage as rare prairies habitat. DNR manages Natural Area Preserves and WDFW manages and protects Wildlife Areas that provide prairie habitats. These state-owned public lands provide refuge to listed species with a goal to keep JBLM from being the last remaining site for such species, which can result in limiting the use of JBLM's training lands to comply with the Endangered Species Act. Both DNR and WDFW are cost-sharing partners on an Army Compatible Use Buffer (ACUB) conservation agreement. DNR and WDFW use ACUB funds to manage and enhance stewardship of current public land holdings. In addition, WDFW uses ACUB to protect and expand upon the current Wildlife Areas in the South Puget Sound region to supplement for habitat requirements.

**3.2.3** The Washington State Parks and Recreation Commission (PARKS) manages over 120,000 acres as 125 state parks across the state and provides more public access to shorelines in Puget Sound than any other agency. Many large state parks on Puget Sound are former coastal defense sites and military bases. Due to the strategic locations of these parks, the Navy has been a partner in compatible use efforts and secures right of access permits to engage in limited training activities. PARKS collaboration with the Navy have resulted in the use of REPI match funding to expand a state park on Hood Canal whose future management could have been incompatible with Naval training and public recreation. The Navy's REPI funds were used to fund the purchase through securing a

protective easement that removed development rights, while allowing for public access and the protection of salmon habitat.

**3.2.4** State-owned public lands and waters are valuable for sustaining training missions and ensuring that strategic areas are protected is a high priority for the Army and Navy that collaborate on finding areas of mutual benefit with natural resource agencies. Current efforts have resulted in the state securing increased acreage of protected areas that are valuable to the environment and other public uses. The Army and Navy are investing and cost sharing in expanding or protecting public lands from development through leases and in fee purchases. In the case of the Army, cost-share funding is also provided to restore and enhance habitats. In these agreements, the state is responsible for providing either long-term land management actions, as in WDFW with prairies habitat stewardship, while DNR is agreeing to be responsible for monitoring for incompatible use violations on Hood Canal. Agencies have expressed that their collaborations are providing great value for public recreation and the conservation of public lands and waters. Challenges include ensuring that state agencies have the resources to manage these public lands and waters as well as securing sufficient capital budgets from current conservation programs to continue to cost share on protecting new sites through land purchases.

### **3.3 Education/School Siting**

**3.3.1** The State of Washington Department of Education faces multiple challenges in dealing with military installation compatible use issues. These can range from unpredictability about large change in student enrollments throughout the school year based on a military personnel system that is not always linked to a school year to differences in Department of Defense Dependents Schools (DoDDS) and Washington state school standards. For example, when a large US Navy ship like a destroyer, crewed by three hundred personnel – most with families - arrives for permanent berthing at Naval Base Everett there is a ripple effect on the local school systems. This is manifested by increasing demand on local education facilities, teachers, administrators, and other unfunded educational resources. When an Army brigade of over three thousand soldiers is taken out of the force structure at Fort Lewis it has an equally disruptive effect on the State Department of Education. It can create unused facilities, laid off education staff and teachers, and other second order effects on the long range planning in the Department.

**3.3.2** Our research and on-site visits suggested that the Department of Education makes adequate adjustments and local adaptation takes place in relatively short order. The Department has become used to receiving large numbers of new students every year from around the world in this unique military family set. They bring a highly diverse population of varied curriculum experiences, different standards and accreditation, and significant demographic diversity. The only other example we heard that is related to education and to a larger issue of incompatible use was a school building that was razed and then rebuilt in an APZ. This speaks to a larger issue of enforcement and disclosure laws, and calls for closer collaboration between the local school district, the installation, and the community planning staff.

**3.3.3** In the main we heard no significant negative comment from any of the military installation planners in their discussions of Department of Education or local school district support. The

relationships were described uniformly as positive and supportive. This broad affirmation of the Department speaks well of the effort that it provides to military families and to its own indirect contribution to compatible use planning and execution in a rapidly changing context. It is an area of notable support that should be reaffirmed and commended.

**3.4 Transportation Infrastructure Development:** Washington has a tiered approach to transportation planning that works well given several difficult constraints in planning.

**3.4.1** The State recognized the importance of transportation infrastructure in comprehensive planning in the Growth Management Act. The Washington State Department of Transportation (WSDOT) emphasizes collaborating with communities and other stakeholders when planning transportation, and also recognizes the importance of integrating transportation as a key factor in land use planning. WSDOT has a long-range statewide transportation plan that is being updated to reach through 2030, as well as a shorter-term strategic plan. Highways of statewide significance are principally planned for at State level but with coordination with local authorities.

**3.4.2** Regional Transportation Planning Organizations (RTPOs) plan for regionally significant highways. Because the Highway System Plan (2007-2026) is under revision, and Regional and Metropolitan Transportation Plans (RTPs and MTPs) sometimes contain projects that are financially unconstrained. Planners must work closely with WSDOT and among stakeholders to coordinate plans. Since Metropolitan Planning Organizations (MPOs) and RTPOs make their own decisions regarding what projects to complete in their plans, timely and accurate communication between the various transportation planning entities, as well as community and military base planners, is critical.

**3.4.3** While the efforts of the transportation planning community are laudable, there is recognition that improvements in transportation and land use planning are desirable. Specifically:

*“WTP 2035 recommends further strengthening policy and planning linkages between land use development and the transportation system. A continued focus on integrating land use and transportation decisions over time will help bring about more proximate location of jobs, housing, and essential services. This will reduce the need for some automobile trips, and will make many other auto trips shorter. It will make public transportation, bicycling and walking more attractive choices for many trips, and will reduce the per-passenger cost of providing public transportation service.”* (WTP 2035 Executive Summary, page 4-<https://wtp2035.files.wordpress.com/2015/01/executive-summary1.pdf>)

Regarding the specific issue of integration of compatible use planning of transportation systems around military bases, there are two principle issues that inhibit the effort. One issue is solvable, the other is probably not, and certainly not in the short term by the State.

**3.4.4** The solvable issue is that of communication. In some cases, community and transportation planners have insufficient information from military bases. Current and planned numbers of employees, approximate locations where they live, and commuting patterns are all critical pieces of information that drive transportation planning, and in some cases were not available. Communication to acquire this kind of information is most often achieved through personal

relationships between stakeholders and often lacks a systematic method of sharing. We also concluded that in some cases military authorities may underappreciate the important role that their information should play in State, regional, and metropolitan transportation planning. That is not to say there were not superb examples of cooperation and information sharing. For instance, Joint Base Lewis-McChord opened two new gates, and built an internal road to improve internal traffic flow to take stress off of the I-5 corridor. Naval Base Kitsap, and specifically Bremerton, was cited as working closely on transportation issues as well. However, understanding of the importance of military information on transportation planning did not appear to be universal, and the State would benefit from an outreach effort to military planners and leaders on the criticality of their information and how the military and echelons of transportation planners should work together for mutual benefit. Likewise, military representation on RTPOs was not completely inclusive of all bases within that region, and presentation of military growth and reductions was not a comprehensive or regularly scheduled agenda item. Therefore, transportation planners did not necessarily have some highly valuable information to consider in their planning process. In addition to an outreach effort to the military, inclusion of military representatives from all the bases as non-voting members on RTPOs seems like another feasible method to ensure there is more systematic information sharing.

**3.4.5** The unsolvable issue is that of timeliness of information regarding changes on military bases. Specifically, a number of sources indicated notification of major changes of military base populations was too short to react and implement necessary changes in the transportation network. The relatively long lead time for transportation system adjustments, combined with the relative uncertainty of military budgets, force structure, stationing and home porting decisions, and the dynamic nature of military requirements, make this issue unsolvable. Accurate, predictive, long-term information from the military on base populations and demographics is unlikely to become available in the foreseeable future. Therefore, there will be a lag between military base changes and the ability of the transportation infrastructure to adapt to new needs. However, optimizing communication by improving participation in the process and better understanding of the transportation and land use planning systems could mitigate the inherent lag to some degree.

## **3.5 Energy Siting**

**3.5.1** Energy infrastructure siting that ensures military bases have reliable and sufficient energy is an important factor in compatible development. Washington State has a dynamic electricity industry that is adapting to changes in generation, transmission, and distribution technology. However, the system is relatively stable and has few changes that significantly affect compatible use planning or execution between the military and electrical utilities.

**3.5.2** Washington State's abundance of hydroelectric power and historically low natural gas prices provide military bases in Washington State exceptionally affordable electricity. The State Energy Office and Growth Management Services staffs cooperate to promote integrating energy into land use and transportation planning. The Washington Utilities and Transportation Commission (UTC) regulates private, investor-owned electric and natural gas utilities in Washington. The Energy Facility Site Evaluation Council (EFSEC) provides a "one-stop" siting process for major energy facilities.

**3.5.3** The EFSEC is a Washington State agency led by a Chair appointed by the Governor, plus agency directors, administrators or their designees, and appointees from local governments. While there is no provision for DoD military bases to participate as Council members, military bases can provide input into the process regarding energy facility siting.

**3.5.4** The Council's responsibilities include siting 350 megawatts or greater power plants and their dedicated transmission lines. Energy facilities that exclusively use alternative energy resources (wind, solar, geothermal, landfill gas, wave or tidal action, or biomass energy) can opt-in to the EFSEC review and certification process. EFSEC's authority does not extend to hydropower plants or thermal electric plants that are less than 350 megawatts.

**3.5.5** The siting process begins with an application submittal, and includes review by independent consultants, SEPA scoping, and an Environmental Impact Statement (EIS) process, which ensures projects are fully vetted and that there is opportunity for public comment (including the military). It includes a hearing process, to include public adjudicative hearings to resolve issues before achieving a final EIS. There were no issues identified in our research to indicate the siting or electrical generation or transmission infrastructure was a major concern for military installations. There was one case where a proposal for transmission lines to cross a military base was in negotiation, however the base staff felt that an amenable solution would be reached and that process was suitable for handling these kinds of issues.

**3.5.6** Siting of renewable energy was the only significant issue regarding energy and compatible use that was raised by a military base. As previously mentioned, these projects do not mandatorily fall into the EFSEC siting process. In this case, there were concerns that a wind generation and transmission proposal could be a hazard to military aviation training and aircraft transit. However, the DoD Siting Clearinghouse is a mechanism available to military bases to address these kinds of concerns. DoD established the Siting Clearinghouse to coordinate a comprehensive mission compatibility evaluation process for energy projects. The process provides analysis to identify the mission impacts from energy development projects to prevent, minimize, or mitigate adverse impacts on military activities. They are the single point of contact for Federal agencies, State, Indian tribal, and local governments, developers, and landowners, and provide a central forum to resolve siting issues. While the Clearinghouse process is relatively new, to date it appears a suitable method of ensuring projects are compatible with military mission requirements, and we judge no further State action or processes are needed at this time.

**3.6 Environmental and Cultural Resources:** Washington state agencies collaborate closely with military installations in fulfillment of their roles and responsibilities related to natural and cultural resources protection, management and stewardship. Natural and cultural resource agencies collaborate with installations to manage resources related the land, airspace and waters in Washington and to engage in mutually-beneficial partnerships where agencies and the military seek to formally protect and, or manage lands to protect them from encroachment to military missions. (See table A for summary list of agencies, roles & partnerships.) The USCG is especially noted as a Mission Support Partner to many state agencies due to close working relationships in coastal waters enforcement, training and oil spill response measures roles.

**3.6.1** Agency roles and working relationships with military installations can be summarized as providing: Regulatory-Advisory Guidance, Collaborative Encroachment Partnering, Mission Support Services, Technical Assistance and Conservation Funding Program Support

**3.6.2** Descriptions of these roles and examples include:

An example of an agency with a significant *Regulatory-Advisory Guidance* role is the Department of Archaeology & Historic Preservation (DAHP) that is responsible for performing a federally mandated and federal cost-sharing role as the State Historic Preservation Officer for Washington State. The DAHP works with every installation and the USCG to review all activities for compliance with Section 101 of the National Historic Preservation Act. The activities reviewed range from developing housing, divesting of buildings or reusing a historic building on a military base, to reviewing training activities that use lands and shorelines and may use and adversely impact cultural sites, with a keen focus on tribal archeological and cultural sites.

**3.6.3** The Department of Naturel Resources (DNR) and the Department of Fish and Wildlife (DFW) both engage in formal *Collaborative Encroachment Partnering* activities with installations. These agencies are cosignatories in agreements with the Department of Defense through the Navy via an “Encroachment Partnering Agreement” and the Army via the “Army Compatible Use Buffer” program. These natural resource agencies engage in active partnerships to seek mutually beneficial solutions to incompatible development issues faced by JBLM and Naval Base Kitsap on Hood Canal by protecting, managing and stewarding lands and waters. DNR works with the Navy and local partners to protect and manage lands and waters on Hood Canal in a compatible manner that will sustain the Navy’s ability to train while providing public benefits such as sustainable forestry, increased parklands, protected shorelines and species. DNR and DFW collaborate with the Army at JBLM and local partners to manage and protect prairies and listed species that assist the Army in limiting its use of training lands that provide habitat to such species.

**3.6.4** Numerous agencies are engaged in *Mission Support Services* with the US Coast Guard, whereby the agencies’ mission require the active participation of the USCG. Such agencies include the Department of Ecology, DFW, DNR and Puget Sound Partnership. In these examples, the USCG is considered essential to fulfilling the oil spill threats planning, preparedness drills and implementation of oil spill response plans as well as inspecting ships for discharges into inland coastal waters. In addition, the USCG and DFW collaborate on enforcement training and actions while patrolling coastal waters.

**3.6.5** There are agencies that provide *Technical Assistance* to installations in fulfillment of federal regulatory programs. While state agencies are not responsible for regulating federal lands that include military installations, state agencies can have authorized roles to provide technical assistance and approval to fulfill a federal requirement. An example is the Department of Health being responsible to work with installations on crafting water system plans under the federal Safe Drinking Water Act and US Environmental Protection Agency (EPA) regulations. This water system plan is a form of technical assistance provided to ensure that installations have safe and clean drinking water. In addition, DoH can facilitate and provide grants to installations to implement such

plans. The Department of Ecology will have to approve such plans and ensure the installation is responsible for following and complying with EPA water regulations.

**3.6.6** A final role that state natural resource agencies play in land use issues is to provide *Conservation Funding Program Support* to protect, manage and steward lands, waters, airspace and natural resources as well as to hold and manage lands in perpetuity to abate encroachment threats from incompatible development. Such agencies and land protection programs include the Washington State Conservation Commission's *Farmland Preservation Program* and the Recreation and Conservation Office's *Washington Wildlife and Recreation Program* and the *Salmon Recovery Fund*. Agencies such as State Parks and Recreation Commission, DFW and DNR own and manage lands that have been protected to ensure that land uses continue that are compatible with the military's training mission. Finally, while Department of Veterans Affairs (DVA) is not a natural resources agency, the DVA administers a program called the Veteran's Conservation Corps that assists natural resource agencies, land trusts and military installations by providing land stewardship and species monitoring services to address encroachment threats on training lands from declining and listed species.

**3.6.7** Within all interviews with natural and cultural resources agencies there was expressed both a need and a willingness to engage in more communications and coordinated planning with the military. Fostering improved and consistent communications would allow state agencies to be more efficient in fulfilling their roles, especially as they relate to providing regulatory and technical assistance. Cooperating on landscape level planning was also requested by agencies in order to be more effective in determining how to incorporate a military installation's needs into work plans and budgets as well as to envision how to define and develop compatible land use projects.

### **3.7 Other areas**

**3.7.1** Just as an increase or decrease in military populations at the Washington State bases affects education facilities, transportations, and energy sources, it often has a bearing on local housing. An example of a community that is addressing this head on is the leadership at Island County, which faces a significant increase over the next several years in military personnel at Naval Air Station Whidbey Island. In response to that development, county leaders have formed an affordable housing task force. "The group will be tasked with coming up with specific recommendations for the elected officials in a six-month timeframe" according to an article in the Whidbey News-Times. "Possible ideas that the task force may investigate are tax or fee rebates, zoning changes and the streamlining of permitting." (<http://www.whidbeynewstimes.com/news/393319241.html>). This is a good example of how long term community planning continues to strike the balance between the military value of adjacent installations while sustaining economic development and environmental concerns.

**3.7.2** There is a legitimate question as to whether there is an additional role for Washington State in providing funding when a known increase (or decrease) changes the capacity of the local community to adapt. On more than one occasion city planners, largely in rural communities, told us that their limited discretionary revenue precluded their ability to deal with an un-forecasted compatible use event. They are also concerns regarding unfunded mandates for other State

requirements. One example comment from a local city planner was: “Someone at the state has to properly manage state assets. E.g. Highway X, build by the State to support the base, but now the city is being required to maintain the road, which is a national security asset built by the state. State and Federal facilities have to be funded and maintained by the folks that built them.” There is merit in considering some set aside funding for unanticipated costs as a result of these issues. These funds could be used for expenses associated with applying for OEA grants to cope with the issues, to support of actual maintenance or other projects as a result of these changes. The Department of Commerce could not only serve as an arbiter in the case of compatibility use issues, but as the manager of this funding source.

## 4. Findings and Recommendations

**Our findings and recommendations are aligned with four major themes:**

1. **Leverage the power of sharing: communications and coordination.**
2. **Make the implementation of compatibility efforts more effective, simpler, and more comprehensive.**
3. **Amend certain legislation to make it clearer or more effective.**
4. **Allocate funds in the State budget to respond to the resolution of compatible use issues, emergencies, or other changes to military base requirements, contraction or expansion.**

### **Leverage the power of sharing, communications and coordination:**

**4.1 Finding:** Geospatial software and interactive mapping are excellent communication tools for shared understanding across the wide group of land use compatibility stakeholders. However, there is no readily available interactive map with military affects or military compatibility requirements available to community or military planners.

**4.1.1 Recommendations:** Build a web-based, interactive State-wide map that can selectively display layers of relevant information: installation sites by agency, training areas, exercise areas and restricted use zones and corridors in the air, sea, and land domain, linked to assigned restraints and compatibility concerns. Make available to land use compatibility stakeholders and the interested public.

**4.1.2 Analysis:** Military geospatial boundaries exist across the land, maritime and air domains, but many of the most important ones are invisible and literally “transparent” to the public. Although these boundaries are matters of public record, a common citizen will typically not know where to access that information. Ferreting out relevant information is tedious and difficult to visualize. The delineated zones come with a wide range of restrictions ranging from preclusion to cautionary warning, and zones from multiple domains will frequently overlap. A stakeholder’s area of interest, moreover, might range from a small plot to a statewide issue. Static, printed products have difficulty addressing these multiple challenges. Washington State lacks a readily available, dynamic, standard statewide map based on renewable geospatial data that outlines the various military installations, the restricted space, and various zones (like APZs, sound buffer zones, etc.). Therefore the county and municipal planners, public, developers, utility companies, state agencies and citizens lack a comprehensive view of the potential issues with development.

- a) It is possible to devise an interactive, web-based tool and database that can address most of these concerns. By assigning relevant compatibility geospatial zones to distinct and unique “layers”, users can optimize their visualization experience by turning “off” the layers that are not relevant, while turning “on” the layers relevant to their inquiry. Each restriction zone could be linked to information on the nature of the zone restriction, its regulation, and the responsible authority.

- b) The availability of such a tool would give developers and citizens the earliest possible warning that a planned action is within an area of interest for compatible use issues. It also has a secondary, educational benefit of communicating to the citizenry the extent of their contribution to the national defense through their collaborative sharing of valuable spaces in the State of Washington.
- c) Within the Government, there are already initiatives underway to consolidate available GIS data and tools to support the Government role on compatibility use issues. The U.S. Navy NAVAIR Command has developed an internal tool called MCAT (Military Compatibility Analysis Tool); the Chief of Naval Operations has directed that it be expanded to include non-aviation encroachment considerations in an effort called EMI (Encroachment Management Interface). The Department of Defense (Office of the Assistant Secretary of Defense for Energy, Installations and Environment) has established a “DoD Siting Clearinghouse” to coordinate military compatibility concerns with proposed energy projects (<http://www.acq.osd.mil/dodsc/index.html>). The site is consolidating DoD approved RAIMORAs (Risk of Adverse Impact on Military Operations and Readiness Area), Low Level Military Air Space maps, and Military Department Hazard Maps (an example for the Boardman Bombing Range is at <http://greenfleet.dodlive.mil/rsc/airspace-compatibility/>)
- d) WA State has an internal example of such a tool as WA Fish and Wildlife Priority Habitats and Species (PHS) <http://wdfw.wa.gov/mapping/phs/>. “PHS on the Web” is a Washington Department of Fish and Wildlife web-based, interactive map for citizens, landowners, cities and counties, tribal governments, other agencies, developers, conservation groups, and interested parties to find basic information about the known location of Priority Habitats and Species (PHS) in Washington State, thus informing local planning projects, conservation strategies, incentive programs, and numerous other land use applications.
- e) Other states have pursued interactive compatibility siting tools. The California Office of Planning and Research PR developed the California Military Land Use Compatibility Analyst (CMLUCA), which is a mapping tool that local governments and developers can use to identify whether proposed planning projects are located in the vicinity of military bases, military training areas, or military airspace. This mapping tool helps local governments and developers comply with state law that requires the military to be notified of certain development applications and general plan (<http://cmluca.gis.ca.gov/>).
- f) After 9-11, there were some concerns that this information in consolidated, readily accessible format might pose a security risk. But in the words of one military stakeholder, “We are more at risk from incompatible development than from terrorists.”

**4.1.3 Action Entity:** Washington State Legislature, Department of Commerce

#### 4.1.4 Implementation Steps

- a) Conduct additional research to determine “best of breed” with respect to interactive, web-based resources for geospatial data storage and sharing and develop a draft Request for Proposal. (Department of Commerce)
- b) Draft an appropriation in the upcoming legislative session with language that implements the recommendation. (Washington State Legislature)
- c) Approach OEA to determine if matching funds can be made available to help fund such an effort. (Department of Commerce)
- d) Update the checklists for Comprehensive Plan updates to include links to these electronic base maps as well as the completed plans, maps and recommendations from JLUS and ACUIZ efforts. (Department of Commerce)

**4.2 Finding:** There is a need for greater communications and coordination on compatible land use issues. This has been a consistent theme in the majority of the visits and phone calls we made throughout the state of Washington.

**4.2.1 Recommendations:** Establish a structured approach to improving civilian-military communications on compatible use planning and execution. This would include:

- a) A Statewide Governor’s Commanders’ Meeting quarterly or semi-annually chaired by the Governor.
- b) Semi-annual meetings between planning staff leaders from the major military installations, their counterparts in adjoining communities, and appropriate State Department representatives hosted by either the Department of Commerce or the Washington Military Alliance (WMA).
- c) Provide clarity to land use compatibility requirements for communities through a Department of Commerce Outreach Program. Designate a position in the Department of Commerce specifically for Military Outreach and coordination. Increase communications about each military installation and Military Interest Areas to the residents of the State of Washington. Include in the Outreach strategy land compatibility issues, marketing materials town halls, coordinated by the State Department of Commerce.
- d) Provide education, training, and clarity for compatible use requirements and procedures for communities through a Department of Commerce Outreach Program, including designating a position in the Department of Commerce specifically for civil-military compatible use outreach and coordination.

**4.2.2 Analysis:** This recommendation will result in improved dialogue and understanding between all elements in the state that are dealing with compatible use issues. These include: military installations, local communities, communities, environmental groups, Native American tribes, and

the leadership, planning and other staff of State Departments and agencies who are accountable for compatible use issues. There are many states noted in other sections of this report that have examples of best practice councils that address these issues on a regular basis. For Washington State, specifically:

- a) The Statewide Governor's Commanders' Meeting would provide a forum for base commanders to interact with the Governor and leaders of the State Departments, gain an understanding on the State's efforts to ensure compatible use, and surface issues that may be of common concern for discussion and potential resolution. A best practice we are knowledgeable on in another state begins with introductory comments by the Governor, followed by short (5 minute) briefings from each applicable Department head on actions in their Department that affect the military. Then each base commander has 5-10 minutes to highlight issues that they are working on where the State might be of assistance. This seems to be a very effective practice and provides mutual benefit to all parties. Washington State could utilize the Commander's Council mechanism within the WMA to organize and conduct this meeting, or the Adjutant General could be responsible for organizing and hosting the event. Regardless of approach, we highly recommend this be initiated as soon as possible and be standardized so that the very busy attendees can schedule to be there.
- b) Semi-annual meetings between planning staff leaders in communities, military bases, and State departments to discuss processes and issues related to compatible planning will be highly valuable in educating and providing the right tools to both civilian and military planners. It would certainly facilitate better collaboration, less contention, and continue to improve on the foundations created through application of the Growth Management Act. It will also promote an increase in beyond-the-fence-line thinking on all military installations. This could certainly fit in well with the duties of an Outreach Coordinator in the Department of Commerce. Likewise, the WMA is well suited to establish, coordinate, and run a program like this. In either case, the responsible organization must be provided the resources to ensure the meetings are productive, relevant, and useful for the participants.
- c) The Outreach program will increase communications about each military installation to the residents of the State of Washington, and provide important information to civilian and military planners. It should include compatible use education, informational materials, town hall type meetings, and informational briefings, all coordinated by the State Department of Commerce. It certainly should include the latest information on Public-Public and Public-Private Partnerships and broaden recognition of the value of the Navy's Civilian Planning Liaison Officer (CPLO) program, as well as current and best practices and procedures for compatible use planning.

**4.2.3 Action Entity:** Department of Commerce, State Legislature (resources)

**4.2.4 Implementing Steps:** Obtain Governor concurrence on the approach to the Governor's Commanders meeting, designate an office of primary responsibility for the semi-annual planning meeting, and designate and resource a Compatible Use Outreach Coordinator in the Department of Commerce's Growth Management Division.

**4.3 Finding:** A significant amount of Federal funding is available to address the adaptation of communities to the changes imposed on them by changes in their military presence. The Washington State Department of Commerce can increase acquisition of funding from the Federal Government within their current authority to promote compatible civilian military and use.

**4.3.1 Recommendations:** The Department of Commerce can facilitate requesting additional federal grants to help manage compatibility use issues. They can directly work with the Office of Economic Adjustment to obtain grants to perform work at the Department of Commerce level, or assist communities in acquiring and managing grants from OEA for either compatible use planning or adaptation required due to military changes.

**4.3.2 Analysis:** The end result of achieving additional funding is that community staffs, which are invariably under-resourced, can focus planning effort on compatible use planning with their installation. Likewise, more robust funding for the Department of Commerce from the Federal level will enable them to address a number of the issues identified in this report, such as development of a web-based geospatial map for compatible use planning.

**4.3.3 Action Entity:** Department of Commerce

**4.3.4 Implementing Steps:** Revise guides, templates, and checklists to facilitate application for OEA grants by communities, and include OEA grant request writing in the Outreach program. At Commerce level, initiate grants that fit OEA's charter to obtain additional study and planning funding.

**4.4 Finding:** The Washington Military Alliance has been a remarkable advance in developing a collaborative effort between military community support organizations, and identifying compatible use issues for resolution by relevant parties. Their initiatives have developed better relationships between the State and its military bases. However, the State may be underleveraging the WMA's potential.

**4.4.1 Recommendations:** The Washington Military Alliance could be leveraged even more by:

- a) Institutionalizing the WMA by passing legislation that makes the organization an enduring one for both structure and resources.
- b) Making membership more inclusive, including representation from tribes, military installations, and environmental associations.
- c) Having the WMA increase open communications and problem solving by seeking partnerships with other associations that can offer outreach opportunities to their respective memberships and the military. Examples include the Washington Association of Counties, Washington Association of Cities, NW Indian Fisheries Commission, Washington Association of Land Trusts and Heritage Caucus.

- d) Encourage all installations to engage in Department of Defense Encroachment Partnering Agreements or Army Compatible Use Buffer agreements to align and resource the implementation of encroachment abatement efforts through its member organizations.
- e) Have the WMA support increasing formal Department of Defense Sentinel Landscapes Partnerships with installations, state agencies and other partners to ultimately seek to have all installations in Washington covered by the Sentinel Landscapes Partnership designation.
- f) Have the WMA facilitate inter-Department and intergovernmental collaboration for infrastructure, transportation, natural and cultural resource agencies and all installations that will foster partnerships towards collectively: 1) setting priorities with state agencies, 2) creating communication venues to resolve land use conflicts, 3) fostering efficiencies in sharing data, maps and communications and sharing annual work plans to allow state agencies to anticipate and resource regulatory and technical assistance needs for installations and their surrounding communities.

#### **4.4.2 Analysis:**

- a) Across Washington State there are numerous cross-sector partnerships supporting the resolution of natural resource and land-use conflicts from incompatible use threats. These collaborations promote joint approaches to the protection and sustainment of working lands, waters and forests, conservation and recreation areas, and increased quality of life in cities. These partnerships and collaborations are underway where installations are located and or operate in.
- b) Some installations are involved. For example, the US Army at JBLM is involved in a Sentinel Landscapes Partnership to collaborate on addressing encroachment threats from the listing of species in south Puget Sound. Through this partnership with nonprofits, federal, state and local agencies, all entities seek to combine their landscape conservation vision and resources to accelerate the recovery of species that will release JBLM from restrictions on their use of training lands.
- c) Civilian partners also benefit from advancing their missions related to ranching lands, species protection and increased quality of life for local residents and businesses.
- d) Washington State is also engaged as a partner in many such cross-sector partnerships through the workings of numerous agencies, including Commerce, Dept. of Fish and Wildlife and the Dept. of Natural Resources. These and other agencies can assist installations by working with them to craft state-military MOUs' and plans to align goals and geographies of interest. In addition, the state can facilitate the inclusion of installations into cross-sector partnerships with stakeholders and other partners to better collaborate and direct collective resources towards compatible land uses, appropriate infrastructure siting and coordinating investments in conservation.

- e) Institutionalizing the WMA through legislation and mandating these responsibilities in its charter will facilitate collaboration and potentially increase the value the State receives for its investments by promoting collaborative effort where projects can achieve goals for more than one Department or interested party.

**4.4.3. Action Entity:** Department of Commerce, State Legislature

**4.4.4 Implementing Steps:** Department of Commerce draft legislation, Legislature adopt legislation.

**4.5 Finding:** Military economic impact in official Washington State documents measures direct impact (base salaries and contracts) only and therefore the economic impact of the military presence in Washington State is understated. The source of data in these documents tends to be DoD's Office of Economic Adjustment numbers that account for only these two factors when measuring military economic impact. However, many military members retire in locations around military bases to be able to access military benefits that they have earned such as commissaries, exchanges, recreational opportunities, and health care on the bases. Likewise, many businesses locate outside bases to be near the contracting offices that they submit proposals for military work to. Measuring retired pay, Veterans disability pay, defense related business revenue (including contracts with contracting offices located outside the State) and other factors would provide a more realistic number and better articulate the true economic impact of the military in the State.

**4.5.1 Recommendation:** Washington State should do an economic impact analysis that includes the other economic factors in determining the true economic impact of the military in the State. It should include factors such as military retiree compensation and Veterans Disability and other payments to gain a truer picture of the economic impact of their military presence. Additionally, they should use standard economic multiplier factors to estimate the actual economic impact on the gross domestic product of the State.

**4.5.2 Analysis:** It would be useful to articulate the economic data better to communicate the total military value of all WA state installations in order to generate appreciation for the value of compatible development. Our assessment is that the \$12.6B (from DoD Office of Economic Adjustment's 2015 estimate) number grossly underestimates the value of Washington's military installations. As an example, in the 2015 Florida Defense Factbook, Florida had \$7.5B in salaries and wages on its installations, and \$10.2B in direct procurement. These numbers are not grossly higher than Washington State's. However, Florida also accounted for \$16.8B in military retirement and veterans' benefits. When the economic multiplicative effect was applied, they determined the total economic value of the military in Florida was \$79.8B. Expanding the economic data in determining the economic impact of military installations to be totally inclusive would better inform citizens and policy makers as to the value of their military installations in the State. We believe this would generate additional support for ensuring compatible development takes place. It would also help decision makers to see the value in making a relatively small investment in compatible development to achieve this aim.

**4.5.3 Action Entity:** Department of Commerce

**4.5.4 Implementing Steps:** Perform a military economic impact study that accounts for the multiple elements of economic impact that the presence of military bases brings to the state.

**4.6 Finding:** The definition of what constitutes incompatibility with military installations has evolved, as have practices to cope with evolving issues. These need greater dissemination to all parties in this process.

**4.6.1 Recommendations:** Create a system that tracks change in compatible use practices across the US and communicates them to Washington state stakeholders.

**4.6.2 Analysis:** Technology and a changing world have redefined what is incompatible with military installations, and all of these new factors must be incorporated into compatible planning efforts. At one time, de-confliction of airspace, preventing incompatible building in accident potential zones, and identifying areas grossly affected by noise or dust from a base's activities were sufficient. However, new areas such as light pollution, electro-magnetic interference, observation into sensitive areas, drone flights, acoustic monitoring, foreign ownership of adjacent properties, explosive stand-off buffering, etc. are areas that may not currently be incorporated in to the compatible planning calculus of surrounding community planners. In fact, military bases themselves may be insufficiently articulating these as needing to be addressed in comprehensive plans. The result is that in some cases, communities find out a proposal is incompatible only when they notify the base of a proposed project, when the project complies with all local ordinances, zoning, and building codes.

**4.6.3 Action Entity:** Department of Commerce

**4.6.4 Implementing Steps:** Survey other best practices in communicating continuous change in compatible use issue and establish a system to convey that information to key stakeholders. Requires funding.

### **Make the implementation of compatibility efforts more effective, simpler, and more comprehensive:**

**4.7 Finding:** It appears that endangered species may be thriving on military installations because off-base habitat has been lost due to development and conversion from a natural or working lands designation.

**4.7.1 Recommendations:** Highlight the role of the bases in wildlife and natural resource conservation. Leverage the convergence of mutual interests between installations and environmental groups by coordinating the compatible use efforts of the Department of Commerce and the Departments of Agriculture, Archeology and Historic Preservation, Transportation, Ecology, Fish and Wildlife, and Natural Resources. Listed species' terrestrial, aquatic and marine habitats and designated natural resource lands within a jurisdiction that have been identified as providing critical habitats, and can supplement for habitats currently provided by military installations, should be prioritized to be protected against development through land use regulations. They should also be prioritized for funding of voluntary land management incentives and working lands easements.

**4.7.2 Analysis:** These strategic actions can abate development, adverse land management practices, or other construction and can lead to recovery of listed species and ensure other species are not increasingly made dependent on military installations as their habitats. The results of unplanned development, conversion of farm and forest lands, and adverse land and shoreline management practices (invasive, fire regimes, overharvest, bulk heading) on habitats off base and throughout species ranges in Washington has in some cases resulted in military installations remaining as the last undeveloped tracts and repositories or sanctuaries for many state and federally listed species. Military installations are being restricted in use because of the presence of those listed species and the lack of habitat in the vicinity of the base or the species range that may include multiple counties, states or countries. Lands and species off base may also have been impacted significantly due to wildland fires, invasives and overharvest. The result from these development, land, and species management pressures are that the overall species numbers diminished in their whole range in WA, the Northwest, or throughout the West (e.g. sage grouse). The loss of both off-base habitats and numbers of species leaves these large installations in WA as some of the last remaining undeveloped places where these species still exist and can sustain their habitat needs.

**4.7.3 Action Entity:** Department of Commerce

**4.7.4 Implementing Steps:** Conduct a statewide review of endangered species habitat, which includes collaboration from across departments, and prepare a comprehensive plan to preserve those species; maximize common interests within state government and with all Federal installations. This will require un-programmed state level funding.

**4.8 Finding:** There is no formal program in Washington that comprehensively pulls together existing regulatory, policy, and program means to address the major risks of incompatible development near military bases.

**4.8.1 Recommendation:** The following strategies can be used, aligned and prioritized in a Department of Commerce led effort to synchronize them to help resolve and abate incompatible land use threats. They include:

- a) Landscape level Planning: Encourage state agencies to work with installations on state-level landscape and water resource plans to find compatible uses. DFW in particular has responsibility to plan for management of wildlife and strategically protect lands and waters that support the recovery and sustainability of species. Landscape plans will assist agencies such as DFW and others to better prioritize places to proactively protect and manage for natural resources and through planning efforts build more trust-building and foster clearer communications.
- b) Public Lands Designations and Leasing: Through the use of the Department of Natural Resources (DNR) programs that increase protection, stewardship and monitoring of public lands and waters, the military is able to ensure that there are protective designations, leases and stewardship for the long term management of training areas. The Trust Land Transfer program, Natural Area Preserve and the Natural Resource Conservation Area designations along with Aquatic Lands Leasing programs have been utilized on Puget Sound's Hood Canal

to allow the Navy to continue training and operations by abating incompatible development and uses of these areas. In addition, the Natural Heritage Program works with installations that include Fairchild AFB and Yakima Training Center to inventory, monitor and share data concerning rare species that are useful in land management and complying with federal regulatory processes.

- c) Land exchanges: Exchanging land with other public and private parties that can reposition state trust, aquatic, and other recreation lands can be used to achieve multiple benefits to the state, military and local communities. Land exchanges can result in consolidating public and private ownerships that improve the management and protection of lands and natural resources. It can also provide additional public benefit through increased accessibility to public lands for recreational purposes, while allowing the military to address incompatible development threats. The DNR Trust Land Transfer program and agency commission authorized land exchanges and transfers can be used for these purposes.
- d) Department of Defense Sentinel Landscapes Designations: The Dept. of Defense has worked with other federal departments and agencies engaged in landscape level protection efforts to designate “Sentinel Landscapes.” Through these designations, federal agencies provide support with supplemental funding and federal coordination to expedite the work of partners to address incompatible use threats across a larger landscape. Washington has a currently designated Sentinel Landscape, the South Puget Sound Prairies. This partnership made up of nonprofit land trusts, county government, state and federal agencies works with JBLM.
- e) Land Protection Programs: Lands can be and have been protected through conservation easements and in fee purchases by state and local agencies and private nonprofit partners who work with installations. Other opportunities include encouraging counties and local jurisdictions to build upon their Transfer of Development Rights (TDR) programs. Commerce has been active partner with local governments in supporting the creation of TDR programs. TDR’s have been used to address incompatible use issues in California with military installations but have not been used in Washington as a specific issue abatement tool.
- f) Local partners have used the Department of Defense’s Readiness and Environmental Integration Program (REPI), Navy Encroachment Partnering (EP)/ Army Compatible Use Buffer (ACUB) programs and have matched these sources with state and local programs from:
  - Washington Wildlife & Recreation Program funding as match funding for REPI/EP/ ACUB.
  - Washington State Conservation Commission’s Farmland Preservation Program as match funding for EP.
  - Salmon Recovery Funding Board funding as match funding for EP/ACUB.
  - Conservation Futures Funding to supplement and match REPI/EP / ACUB.

**4.8.2 Analysis:** There are numerous strategies available and used to promote Military Land Use Protection Areas that the state can support through current conservation programs and

appropriations. These programs are focused on conservation of natural resources and species. While these programs support and promote the protection of lands that result in addressing incompatible use. Through coordination and collaboration, they sometimes can be integrated to provide even more value to the State.

**4.8.3 Action Entity:** Department of Commerce as lead agency; all Departments collaborate.

**4.8.4 Implementing Steps:** Include this essential information as a part of the increased campaign in the Department of Commerce to share through professional, continuous strategic communications, and conduct periodic information sharing and collaboration forums.

**4.9 Finding:** Implementation of compatible use plans such a JLUS or comprehensive plans are decentralized to local authorities, which sometimes affect the effectiveness given multiple local standards, and sometimes multiple jurisdictions involved in the same plan.

**4.9.1 Recommendations:** Perform a detailed examination of local JLUS or other compatible use plans in order to determine best practices for compatible use across all domains, and a common set of standards for compatible use planning. This could ensure complete local plans and the sharing of best practices across the State. This information can inform state and local jurisdictions and the installations on how to be most effective together, and ideas for how state standards can continue to be improved.

**4.9.2 Analysis:** There may be a range in the effectiveness of plans based on the variations of how they are done and to what standard, and there may be best practices in some communities that should be shared throughout the State. Also each installation and branch of the military has different management approaches and staffing levels to coordinate, communicate and engage in land use issues in communities and some formats may be more effective than others. Analysis of current practices and products could help to improve compatible use planning and execution.

**4.9.3 Action Entity:** Department of Commerce

**4.9.4 Implementing Steps:** Conduct a statewide review of JLUS and other compatibility plans, establish best practices, and coordinate with military bases and local communities to implement.

**4.10 Finding:** Light Pollution is an increasing problem everywhere, including in Washington State. The State is to be commended for recognizing the issue, and for developing HB 2057 which directs the Department of Ecology to complete a study of environmental, economic, and public health effects of light pollution. However, the legislation does not specifically address the effect of light pollution has on military activities. Currently, lighting is not regulated sufficiently to ensure compatibility with military current and future missions.

**4.10.1 Recommendation:** Amend HB 2057 to include the effects of light pollution of Washington's military bases' mission related activities. Subsequently, pass legislation mandating Dark Skies policy that ensures all environmental, economic, public health, and military issues are resolved.

**4.10.2 Analysis:** Dark Skies policy is essential to the safety and effectiveness of all major military installations, particularly those with aviation assets. In some of the bases we visited there were

concerns about Dark Skies issues, particularly with regard to aviation zones, clear zones (CZ)s and accident potential zones (APZs). There were also concerns about which element of government - local, state or federal - was the final authority to adjudicate land use incompatibility issues when they collided with the need for enforcement of Dark Skies policy for military purpose.

**4.10.3 Action Entity:** Department of Commerce, State Legislature

**4.10.4 Implementing Steps:** Department of Commerce provide proposed amendment language to HB 2057, Legislature pass the legislation and Department of Ecology conduct the study.

**4.11 Finding:** Numerous technologies to observe and listen underwater are being deployed for scientific purposes, recreation and amateur pursuits that may inadvertently divulge military undersea training, testing and technologies. After these recording devices have completed their purposes, they may be left behind and continue to record.

**4.11.1 Recommendations:** State legislature direct the Department of Commerce to craft a registry for underwater listening devices that are deployed to track locations or monitor acoustics, limit their use in restricted areas, and ensure there are deadlines for their removal. This registry should be shared and accessible online for authorized State and military organizations and researchers. State agencies that fund or deploy such devices for research and monitoring purposes should be required to ensure that they are removed after project completion and registry is updated.

**4.11.2 Analysis:** This is another example of new technology that can pose a risk to the military mission and that is not accounted for in current planning processes. The value of ensuring acoustic monitoring devices are not still transmitting after they are needed, and that military technology is protected is obvious. There may be some resistance to adding a requirement to existing Departmental workloads, but the consequences of a compromise of sensitive technology is worth the effort to prevent it.

**4.11.3 Action Entity:** Department of Commerce, Washington State Legislature

**4.11.4 Implementing Steps:** Draft legislative language to establish a statewide registry to limit device use in restricted areas and ensure there are deadlines for their removal.

**4.12 Finding:** Steering and Coordinating Committees are effective methods to monitor and implement comprehensive plans or JLUS recommendations, and subsequent regulating ordinances and regulations. In at least one community, they have proven effective in ensuring the results of compatible use planning are implemented.

**4.12.1 Recommendations:** Highlight Steering and Coordinating Committees as a best practice and publicized in an outreach campaign to community and military installation planning organizations.

**4.12.2 Analysis:** This is an example of a best practice that should be adopted in all communities. One challenge that was illuminated for us by a number of community and base planners, and that we have seen in other states, is that once a JLUS is done, or a comprehensive plan gets developed or updated, there is no oversight or enforcement mechanism to implement the recommendations in the plans. Because of the non-binding nature of planning documents such as a JLUS, implementing actions must be done, either the military base or governing municipality or county in order the

compatible use planning to be of value. Without some oversight structure that monitors and encourages execution, recommendations can languish or never be implemented; rendering the compatible planning that was done of little value. Therefore promoting this best practice would benefit many communities and the military bases in their vicinity. There is little or no negative associated with promoting a best practice.

**4.12.3 Action Entity:** Department of Commerce.

**4.12.4 Implementing Steps:** Adopt this as a best practice through the authority of the Department of Commerce and include in their outreach program.

**4.13 Finding:** Neither the Governor's office nor the Cabinet have a senior level official who is responsible for directing State-level activities that affect the active component military bases, or to assist bases in resolving issues. The Governor's military policy advisor is doing a superb job and is respected by the military personnel we talked to. However, as an advisor he does not have directive authority, or a supervisory role on active component military base issues between departments. By its nature, this is hard for an advisor to do with Departments or Agencies led by "Directors". A cabinet level position would also give a level of gravitas to the senior person responsible to the Governor for working with active component military installations and with the Department of Defense when necessary.

**4.13.1 Recommendation:** Create a senior level (Cabinet) position that serves as the principal executive for the Governor on active military base compatible use issues, and can also work on all military base related issues for the State.

**4.13.2 Analysis:** The Cabinet does have a Military Department, led by the Adjutant General, but their responsibilities are principally emergency and disaster preparedness and response, providing trained and ready forces National Guard forces for state and federal missions, and providing structured alternative education opportunities for at-risk youth. The emergency and disaster preparedness and National Guard missions are more than a full time job for anyone, and could be why in some states they have opted for a civilian Secretary or Director instead of trying to give the Adjutant General another challenging job. Washington also has a Department of Veterans Affairs, but their responsibilities are limited to connecting veterans and their family members to the benefits and services they earned through their military service. Within the Department of Commerce, there are also positions related to compatible planning, and to the military's economic impact on the State. Positions such as the Director of Economic Development for the Military and Defense Sector, and planners in Growth Management Services are important, fulfill a vital role, and should be retained. However, given the impact the military presence has in Washington, the State lacks a more senior and direct link to the Governor and cabinet that could be very valuable. Other states have a cabinet position for a Secretary of Veterans and Military Affairs, or an advisory task force or council composed of a mix of former senior military officers, business and political leaders, that have access to the governor and legislature. These individual or bodies perform a variety of functions, from providing direct advice to the governor and legislators on military related issues, to administering funds and grant programs designed to sustain and grow their military-related economy, to working with community groups to resolve base-community issues. Given the significance of the economic impact of its military bases, and the growth management and other

military-related challenges that Washington State faces, the absence of a senior level official or body in the State is a noticeable and the study team believes would be valuable to the State.

**4.13.3 Action Entity:** Department of Commerce

**4.13.4 Implementing Steps:** Draft legislative language to create a Cabinet level position that has responsibility for military issues, especially base compatible use issues.

**4.14 Finding:** The Washington State Environmental Policy Act (SEPA) establishes a procedure to identify possible environmental impacts that may result from a broad range of governmental decisions, to include issuing permits for private projects, constructing public facilities, or adopting regulations, policies, or plans. Impact to the ability of a base to carry out current and future mission requirements (compatibility) is not currently included in SEPA analysis as an element of the build environment.

**4.14.1 Recommendation:** Based on our research, other state practices, and some state community leader comments, military installations should be considered within SEPA review.

**4.14.2 Analysis:** It is generally analogous to the U.S. government NEPA process. There are two potential benefits from including military installations in a SEPA review. From their perspectives as custodians for environmental resources within the installation boundaries, military installation managers can contribute to a broader evaluation of environmental impacts that typically transcend installation boundaries. Mandating inclusion of military installations within a SEPA review, moreover, would alert those installations – very early in the consideration process – to potential compatible use impacts on the military mission. If a base identifies unforeseen impacts, local governments may be able to address these issues through mitigation and the use of their substantive authority under SEPA. There are obvious hurdles to such a proposal. The States cannot mandate a Federal response to a State policy, and there are resource concerns for participation in such a process. Most military installations, however, would be highly motivated to be responsive to requests for SEPA participation, even if such participation was optional. Collaboration with state agencies in their SEPA process would reinforce two-way communication and trust building with their State counterparts in order to facilitate NEPA, EIS, ESA permits, and other public notification processes related to land use. There might be political opposition on the part of environmental stakeholders who are not interested in preserving / retaining the military footprint within the State. There is a precedent, however, within the NEPA process, which does incorporate economic impacts – a central dimension of compatible land use planning. The SEPA Statute and Rules, moreover, allow for adoption of NEPA documents under many circumstances (WAC 197-11-610: <http://apps.leg.wa.gov/WAC/default.aspx?cite=197-11-610>).

**4.14.3 Action Entity:** Department of Commerce

**4.14.4 Implementing Steps:** Draft Legislative language to bring about change in current SEPA.

**4.15 Finding:** The State has a number of experienced, senior military and political former officials who live in the State that it is not leveraging to benefit the State and its military bases. They have a wide range of expertise, and having served as generals, admirals, or Congressional representatives,

they maintain a set of relationships that could provide the Governor and Legislature unique and valuable insights relating to military issues and Washington's bases. Creation of a Military Advisory Council to advise the Governor and legislature is a best practice in other states that should be considered for Washington State.

**4.15.1 Recommendations:** Leverage the significant number of former senior military officials and Defense experienced former Congressional members to create a Military Advisory Council to advise the Governor and Legislature on military base related issues, including compatible development. They could also administer such grant and other programs to facilitate compatible planning with military installations as the State Legislature may appropriate.

**4.15.2 Analysis:** Many other states have such bodies that take on a range of responsibilities, from providing expert advice to the Governor and Legislature on military base related matters, to allocating grant funds, to communication efforts on behalf of the state regarding its military presence. The WMA has an advisory responsibility to the Governor, and is doing an outstanding job. However, the composition of the WMA is community organization centric, and does not have the senior former military and Congressional leaders on it that have the unique military perspectives and relationships that the former officials will have. The positives of this recommendation are that a body such as this could provide expert advice to officials throughout the State on the key issues related to its military installations, and because of high level access, can ensure State senior leaders stay abreast of military base related issues. The composition can be apportioned to try to ensure it is as apolitical as possible. For instance, its members could be equally appointed by the Governor, State Senate, and House of Representatives, and be composed of former senior military officers with in depth and current knowledge of the State's military bases, former key governmental officials from communities with military bases, business leaders, and members or former members in State Government.

- a) The responsibilities of the Council would have to be clearly defined, preferably in legislation, to ensure that they do not conflict or usurp those of other State departments or agencies. The advantage of an independent council to address these military base-related issues is that it would give the State's leadership military-base focused and unvarnished expert advice that is not conflicted between the other agency or department priorities. Counter-arguments to such an entity are that it may cause military base issues to be decoupled from the governing departments in the State, or that it adds to State-level government bureaucracy. This is why we recommend the Council be chartered by the Legislature with specific and well-defined responsibilities that harmoniously add to the work currently being done in the departments, but do not conflict with them.
- b) The executive directorship and support required could be assigned to a departmental entity, such as the Director of Economic Development for the Military and Defense Sector within the Department of Commerce to minimize additional overhead. Finally, if the recommendation to appropriate State Funds to assist communities in achieving compatible development goals in accordance with the GMA is approved, we believe an independent entity expert in the requirements of military installations such as this body would be an appropriate and valuable entity to award these funds. We assume any such funds would be

limited, and that applications will far outpace resources. Therefore, a body such as this will have the expert knowledge necessary to allocate grants based on greatest impact, need, and value for the State.

**4.15.3 Action Entity:** Washington State Legislature

**4.15.4 Implementation Steps:** Have the Director of Economic Development for the Military and Defense Sector within the Department of Commerce draft proposed legislation language that would charter a Washington State Military Advisory Council, to be submitted to the appropriate Legislative committee for consideration.

**Amend certain legislation to make it clearer or more effective:**

**4.16 Finding:** There is no known statewide disclosure requirement for property sellers for property in military interest areas, to ensure purchasers understand both the effects a nearby military base will have on their property, or to ensure they understand restrictions on future development and construction. Even if there were such a disclosure requirement, there is insufficient information readily available that could be used by buyers, sellers, and real estate professionals on this information. Some communities (e.g. around Fairchild AFB) have implemented such a requirement successfully.

**4.16.1 Recommendation:** Add a disclosure requirement necessitating transparency from realtors or property owners about military installation impacts and development restrictions that affect properties nearby military installations.

**4.16.2 Analysis:** Some of the issues in compatible development that community planners and military bases are dealing with are the result of proposals that property owners developed and submitted, unaware of their incompatibility with the base's mission requirements. Others are the result of development that has occurred where military base effects are common (e.g. noise), and now homeowners are upset over the effect, which in most cases is the same as before the development occurred. Some of this can be attributed to lack of disclosure by the military until they were asked to comment on a specific proposal. In other cases, the military requirements or effects were known, but not to the property owner or buyer.

**4.16.2.1** There is no current statewide requirement for disclosure of either effects of military operations in a geographic area, or the restrictions in ordinances, community planning documents, or building codes that are a result of military activity. While a skilled buyer could often obtain much of the information with a dedicated search, it is not easily available and some buyers may not even be aware of the need to do the search if they have not viewed the prospective property during a period when military activity was taking place.

**4.16.2.2** Avoiding many of the issues in compatible development that community planners and military bases are dealing with is possible. This can be facilitated by requiring disclosure of the effects of military operations in a geographic area, or the restrictions in ordinances, community planning documents, or building codes that are a result of military activity or base presence. This disclosure should be required as part of any property transaction prior to contracting. The

advantage of a disclosure requirement is that there will be far fewer development proposals that are at odds with the requirements agreed to by communities and military bases. There will also be fewer property owners who are surprised by the military effects they experience after acquiring a property. We acknowledge both that there are some jurisdictions that have may have done this already, and all have the authority to implement this recommendation locally. However, we recommend this be implemented at the State level for several reasons. First, it will provide a standardized requirement for development or real estate professionals that operate in multiple jurisdictions. Secondly, it will help to avoid problems that result from buyers unaware of military effects or local restrictions. Thirdly, it will reduce instances in which property owners make the emotional (and sometimes financial) investment in a proposal that is at odds with requirements resulting from compatible use requirements.

**4.16.2.3** We recognize there will be resistance in some circles to adding this disclosure requirement, as it adds another requirement to a real estate transaction. To mitigate this valid concern, we also have a recommendation to build a statewide map and a series of digital overlays of installations, training area, and transit corridor impacts, compatibility requirements, and restrictive zones, and make available to community planners, real estate professionals, and the interested public. We recognize this will require State funding and the cooperation of the military, but this mitigation measure should make a disclosure requirement a limited burden on professionals, and save the State money in reduced litigation and government effort to resolve disputes regarding proposed development.

**4.16.3 Action Entity:** Washington State Legislature

**4.16.4 Implementation Steps:** Draft an amendment to the 64.06 RCW, Real Property Transfers-Sellers Disclosures, and pass in the upcoming legislative session. Also, fund and implement the recommendation to develop a Statewide map with military effect and local restriction overlays.

**4.17 Finding:** There were numerous sources that indicated they felt that there were insufficient enforcement mechanisms in the GMA to ensure that incompatible development did not occur around military installations. The GMA requires that within the comprehensive planning update process that updates “include policies, land use designations, and consistent zoning to discourage the siting of incompatible uses adjacent to military base” and alerting the base commander if there are incompatible uses. However there is no requirement that recommendations and map products created through the JLUS and ACUIZ processes be assessed and considered for inclusion in the comprehensive plan updates. Also, there are mechanisms to appeal a proposed project thought to be incompatible that is under consideration by a county or municipality to Growth Management Hearing Boards, and subsequently the courts. However, it must be done by appealing the underlying zoning or building code as being incompatible. There are times that the process may not be responsive enough. Specifically, a proposed project can continue to be permitted, and construction to actually begin, during the process even though a community or base commander believes it is incompatible. Because of the momentum for the project that is created, or even construction completed, once the appeal is in progress, a number of people believed proposals could become a fait accompli while the process to petition the Growth Management Hearing Board is underway. The only alternative is to initiate litigation for an injunction to halt permitting or

construction, an expensive prospect that many are unable to afford and that military installations are unlikely to do.

**4.17.1 Recommendations:** Require that periodic updates of comprehensive plans consider major new increases or decreases to any military installation or training areas, and any updates to JLUSs or other compatible planning processes. Legislate that agreed upon comprehensive plans, JLUS, and other comprehensive planning documents should be the basis of ordinances and zoning regulations. Finally, legislate that if there is an appeal of a zoning or building code as allowing incompatible development to the Growth Management Hearing Board, permitting and construction are in the specific area of the appeal is halted until the State Appeals Board or the courts resolve the issue.

**4.17.2 Analysis:** This proposal attempts to strike the right balance between the State's responsibility for growth management for the general good of the population, with both the right of cities and counties to manage their affairs and the rights of individual property owners. Ensuring comprehensive plans include updated information is an appropriate measure that is not intrusive. Ensuring that counties and municipalities understand that the intent of compatible use planning is to affect the growth management implementing tools to them is a clarification and amplification of what we believe the Legislature's intent was in the original GMA. Finally, implementing a stay in further development until issues are resolved will allow normal compatible development to proceed while allowing for resolution of compatibility issues at the least possible expense to all. Ideally, zoning and building requirements are going to be clear enough that there will be few instances when a proposal will warrant an appeal. However, when there are inconsistencies that are contested, staying projects or permit request is a reasonable action until either the issue is resolved to the satisfaction of all authorities, or until an appeals process is complete and resolved at the State Appeals Board level. The down side of these proposals is that they could be perceived as unbalanced or overly controlling by the State by some parties. However, explained correctly, we believe most parties will agree that these minor changes will make intent more clear and be of benefit in protecting the interests of all parties.

**4.17.3 Action Entity:** Department of Commerce

**4.17.4 Implementing Steps:** Draft appropriate legislative language

**4.18 Finding:** As technology has evolved, issues regarding compatible use have evolved as well. Examples like increased size and radar interference of wind generated power systems abound. Factors that were never considered by planners previously have now become important in determining what is compatible use, and likewise what is incompatible. There is greater need in the GMA for clarity in defining what is incompatible use.

**4.18.1 Recommendations:** Amend paragraph 36.70A.530 (3) of the GMA to add "Examples of what constitutes incompatible development with military installations include but are not limited to: residential development in clear zones, accident potential zones, high noise, or dust areas; use of airspace or building heights that encroach on air transit routes or approach or takeoff patterns; light pollution that inhibits military activities on installations or on air approach or departure routes; electro-magnetic or radar interference, construction that enables observation into sensitive mission areas on a base, drone flights that observe sensitive mission areas or security precautions on the

base; certain foreign ownership of adjacent properties, acoustic monitoring in sensitive Navy test or transit areas; and construction or development in an explosive stand-off buffering area. When passed, include education on the GMA in a Department of Commerce outreach effort to base leaders.

**4.18.2 Analysis:** Better definition of these conditions or factors that need to be addressed during comprehensive planning would ensure that subsequent ordinances, zoning, building codes, etc. address all the factors that can affect compatible use with military installations. By better defining what constitutes incompatibility, comprehensive planning is more likely to address these issues. Therefore, comprehensive planning will be more comprehensive. If accompanied by an outreach effort to military base leaders, it may also result in better fidelity of military information being provided to community planners. This in turn will reduce the number of proposed projects that the military objects to during the review process, reducing workload and costs associated with getting projects approved. Some may object that by defining what constitutes incompatibility, or by expanding the definition as technology and the world's security environment change, we are expanding the military's control in some way, or that it in some way constitutes an increasing burden on communities by the base. However, articulating examples of what constitutes incompatible development or encroachment merely communicates what is already fact so that there is better clarity, which reduces miscommunication and enhances understanding.

**4.18.3 Action Entity:** Washington State Legislature, Department of Commerce

**4.18.4 Implementation Steps:** Draft an amendment to paragraph 36.70A.530 (3) the Growth Management Act in the upcoming legislative session with the language in the recommendation (para 4.18.1). The Department of Commerce should add this list to their Outreach Program content for both military base leaders and community planners.

**4.19 Finding:** The Coast Guard is not addressed as a military entity in the GMA.

**4.19.1 Recommendation:** Change the language of the GMA and other appropriate sections of state law to include the Coast Guard as a military entity in compatible use.

**4.19.2 Analysis:** Because the Coast Guard is a Department of Homeland Security entity in peacetime, and does not belong to the Department of Defense, it is often not addressed in the context of compatible planning or development. However, the Coast Guard shares many of the characteristics of military bases. They have aviation units that have similar effects as their military counterparts; their bases have the same security and buffer requirements as the military; they have to safeguard their bases from many of the same compatible use issues that military bases do such as light, observation, electromagnetic interference, etc.; and they have similar effects on local communities as their military counterparts such as increased traffic, education, housing requirements, etc. By most standards, Coast Guard bases are essentially the same as military bases but are often not addressed as such by community planners, and consequently the Coast Guard itself often does not work to the degree their military counterparts do with their local community planners. The GMA does not designate them as an entity that falls within the requirements in 36.70A.530. By changing paragraph (1) of 36.70A.530 of the Growth Management act to say

“Military and Coast Guard installations are of particular importance to the economic health of the state of Washington and it is a priority of the state to protect the land surrounding our military and Coast Guard installations and from incompatible development”, this issue can be addressed. There are few negatives associated with this recommendation, other than those communities who have not accounted for their Coast Guard installation will have some additional coordination and work to do. However, the benefits of compatible planning outweigh the negatives.

**4.19.3 Action Entity:** Department of Commerce, Washington State Legislature

**4.19.4 Implementation Steps:** Draft an amendment to the Growth Management Act that modifies paragraph (1) of 36.70A.530 and pass in the upcoming legislative session. Draft legislative language to change the GMA and include the Coast Guard as a military entity.

**4.20 Finding:** Regional Transportation Planning Organizations (RTPOs) have insufficient military representation and potentially insufficiently account for the transportation impacts of bases, which can dwarf those of regional growth centers.

**4.20.1 Recommendations:** Amend RCW 47.80.060 to mandate non-voting membership on Regional Transportation Planning Organizations (RTPOs) for major military bases (more than 3,000 authorized personnel), and designate military bases as a category to be considered in growth management planning with parity among similar populated regional growth areas or major industrial areas. Also, amend RCW 47.80.060, executive board membership, to include major military bases (in excess of 3,000 authorized personnel) as non-voting members of their boards.

**4.20.2 Analysis:** RTPOs members include representatives of cities, counties, WSDOT, tribes, ports, transportation service providers, private employers and others. They typically have advisory boards or technical boards, with members including representatives of the member jurisdictions, regional business, labor, civic, and environmental groups. The military sometimes has representation, but it is often underrepresented given the impact that military bases can have on local transportation networks. For instance, the Puget Sound Regional Council’s Growth Management Policy Board does not have a representative from Joint Base Lewis-McChord. The base is the State’s second largest employer, with the majority of its over 40,000 military, and 15,000 civilian workers commuting to work. Additionally, the majority of its over 50,000 family members and 30,000 area retirees living off the base frequently drive to the base to access facilities and services. This obviously has an enormous impact on the transportation system around the base and throughout the region. However, the sole military representative on the Board is the Navy Region Northwest representative, who is expert on Naval issues but has little perspective on the transportation needs and challenges facing JBLM’s population, nor the future base demographic changes, access changes, or other important factors programmed or likely to occur. Coincidentally, some of the region’s largest transportation congestion issues are in close proximity to JBLM, and some potential solutions could involve the base. The Spokane Regional Transportation Council does not have a military representative on the Council, even though Fairchild Air Force Base is the single largest employer in eastern Washington. Military bases do not have “status” as either regional growth Centers or Manufacturing/Industrial Centers. This exacerbates the issue of underrepresentation and the potential to miss opportunities to plan for the changing impact that military bases will have on the

transportation network.

- a) Implementing this recommendation will ensure that RTPOs have all the relevant, factual information they need to effectively account for the transportation effects that military bases have on the regional transportation system. By providing “status” for military bases corresponding with like size municipalities or industrial areas, planning will take into account both the current and future needs of military installations regarding the transportation network. Additionally, by being included in the process, the military base can become an active participant in transportation planning around their installation, and is more likely to take actions on the base that will improve the transportation flow onto, off, and around the installation.
- b) While most people involved in regional transportation planning may acknowledge the obvious impact military bases have on the transportation network and the need to make this change, there may also be some that view military bases as “competitors” for transportation dollars, and therefore taking away from their local needs. Therefore there may be some opposition to this change. However, making the military representatives non-voting members, and the obvious need to take military bases into account when doing transportation planning, will hopefully reduce these concerns.

**4.20.3 Action Entity:** Department of Commerce, Washington State Legislature

**4.20.4 Implementation Steps:** Draft an amendment to RCW 47.80.060 that mandates military base participation in RTPOs for bases of 3,000 personnel or more, and that designates military bases as a category with status for transportation planning equal to similarly populated municipalities or major industrial areas. Also, draft an amendment to modify RCW 47.80.060, Executive board membership, to include major military base (in excess of 3,000 authorized personnel) as a non-voting member in its list of board membership.

**4.21 Finding:** Some language in the GMA is inconsistent.

**4.21.1 Recommendations:** Clarify GMA language so there is no confusion about the role of each level of government in compatible use. A prime example would be to amend paragraph 36.70A.530 (3) of the GMA to say “A comprehensive plan, amendment to a plan, a development regulation or amendment to a development regulation, shall not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements”.

**4.21.2 Analysis:** Our study team heard significant discussion among planners and local officials that the language in the GMA regarding compatibility is inconsistent and therefore ambiguous. The title in paragraph 36.70A.530 would indicate that “Land use development incompatible with military installation” is “not allowed”. However, in the text, the wording is “A comprehensive plan, amendment to a plan, a development regulation or amendment to a development regulation, should not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements”. To some, this wording indicated the intent was to grant discretion to local authorities to do their best to avoid incompatible

development, but to allow it if necessary. The reasoning is that in other places in the paragraph, such as the requirement to request the military commander provide a “written recommendation and supporting facts relating to the use of land being considered in the adoption of a comprehensive plan or an amendment”, or that it “intends to amend its development regulations to be consistent with the comprehensive plan elements” the word “shall” is used, not should. Therefore there are some who say compatible use is not mandatory, while others argue that the intent of the paragraph is clearly spelled out in the title: “development incompatible with military installation not allowed”. Making these changes will make the GMA language regarding compatible development very clear. It should reduce the number of issues in comprehensive plan development and execution between the various stakeholders involved. It will also reassure military planners on bases and in the Pentagon that Washington State is committed to ensuring their bases will be able to perform their mission not only now but also into the future. Some interests such as developers and real estate professionals may not desire the clarity that this change will provide, as it will inhibit some projects that they may view as marginally incompatible and having negative but acceptable impact on the mission of a base. However, given the significant economic impact that bases have on their local communities, this change not only ensures the text of the paragraph matches the intent of its title, but also will provide the greatest good to the most people.

#### **4.21.3 Action Entity:** Washington State Legislature

**4.21.4 Implementation Steps:** Draft an amendment to paragraph 36.70A.530 (3) the Growth Management Act in the upcoming legislative session to say “A comprehensive plan, amendment to a plan, a development regulation or amendment to a development regulation, shall not allow development in the vicinity of a military installation that is incompatible with the installation's ability to carry out its mission requirements”. Once passed, a deliberate effort to inform and educate military base leadership should be pursued by the Department of Commerce’s Growth Management Services. Review all of the GMA and make changes so that it is more precise with regard to compatible use context.

**4.22 Finding:** We heard concern expressed that the appeals process to the GM Hearing Board did not stop incompatible development from occurring during the process.

**4.22.1 Recommendation:** Amend paragraph 36.70A.280 of the GMA to add paragraph “(6) When an appeal is filed objecting to a comprehensive plan, zoning, or construction code based on incompatibility with a military base, training area, or transit route, no additional permitting, construction, or development on the project questioned in the appeal may occur until the determination of compatibility by the Growth Management Hearing Board or subsequent court has been completed.”

**4.22.2 Analysis:** While we did not find evidence that the assertion of insufficient enforcement of the GMA was credible in a specific case, we did understand the concern expressed that the appeals process to the GM Hearing Board did not stop incompatible development from occurring during the process. That development could in fact present the Board or court with a fait accompli in which a ruling in favor of the petitioner would cause considerable financial loss to a developer and cause the State to expend considerable resources in litigation. Likewise, halting movement on a proposed

project in dispute through a petition by gaining a court injunction or some other litigation external to the process is also an expensive proposition that would be better avoided. This recommended language would ensure that the Board, and if necessary the courts, could effectively rule on compatible development issues with military bases while minimizing costs to both developers and petitioners. It would also minimize litigation to the extent possible. There may be some opposed to this legislation on the basis of it allowing some parties opposed to any development anywhere to engage in multiple frivolous petitions that become a nuisance and unnecessary expense to developers, however there is a provision in the GMA for the boards to dismiss frivolous petitions.

**4.22.3 Action Entity:** Washington State Legislature

**4.22.4 Implementation Steps:** Draft an amendment to paragraph 36.70A.280 the Growth Management Act in the upcoming legislative session with the language in the recommendation.

**Allocate funds in the State budget to respond to the resolution of compatible use issues, emergencies, or other changes to military base requirements, contraction or expansion:**

**4.23 Finding:** It appears that there is insufficient funding for programs such as conservation and non-conservation land purchases, land use easements, and other programs that could be used to ensure there are compatible use surrounding military installations and training areas.

**4.23.1 Recommendations:** Create a compatible use fund or a fund by a different name that could be used for conservation and non-conservation land purchases, land use easements, resolution of compatibility issues, emergencies, or other changes to military base requirements, contraction or expansion, and other programs. Be more strategic with the funding available by coordinating with and across local, state and federal agencies in WA to create ranking criteria for programs to offer additional points and credits for proposed projects that would also advance compatible use for the military. For state-funded programs, the Governor's Office and Office of Financial Management can also prioritize the programmatic budget requests submitted by state agencies for activities and programs that address military compatibility or permitting issues.

- a) Provide funding to the Department of Commerce for guidance documents for jurisdictions that would include Washington-specific best practices for implementation, guidebooks, checklists, and/or technical assistance for contract management
- b) Fund the Department of Commerce to make applications for community funding in support of land use compatibility issues easier and more transparent in the State of Washington
- c) Create a fund to assist communities in promoting compatible use with their military installations, for use in purchasing properties and easements to avoid incompatible use, and especially as matching funds to leverage in obtaining Federal funds (such as REPI)

- d) Require Departments and Agencies to look for multiple benefits from projects in other State program funding prioritization, especially in promoting military-local community compatibility.

**4.23.2 Analysis:** A typical comment was: "...[We] Need a state entity that can manage money – needs to be an independent entity (not part of the Department of Commerce or another department). More like a Defense Support Task Force. Need to include the TAG. If you bury it under a department, many issues important to the military that are in other department areas (e.g. medical, education) will be put aside." There was equal comment about the increasing incidence of unfunded mandates.

**4.23.3 Action Entity:** Department of Commerce

**4.23.4 Implementing Steps:** Department of Commerce drafts legislative language to create a fund to address compatible land use issues.

**4.24 Finding:** There may be insufficient alignment of funding for conservation and environmental programs, which also contribute to ensuring compatible use for military bases

**4.24.1 Recommendation:** Enact legislation directing that conservation and environmental funds and others be prioritized to projects that both accomplish protection of wildlife habitat, conservation of rural areas, etc. and ensuring compatible development in MIAs.

**4.24.2 Analysis:** This may be the same for other funding such as that to preserve rural agricultural use of lands. Therefore, the State may be missing the potential to gain multiple benefits for its environmental and conservation dollars.

**4.24.3 Action Entity:** Department of Commerce

**4.24.4 Implementing Steps:** Draft legislative language to support this recommendation

**4.25 Finding:** There is insufficient funding available to local officials to implement options to address incompatibility issues.

**4.25.1 Recommendation:** Create an appropriation to responsively fund high priority military compatible use projects identified by communities.

**4.25.2 Analysis:** In many cases, purchase or lease of lands to prevent incompatible development, or transfer of land development rights through easements, are viable methods to prevent incompatible development between military installations and surrounding communities.

- a) In at least two cases, incompatible development had already occurred, and local officials had identified purchases that would begin to solve the problem, but no funding is available. Local authorities seldom have sufficient funds for these kinds of purchases, and usually the economic benefit of the military base is much broader than the entity that needs to take action to resolve or prevent an incompatibility issue. Also, local governments may lack the wherewithal to find the matching funds to compete for Federal grants. Finally, State agencies that could take action with their programs that would directly ensure long-term

compatible development have no funds specifically for this purpose. A number of states have created funds that are allocated by grants to communities in order to do projects related to encouraging compatible use, increasing value, or resolving issues related to their military bases. We highlight a couple in the best practices section. Some of these funds are substantial. The Texas Military Preparedness Commission's Defense Economic Adjustment Assistance Grant (DEAAG) program has had approximately \$30 million allocated to it. In Virginia, the Military Strategic Response Fund provided the city of Virginia Beach \$15 million to address encroachment at Naval Air Station Oceana during 2007-2008, and another \$15 million during 2009-2010.

- b) In these State programs, communities often have to provide matching funds, ensuring only the highest priorities are pursued. Given the economic impact of the military on Washington State, it seems a relatively small investment (compared to the military's economic impact) to sustain compatible use and enable the military to continue to perform its mission in the State is warranted. State appropriations could also be used as matching funds for localities to pursue Federal funds. In order to be responsive, the funds would have to be administered by a body knowledgeable on compatible use issues and their impact on the military mission. Other states have created bodies to perform such as the Texas Military Preparedness Commission or Florida Defense Support Task Force. Other states administer their grant programs from within existing departments. We recommend the Military Advisory Council be formed by the State and be the administrator of such a fund because of the inherent military expertise they will have.
- c) If a Military Advisory Council is not formed by the State, they do have mechanisms that could be used within government for administration of a grant program for compatible use projects. The Community Economic Revitalization Board (CERB), which provides funding to local governments and federally recognized tribes for public infrastructure which supports private business growth and expansion, could be adapted for this purpose. However, they do not inherently have the expertise in military value, civilian-military compatible use to perform the task without augmentation. If the Legislature or Governor do not agree with establishing a Military Advisory Council or other entity that could administer a grant program, the CERB is a likely candidate for administration of such a program. The establishing legislation would have to allow for some money to be used for staff augmentation or contracting for expert military installation advice to be effective if the CERB option is chosen. Some opponents could argue that the Federal Government should fund any compatible use or counter-encroachment efforts, as military installations are Federal property. However, in an environment where the military has infrastructure far in excess to its needs, Federal funding is unlikely. Given the significant economic impact military installations to the State, and the inability of local entities to assume the entire burden, State funding of these requirements seems to be a reasonable investment.

#### **4.25.3 Action Entity:** Washington State Legislature

**4.25.4 Implementation Steps:** Draft an appropriation in the upcoming legislative session with language that implements the recommendation. In the initial year, we suggest a pilot program of a

relatively small number (\$1-2 million) to allow the governing entity to develop procedures, grant application criteria, formats, and processes, and to establish analysis, selection, and grant monitoring.

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## Appendix A: Civilian-Military Land Use Policy Review

### **FEDERAL POLICY**

#### **United States Constitutional Rights and Amendments**

(US Constitution, Amendments V, X, and XIV)

The US Constitution and its Amendments provide the basis for and limitations to land use planning and regulation as practiced at the local-level. The Fifth Amendment establishes citizens' rights to the due process of law and just compensation for the public use of private property, or power of eminent domain. The Tenth Amendments to the United States Constitution provide the source of states' (police power) authority to legislate for the general safety, health, and welfare of the people. The Fourteenth Amendment ensures that the federal rights to equal protection under the law, due process, and just compensation are adhered to by the states.

These Amendments and their interpretation through case law shape the scope and limits of public use of private property. Substantive due process refers to the government's obligation to clearly demonstrate that its action upon private property advances a reasonably necessary and legitimate public purpose. Procedural due process refers to the government's obligation to adhere to established process to ensure citizens' opportunity to present objections to an action. If either aspect of due process has been breached, whether through physical occupation of private property or through highly-restrictive regulation, then a government action may be invalidated, potentially requiring payment to the affected property owner(s) as just compensation.

#### **American Indian Religious Freedom Act of 1978**

(P.L. 95-341)

The American Indian Religious Freedom Act of 1978 (P.L. 95-341) preserves the right of American Indians, Eskimos, Aleuts, and Native Hawaiians to religious freedom including access to sites and possession of sacred objects.

#### **Archaeological and Historic Preservation Act (AHPA)**

(P.L. 93-291)

The Archaeological and Historic Preservation Act (AHPA) of 1974 provides protection of historical and archaeological resources and data that could be harmed as the result of a federally funded construction project or, activity, or program. This act requires federal agencies to notify the Secretary of the Interior if a project may pose harm or loss of significant scientific, historic, or archaeological data.

#### **Archaeological Resources Protection Act**

(P.L. 96-95)

The Archaeological Resources Protection Act (ARPA) of 1979 was enacted to protect archaeological resources and sites located on public lands and Indian lands. It fosters cooperative exchange of information between governmental authorities, the archaeological community, and private individuals (Sec. 2(4) (b)). The Act prohibits unauthorized removal, transport, exchange, or

destruction of archaeological objects or sites on federal lands. It establishes certain procedural guidelines, requires federal agencies to consult with Native American tribes and to take measures (such as confidentiality) to protect archaeologically significant sites.

### **Clean Water Act**

(P.L. 92-500)

The Clean Water Act (CWA) of 1972 set national standards for water quality. The CWA provides procedural and permitting guidance through the Environmental Protection Agency (EPA) to control pollution discharged into waterways (point source pollution). The CWA upholds the authority of the states to allocate water quantity, and directs federal agencies to cooperate with state and local agencies to develop comprehensive water pollution control programs and manage water resources.

### **Endangered Species Act (ESA)**

(P.L. 93-205)

The Endangered Species Act (ESA) of 1973 provides for the conservation of endangered and threatened species, including fish, wildlife, and plants in order to prevent their extinction. Section 7 of the ESA requires consultation with the Department of the Interior whenever a DOD project or activity may impact a designated (listed) threatened/endangered species or critical habitat.

### **Energy Independence and Security Act**

(P.L. 110-140)

The Energy Independence And Security Act (EISA) of 2007 sets regulatory standards to achieve better energy performance of the federal government, increased consumer protections, production of clean renewable fuels, and research to reduce and mitigate greenhouse gases.

### **Federal Aviation Act, Regulation Part 77, Subpart C**

Regulation Part 77, Subpart C of the Federal Aviation Act provides standards for determining obstructions to air navigation or navigational aids or facilities. The subpart details the standards for civilian and DOD airports', as well as heliports', imaginary surfaces and what constitutes an obstruction to each.

### **National Defense Authorization Act (NDAA) - Conservation Partnering Initiative**

(P.L. 107-314)

The National Defense Authorization Act (NDAA) was amended by Congress to authorize the DOD to partner with other governmental agencies (federal, state, local) and non-governmental organizations to set aside conservation lands near military bases in order to prevent incompatible development.

### **National Environmental Policy Act (NEPA)**

(P.L. 91-190)

The National Environmental Policy Act (NEPA) of 1969 provides for the protection of diverse natural (and cultural) resources. It requires environmentally informed decision making for any proposed implementation of major federal actions. NEPA compliance for any federal project involves the preparation of an Environmental Assessment (EA) or an Environmental Impact Statement (EIS),

which serves to assess, avoid, and/or mitigate potential adverse environmental impacts resulting from a proposed project or activity.

### **National Historic Preservation Act (NHPA) of 1966**

(P.L. 89-665)

The National Historic Preservation Act (NHPA) of 1966 established the National Register of Historic Places, Advisory Council on Historic Preservation, State Historic Preservation Officers, and requirements for federal agencies to protect and plan for cultural/historic sites and artifacts. Section 106 of the Act sets requirements for federal agencies (and federally-funded projects) to prevent disturbance to archaeological sites.

### **Native American Graves Protection and Repatriation Act (NAGPRA)**

(P.L. 101-601)

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 establish additional protections for archeological research of religious or other cultural significance to Native American Tribes or groups. It requires coordination and consultation with, and (when applicable) repatriation of objects to, descendants or modern affiliated tribes.

### **Noise Control Act (NCA) of 1972**

(P.L. 92-574)

An act to research, control, and mitigate adverse health and quality of life impacts associated with noise from transportation, machinery, appliances, and other products. The Act establishes noise standards and regulations for aircraft, military weapons, rockets, vehicles, construction/electrical equipment and other sources of noise. Since 1982 primary responsibility for regulating noise shifted to state and local governments.

### **Oil Pollution Act (OPA) of 1990**

(P.L. 106-580)

The Oil Pollution Act (OPA) of 1990 established a system of prevention and response to oil spills. The OPA established federal regulations for the way oil storage facilities and vessels react to spills. The OPA requires regionally based Area Contingency Plans that prepare and plan for catastrophic oil spills. The OPA also established a fund financed by a tax on oil to respond to spills in the event that the responsible party cannot or will not.

### **Public Buildings Cooperative Use Act**

(P.L. 94-541)

The Public Buildings Cooperative Use Act of 1976 directs federal agencies to house administrative activities in buildings of historic, architectural, or cultural significance.

### **Rivers and Harbors Act of 1899**

(33 U.S.C. 403)

The Rivers and Harbors Act (RAHA) of 1899 requires a permit for structures built over or in United States navigable waters while prohibiting structures to alter or modify the course, location, condition or capacity of any port, harbor or enclosure sanctioned by the federal or state government. The act makes it unlawful to build structures outside harbor lines or where harbor lines

do not exist, except on the recommendation of the Chief of Engineers. The RAHA requires that any excavation, filling or discharge of refuse matter in navigable waters be approved by the Chief of Engineers and the Secretary of the Army.

### **Safe Drinking Water Act**

(P.L. 107-377)

The Safe Drinking Water Act (SDWA) protects public drinking water supplies, setting nationwide standards for water quality and providing a framework for technical/financial assistance for drinking water programs. Section 1428 of the Act upholds federal agencies to state programs for safe drinking water. The United States Environmental Protection Agency (EPA) has regulating authority for implementing the SDWA.

### **Sikes Act**

(P.L. 86-797)

The Sikes Act of 1960 authorizes the Secretary of Defense to carry out a program for natural resource conservation and rehabilitation on military installations. The Act requires the DOD to take action to conserve and protect natural resources through development and implementation of Integrated Natural Resources Management Plans (INRMPs) for all installations with significant natural resources. It requires DOD cooperation with the Secretary of the Interior through the USFWS, and the head of each appropriate state fish and wildlife agency. The Act also ensures that professionally trained natural resource management personnel/law enforcement personnel are available and assigned to help prepare and implement INRMPs.

### **Wilderness Act of 1964**

(P.L. 88-577)

The Wilderness Act (WA) of 1964 defined wilderness and created the National Wilderness Preservation System which designates federally owned land and provides for the protection and preservation of the land's natural condition.

### **Executive Order 13514 on Federal Leadership in Environment, Energy, and Economic Performance (2009)**

(Exec. Order No. 13514)

Executive Order 13514 sets sustainability goals for federal agencies in order to meet a greenhouse gas emissions reduction goal for 2020. The order requires federal agencies to set and act upon waste reduction, water conservation and energy efficiency goals. The order promotes the use of Federal dollars for environmentally friendly technologies and products within agencies that will support and create sustainable communities. The order provides for exemption of military and other agencies whose operations' integrity and secrecy may be endangered by adherence to the order.

## **WASHINGTON STATE POLICY**

### **Washington State Constitution and the Basis for Planning**

(Article I, Section 16; Article XI, Section 11)

The Washington State Constitution outlines private property rights and governmental police power authority, consistent with the United States Constitution. Article I, Section 16 describes private property rights, and provides for the use and limitations of the government's use of private property

for public purposes (eminent domain). State authority to regulate for the health, safety, and welfare of its communities is outlined in Article XI, Section 11 of the state’s constitution, which enables local jurisdictions to make and enforce “all such police, sanitary and other regulations.” Washington’s land use regulations originate from within this framework, providing the basis for planning at the local-level.

#### **TITLE 14: AERONAUTICS**

##### **Specific powers of municipalities operating airports**

(Chapter 14.08.120 RCW)

The Specific powers of municipalities operating airports section gives airports the authority to appoint a municipal airport commission that oversees industrial or commercial development as well as to vest authority over construction and regulation in a separate officer or body of the municipality. These bodies have authority to adopt and amend all rules and regulations given that they align with state law and rules of the department of transportation. They also have authority over the sale or lease of airport land provided that the public is not deprived of its rightful and equal use of the property.

#### **TITLE 19: BUSINESS REGULATIONS – MISCELLANEOUS**

##### **State Building Code**

(Chapter 19.27 RCW)

Washington State provides the groundwork for building codes and permitting in RCW 19.27, outlining minimum standards and requirements for construction, fire safety, permit application processes, project vesting, and code enforcement for local jurisdictions. Titles 35 and 36 give additional guidance for city- and county-level building codes, fire regulations, infrastructure, transportation, and other land use regulation.

#### **TITLE 35: CITIES AND TOWNS**

##### **Optional Municipal Code**

(Chapter 35a.63 RCW)

The Optional Municipal Code Act (Title 35A RCW) authorizes code-cities to plan, and provides details on criteria and elements that should appear in a comprehensive plan. The Optional Municipal Code also describes local authority structure and procedural guidance to city councils for considering, adopting (or rejecting), and implementing comprehensive plans through local ordinances. Section 290 includes a provision requiring written notice to the Department of Defense as a part of the permitting process for siting certain energy projects.

##### **Planning Commission Act**

(Chapter 35.63 RCW)

The Planning Commission Act enables local jurisdictions to establish a planning commission to recommend land use regulations and implement comprehensive land use plans. The Act gives guidance relating to development regulations and their consistency with comprehensive plans, and further guidance for zoning, general aviation airports, special use permitting, and energy projects. Section 270 requires an applicant for certain forms of energy-related projects to provide written notice to the DOD to ensure opportunity to participate in public comment.

## **TITLE 36: COUNTIES**

### **Growth Management Act (GMA)**

(Chapter 36.70A RCW; Chapter 36.70A.530 RCW)

The Growth Management Act (GMA) establishes land use guidance for the physical development of counties and cities. It outlines statewide land use goals pertaining to urban growth, transportation, housing, economic development, property rights, permitting, natural resource industries, open space and recreation, environment, citizen participation and coordination, public facilities and services, historic preservation, and shoreline management. The GMA directs jurisdictions to adopt comprehensive plans and development regulations, providing description for the content of comprehensive plans and associated procedural guidance. The GMA also provides procedural and substantive guidance for compatible development near military installations. The military provision, section 530, holds that development incompatible with an installation's mission should not be allowed, and requires consultation with an installation for proposed nearby development.

### **Highways – Open Spaces – Parks – Other Public Facilities – Storm Water Control**

(Chapter 36.89 RCW)

Chapter 36.89 RCW grants counties the authority to establish, acquire, develop, construct, and improve highways, open spaces, parks, recreation, and community facilities, public health and safety facilities, storm water control facilities and highways. The chapter requires the approval of the Washington State Department of Transportation for any use or development of state highways.

### **Planning Enabling Act**

(Chapter 36.70 RCW)

The Planning Enabling Act provides the authority and procedures for guiding and regulating the physical development of a county/region through correlating public and private projects. It is intended to uphold high standards for environment, commerce, industry, agriculture and recreation. The Act defines the composition of planning commissions and boards of adjustment. The Planning Enabling Act also provides a framework for comprehensive plans, development regulations, and zoning. Further guidance for land use planning and development is defined in Chapter 36.70A RCS, the Growth Management Act (GMA).

### **Local Project Review**

(Chapter 36.70B RCW)

The Local Project Review works to streamline and consolidate the permit application and completion process when dealing with environmental laws as they pertain to developmental laws. The chapter consolidates the permit review process whereby the procedure for review of project permits includes the environmental review process. RCW 36.70B defines and sets limits to the number of open record hearings and closed record appeals to be provided by local governments and regulates the timeframe in which local governments have to notify applicants of permit completion status.

### **Land Use Petition Act**

(Chapter 36.70C RCW)

The Land Use Petition Act (RCW 36.70C) provides timely judicial review of land use decisions through uniformed procedures and criteria for review. RCW 36.70B details the procedure by which

land use petitions are to be filed and the requisite timeline local jurisdictions are to abide. RCW 36.70C outlines an expedited review process for land use petitions filed under this chapter and lists required elements for land use petitions.

### **Local Government Organization—Boundaries –Review Boards**

(Section 36.93.010 RCW)

The Purpose section of the Local Government Organization – Boundaries – Review Boards chapter expounds the creation of Boundary Review Boards (BRB) as a quasi-judicial branch that guides and controls the growth of municipalities to prevent rapid metropolitan growth from disrupting consistent comprehensive land use planning. When necessary, the BRB is charged with reviewing, modifying and approving or disapproving actions listed in RCW 36.93.090.

### **TITLE 43: STATE GOVERNMENT – EXECUTIVE**

#### **State Environmental Policy Act (SEPA)**

(Chapter 43.21C RCW)

The State Environmental Policy Act (SEPA) establishes standards for an environmental review process to identify, avoid, and/or mitigate potential adverse impacts to the environment resulting from development projects or actions. Following environmental review, if a project or action is determined to have impact on the environment then an applicant is required to complete an Environmental Impact Statement (EIS) to assess potential impacts and provide less harmful alternatives (or take mitigation measures to offset the harm).

### **TITLE 47: PUBLIC HIGHWAYS AND TRANSPORTATION**

#### **Regional Transportation Planning Organizations**

(Chapter 47.80 RCW)

The Regional Transportation Planning Organization chapter authorizes the establishment of regional transportation planning organizations that will facilitate coordination between statewide transportation goals and local jurisdictions and their comprehensive plans in an effort to synthesize local, regional and statewide transportation systems. RCW 47.80 emphasizes statewide consistency by creating minimum standards that encourage policymakers to capitalize on the critical relationship between transportation and land use through integrated comprehensive plans.

### **TITLE 58: BOUNDARIES AND PLATS**

#### **The Subdivision Act**

(Chapter 58.17 RCW)

Plats – Subdivisions – Dedications

The Subdivision Act requires local governments to adopt subdivision regulations with procedures and standards of approval to govern platting and subdivisions of land.

### **TITLE 64: REAL PROPERTY AND CONVEYENCES**

#### **Real Property Transfers-Sellers' Disclosures**

(Chapter 64.06 RCW)

The Real Property Transfers-Sellers' Disclosure Act outlines sellers' duties as they pertain to the sale of commercial and unimproved/improved residential properties. RCW 64.06 details the legal obligations, duties and rights of buyers and sellers as well as liabilities for each party.

## **TITLE 70: PUBLIC HEALTH AND SAFETY**

### **Noise Control Act**

(Chapter 70.107 RCW)

The Washington State Noise Control Act of 1974 was enacted to establish abatement and control of noise. The Act granted the Washington State Department of Ecology the authority and responsibility for developing rules for noise that include product use regulations, performance standards for allowable noise, and public disclosure requirements pertaining to noise sources.

## **TITLE 76: FORESTS AND FOREST PRODUCTS**

### **Forest Practices Act**

(Chapter 76.09 RCW)

The Forest Practices Act sets forestry standards to support commercial timber growth and protection of the state's forest resources through reforestation of commercial tree species, stewardship, interagency/intergovernmental coordination, and procedural guidance for certain permitting practices. It also establishes the Forest Practices Board to independently adopt forest practices guidance to implement the Act and Stewardship of Non-industrial Forests and Woodlands.

### **Stewardship of Non-Industrial Forests and Woodlands**

(Chapter 76.13 RCW)

The Stewardship of Non-Industrial Forests and Woodlands Act requires that the Department of Natural Resources establish the small forest landowner office as a resource and facilitator of services to owners of non-industrial forests and woodlands. The chapter also establishes easement, cost-sharing, and management programs to aid small forest landowners in their stewardship efforts.

## **TITLE 77: FISH AND WILDLIFE**

### **Wildlife to be classified**

(Chapter 77.12.020 RCW)

The wildlife to be classified chapter of the Fish and Wildlife Act (RCW 77.12.020) outlines the roles and duties of the director and commission of the Department of Fish and Wildlife concerning classification and management/protection of species threatened, endangered, native, adaptable and invasive. Section 77.12.275 states that the commission may negotiate deals with the Department of Defense to allow fishing in state waters that are also under the control of the Department of Defense.

### **Endangered, threatened, and sensitive wildlife species classification**

(Section 232-12-297 WAC)

The endangered, threatened, and sensitive wildlife species classification rule provides listing and delisting criteria and processes for the director and commission of the Department of Fish and Wildlife. It also outlines the need and process for completing the internal and public review process as well as how the director and commission are to use recommendations based on these review processes.

### **Construction projects in state waters**

(Chapter 77.55 RCW)

The Construction projects in state waters chapter of the Fish and Wildlife Act (RCW 77.55) determines which hydraulic projects in state waters require a permit from either the Department of

Fish and Wildlife or the Department of Natural Resources, or both. Within the projects that require permits, the chapter charges the Department of Fish and Wildlife with the responsibility of creating rules and regulations for the oversight of hydraulic projects conducted in state waters and the protection of fish and wildlife within these arenas. The chapter also expounds the permit application requisites and process for both the department and the applicants.

## **TITLE 82: EXCISE TAXES**

### **Excise Taxes – General Provisions**

(Chapter 82.02 RCW)

The general provisions chapter of the Excise Taxes Act establishes the role of the Washington State Department of Revenue and what taxes cities/counties/municipalities can and cannot levy.

## **TITLE 84: PROPERTY TAXES**

### **Open Space, Agricultural, Timberlands-Current Use-Conservation Futures**

(Chapter 84.34 RCW)

The Open Space, Agricultural, Timberlands-Current Use-Conservation Futures chapter of the Property Taxes Act aims at creating an assessment practice wherein the permitting and tax levying process is designed to continue the availability of open space lands and preserve the integrity and value of farm and agricultural land.

## **TITLE 90: WATER RIGHTS – ENVIRONMENT**

### **Shoreline Management Act (SMA)**

(Chapter 90.58 RCW)

The Shoreline Management Act (SMA) of 1971 designates preferred uses for shorelines, which it defines as including certain shores of coastal and inland waters. Preferred uses include single-family residences, ports, recreation, certain industrial and commercial developments, and other developments that provide public access. The Act defines some shorelines as having statewide significance—including but not limited to the Pacific Coast, Hood Canal, the waters and certain shores of the Puget Sound, waters of the Strait of Juan de Fuca. Preferred uses of shorelines of statewide significance are prioritized to recognize and protect statewide interest over local interest; preserve natural shoreline character; result in long-term benefit over short-term; protect shoreline resources and ecology; increase access to publicly owned shorelines, and increase recreational opportunities. The SMA requires counties and cities adopt a comprehensive shoreline plan, a Shoreline Master Program (SMP), for waters and waterways within their jurisdiction.

## **DOD / MILITARY SERVICES POLICIES**

### **DOD and branch-specific compatibility programs**

The DOD has established compatibility programs that examine and analyze land use surrounding military activities and operations. In addition to DOD programs like Joint Land Use Studies (JLUSs), branch-specific compatibility programs account for the specialized needs of different mission and installation types. These programs rely on coordinated civilian-military engagement to assess existing conditions, identify potential compatibility issues, determine appropriate recommendations, and implement localized solutions to promote long-range compatibility.

## **DEPARTMENT OF DEFENSE**

### **DOD Instruction No. 3030.3**

The Department of Defense Instruction number 3030.3 (DODI 3030.3) establishes roles and outlines procedures within the Department of Defense and Military Departments that promote communication and coordination between military installations and surrounding communities during the execution of Joint Land Use Studies (JLUS) and following implementation. 3030.3 established the Land Use Inter-Service Working Group (IWG) under the Director of the Office of Economic Adjustment (OEA) to ensure that JLUS are conducted and implemented in concert with AICUZ, RAICUZ, ONMP, RMP programs to better prevent civilian encroachment and facilitate awareness and interest in JLUS goals within the civilian community.

### **DOD Instruction No. 4700.4**

The Department of Defense Instruction number 4700.4 (DODI 4700.4) governs Department of Defense (DOD) management of natural resources to ensure that principles of multiple-use and sustainable yield are upheld while supporting military missions as well. 4700.4 outlines the roles and responsibilities for installation commanders, heads of DOD components and heads of military services as they pertain to the establishment and maintenance of natural resources management programs per DOD's delegated authority.

## **UNITED STATES AIR FORCE**

### **Air Force Instruction 32-7061**

#### **Environmental Impact Analysis Process (32 CFR 989)**

The Air Force Instruction 32-7061 provides procedures for the environmental impact analysis process and is the essential framework to achieve and maintain compliance with the National Environmental Protection Act (NEPA), which also grants the instruction its authority.

### **Air Force Instruction 32-7063**

The Air Force Instruction 32-7063 (AFI 32-7063) is the most updated revision to DODI 4165.57 that established and enforces the Air Force Air Installations Compatible Use Zones (AICUZ) program. AFI 32-7063 identifies updated requirements to implement and maintain AICUZ and identifies requirements and delegates responsibilities therein to preserve operational compatibility through long term land use planning.

### **Air Force Instruction 32-7064**

#### **Integrated Natural Resources Management**

The Integrated Natural Resources Management Instruction 32-7064 (AFI 32-7064) is the framework whereby the Air Force implements and maintains mandatory standards of natural resources management as required by federal, state or county law. AFI 32-7064 provides detailed instructions for the protection and management of wetlands and waters, floodplains, coastal and marine resources, fish and wildlife, threatened and endangered species, forests, agricultural out-grants and areas for outdoor recreation on Air Force installations.

### **Air Force Instruction 32-7065**

#### **Cultural Resources Management**

The Cultural Resources Management instruction implements Air Force and Department of Defense policy that mandates the Air Force manage and protect cultural resources on areas affected by its operations. AFI 32-7065 establishes roles and responsibilities as well as actions and processes that ensure The Air Force is able to fulfill its duty to cultural resources surrounding its installations.

#### **Air Force Handbook 32-7084**

##### AICUZ Program Manager's Guide

Air Force Handbook 32-7084 (AFH 32-7084) provides an overview of the Air Installations Compatible Use Zones (AICUZ) study process and provides the program manager with specific guidance concerning the organization and implementation of AICUZ studies. The handbook provides a detailed description of the five phases of an AICUZ, assigns role and responsibilities when conducting and implementing an AICUZ, describes the process and use of data collection, outlines the process of environmental impact analysis and contextualizes AICUZ within a broader land use planning scope.

#### **Integrated Natural Resources Management Plan (INRMP) Strategic Action Plan**

The INRMP Strategic Action Plan is an implementation tool for INRMPs at active military installations to support the base in its commitment to properly manage the natural resources entrusted to its care while maintaining the readiness of its force. It describes the objectives of an INRMP and ways in which those objectives can be met through specific roles of the Department of Defense and various stakeholders.

#### **OTHER POLICY MENTIONS**

##### **Engrossed House Bill 2064**

Engrossed House Bill 2064 (HB 2064) charges the joint committee on veterans' and military affairs to conduct a study of Washington State's military installations to determine ways in which Washington can best facilitate the preparedness of its resident military forces and to protect the integrity of national defense missions. The study is to be presented to the governor and the state legislature.

#### **OTHER: PROPOSED LEGISLATION**

##### **Light Pollution Study**

(Proposed HB 2057, 2016)

Proposed House Bill 2057 would direct the Washington State Department of Ecology to conduct a study of light pollution that provides recommendations to the legislature as options to reduce light pollution. If passed and completed, light pollution legislation could provide a means of reducing energy consumption, sky glow, and glare that can interfere with pilot vision/navigation and military testing/training activities utilizing night vision. Similar legislation proposed in 2009-2010 (HB 1069) was mentioned in the 2009 Fairchild AFB JLUS as offering potential benefit for compatibility planning near military installations.

## Appendix B: Civilian-Military Land Use Policy Matrices

| <b>Federal policy and areas of civilian-military compatibility</b>                                      | Public lands | Education/schools | Transportation | Energy | Environment/Quality of life | Cultural Resources | Other |
|---|--------------|-------------------|----------------|--------|-----------------------------|--------------------|-------|
| <b>American Indians Religious Freedom Act of 1978</b><br>(P.L. 95-341)                                  |              |                   |                |        |                             | X                  |       |
| <b>Archaeological and Historic Preservation Act (AHPA)</b><br>(P.L. 93-291)                             |              |                   |                |        |                             | X                  |       |
| <b>Archaeological Resources Protection Act</b><br>(P.L. 96-95)  | X            |                   |                |        |                             | X                  |       |
| <b>Clean Water Act</b><br>(P.L. 92-500)   |              |                   |                |        | X                           |                    |       |
| <b>Endangered Species Act (ESA)</b><br>(P.L. 93-205)  |              |                   |                |        | X                           |                    |       |
| <b>Energy Independence and Security Act</b><br>(P.L. 110-140)   |              |                   |                | X      |                             |                    |       |
| <b>Federal Aviation Act</b><br>FAA Regulation Part 77, Subpart C  |              |                   |                |        |                             |                    | X     |
| <b>National Defense Authorization Act (NDAA) - Conservation Partnering Initiative</b><br>(P.L. 107-314) | X            |                   |                |        | X                           | X                  |       |
| <b>Native American Graves Protection and Repatriation Act (NAGPRA)</b><br>(P.L. 101-601)                |              |                   |                |        |                             | X                  |       |
| <b>National Environmental Policy Act (NEPA)</b><br>(P.L. 91-190)  |              |                   |                |        | X                           |                    |       |
| <b>National Historic Preservation Act (NHPA) of 1966</b><br>(P.L. 89-665)                               |              |                   |                |        |                             | X                  |       |
| <b>Noise Control Act</b><br>(P.L. 92-574)   |              |                   |                |        | X                           |                    |       |
| <b>Oil Pollution Act of 1990</b><br>(P.L. 106-580)  |              |                   |                |        | X                           |                    |       |
| <b>Public Buildings Cooperative Use Act of 1976</b><br>(P.L. 94-541)                                    |              |                   |                |        |                             | X                  |       |
| <b>Rivers and Harbors Act of 1899</b><br>(33 U.S.C. 403)  |              |                   |                |        | X                           | X                  |       |
| <b>Safe Drinking Water Act</b><br>(P.L. 107-377)  |              |                   |                |        | X                           |                    |       |
| <b>Sikes Act</b><br>(P.L. 86-797)   |              |                   |                |        | X                           |                    |       |
| <b>Wilderness Act of 1964</b><br>(P.L. 88-577)  |              |                   |                |        | X                           | X                  |       |

Table B2: Civilian-Military Land Use Policy Matrices

| <b>State policy and areas of civilian-military compatibility</b>   | Public lands | Education/schools | Transportation | Energy | Environment/Quality of life | Cultural Resources | Other |
|--|--------------|-------------------|----------------|--------|-----------------------------|--------------------|-------|
| <b>Construction Projects in State Waters</b><br>(Chapter 77.55 RCW)  |              |                   |                |        | x                           |                    |       |
| <b>Endangered, Threatened, and Sensitive Wildlife Species Classification</b><br>(Section 232-12-297 WAC)     |              |                   |                |        | x                           |                    |       |
| <b>Excise Taxes - General Provisions</b><br>(Chapter 82.02 RCW)  |              |                   |                |        |                             |                    | x     |
| <b>Forest Practices Act</b><br>(Chapter 76.09 RCW)   |              |                   |                |        | x                           |                    |       |
| <b>Growth Management Act (GMA)</b><br>(Chapter 36.70A RCW; Chapter 3.70A.530 RCW)                            | x            | x                 | x              | x      | x                           | x                  | x     |
| <b>Highways - Open Spaces - Parks - Other Public Facilities - Storm Water Control</b><br>(Chapter 36.89 RCW) | x            |                   | x              |        | x                           |                    |       |
| <b>Land Use Petition Act</b><br>(Chapter 36.70C RCW)   |              |                   |                |        |                             |                    | x     |
| <b>Local Government Organization - Boundaries - Review Boards</b><br>(Chapter 36.93.010 RCW)                 | x            |                   |                |        |                             |                    |       |
| <b>Local Project Review</b><br>(Chapter 36.70B RCW)  |              |                   |                |        |                             |                    | x     |
| <b>Noise Control Act</b><br>(Chapter 70.107 RCW)   |              |                   |                |        |                             |                    | x     |
| <b>Open Space, Agricultural, Timberlands-Current Use-Conservation Futures</b><br>(Chapter 84.34 RCW)         | x            |                   |                |        | x                           |                    |       |
| <b>Optional Municipal Code</b><br>(Chapter 35A.63 RCW)   |              |                   |                |        |                             |                    | x     |
| <b>Planning Commission Act</b><br>(Chapter 35.63 RCW)  |              |                   |                |        |                             |                    | x     |
| <b>Planning Enabling Act</b><br>(Chapter 36.70 RCW)  |              |                   |                |        |                             |                    | x     |
| <b>Real Property Transfers-Sellers' Disclosures</b><br>(Chapter 64.06 RCW)                                   |              |                   |                |        |                             |                    | x     |
| <b>Regional Transportation Planning Organizations</b><br>(Chapter 47.80 RCW)                                 |              |                   | x              |        |                             |                    |       |
| <b>Shoreline Management Act</b><br>(Chapter 90.58 RCW)   |              |                   |                |        | x                           |                    |       |
| <b>Specific Powers of Municipalities Operating Airports</b><br>(Chapter 14.08.120 RCW)                       |              |                   |                |        |                             |                    | x     |
| <b>State Building Code</b>   |              |                   |                |        |                             |                    | x     |

|  |  |  |  |   |  |  |  |
|--|--|--|--|---|--|--|--|
| (Chapter 19.27 RCW)  |  |  |  |   |  |  |  |
| <b>State Environmental Policy Act (SEPA)</b><br>(Chapter 43.21C RCW) |  |  |  | x |  |  |  |

## [Appendix C: Supplementary Mapping Information](#)

This study inventoried key installations, sites, training areas and restricted zones associated with missions of the Department of Defense, United States Coast Guard, and the Department of Energy. Military geospatial boundaries exist across the land, maritime and air domains, but many of the most important ones are invisible and literally “transparent” to the public. The delineated zones come with a wide range of constraints ranging from preclusion to cautionary warning, and zones from multiple domains will frequently overlap. Geospatial depiction of these locations, areas and zones is a fundamental communication tool for shared understanding across the wide group of land use compatibility stakeholders. The statewide depiction of DoD, USCG and DoE assets is presented in three dimensions (ground / maritime / air) with additional detail in the next three charts. These more detailed views, particularly when viewed simultaneously, reinforce the scope and extent to which land use compatibility issues are relevant to all portions of the State of Washington.

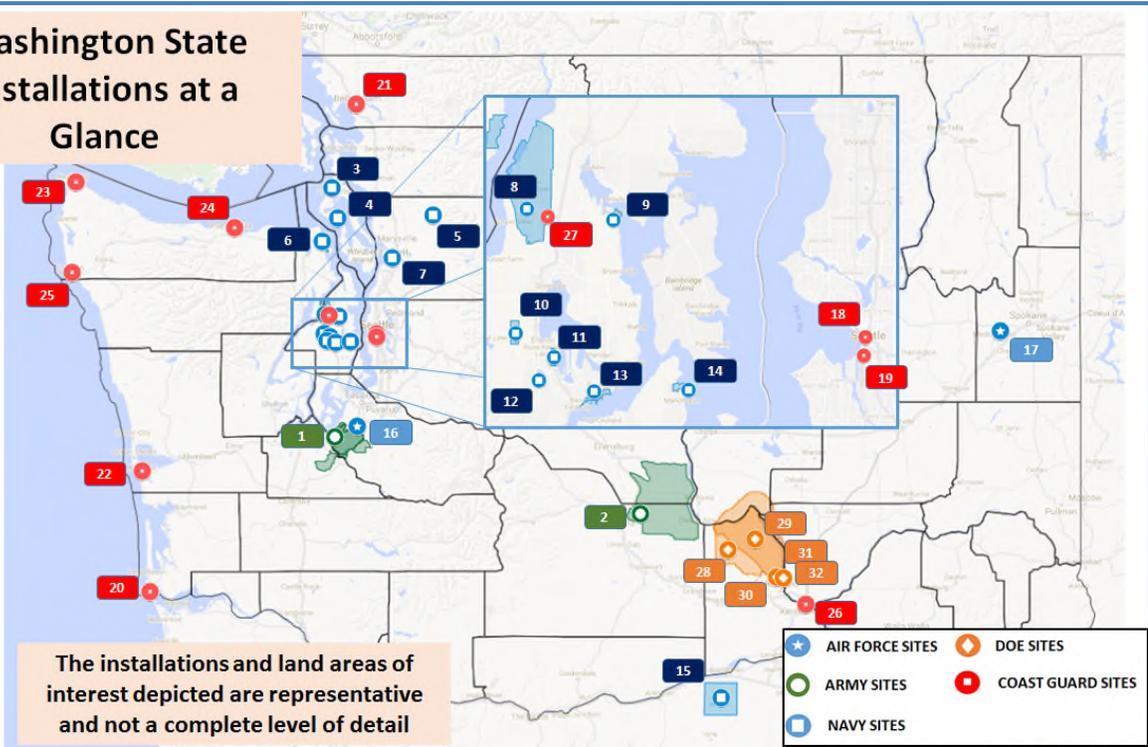
**FIG C-1** This overview features the major Washington State facility and site locations of the US Air Force, US Navy and US Coast Guard, the Army bases locations and major ground training locations at Fort Lewis and Yakima, the Boardman Bombing Range (located in the State of Oregon but managed by NAS Whidbey Island), and the DoE facilities and reservation vicinity Hanford. These facilities have associated maritime and air areas of interest for purposes of security, training, or military capability development.

**FIG C-2** The Maritime Domain areas of interest are on the coast with Quinalt Underwater Tracking Range (QUTR) and various Naval Restricted Areas (NRAs), Naval Operating Areas (NOAs), and security zones adjacent to Naval facilities throughout the Puget Sound area.

**FIG C-3** The Air Domain areas of interest for compatibility land use issues in the State of Washington include Warning Areas, Military Operating Areas (MOAs), Restricted Areas, National Security Zones and Military Training Routes (MTRs) across the State and adjacent waters. Some of these MTRs extend across State boundaries.

**TABLE C-1** The study geospatial information was consolidated into a prototype interactive, scalable map site for demonstration purposes for the Department of Commerce. The entire list of identified geospatial entities is listed in the following table.

# Washington State Installations at a Glance

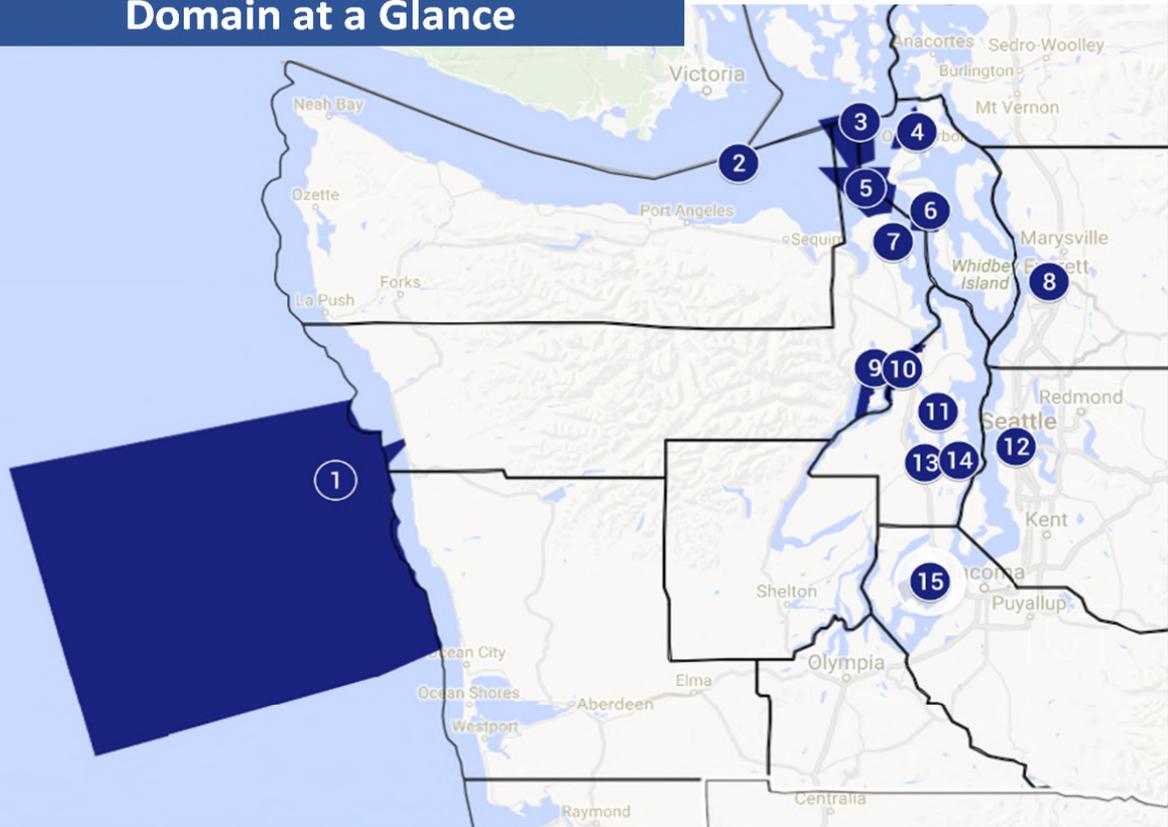


| Army & Joint Sites |                                  |
|--------------------|----------------------------------|
| 1                  | Joint Base Lewis McChord         |
|                    | Fort Lewis Installation          |
|                    | Camp Murray (WNG)                |
| 2                  | Yakima Training Center           |
| Navy Sites         |                                  |
| 3                  | NAS Whidbey Island               |
| 4                  | NOLF Coupeville                  |
| 5                  | Naval Radio Station Jim Creek    |
| 6                  | Indian Island Navy Magazine      |
| 7                  | Naval Station Everett            |
| 8                  | Naval Base Kitsap-Bangor         |
| 9                  | NUWC Division Keyport            |
| 10                 | Camp Wesley Harris Naval Reserve |
| 11                 | Puget Sound Naval Complex        |
| 12                 | Naval Rec Center Camp McKean     |
| 13                 | Naval Base Kitsap-Bremerton      |
| 14                 | Naval Fuel Depot Manchester      |
| 15                 | Boardman Bombing Range           |

| Air Force Sites   |  |
|-------------------|--|
| 16                | McChord                                      |
| 17                | Fairchild Air Force Base                     |
| Coast Guard Sites |  |
| 18                | Coast Guard District 13                      |
| 19                | USCG Base Seattle                            |
| 20                | USCG Station Cape Disappointment             |
| 21                | USCG Station Bellingham                      |
| 22                | USCG Grays Harbor                            |
| 23                | USCG Station Neah Bay                        |
| 24                | USCG Station Port Angeles                    |
| 25                | USCG Station Quillayute River                |
| 26                | USCG Aids to Navigation Team (ANT) Kennewick |
| 27                | USCG Marine Force Protection Unit Bangor     |
| DOE Sites         |  |
| 28                | DOE Handford Site w/ Ecology Reserve         |
| 29                | DOE Handford Site                            |
| 30                | DOE HAMMER Training and Education Center     |
| 31                | PNNL Campus                                  |
| 32                | Battelle Campus                              |

FIG C-1

# Washington State Maritime Domain at a Glance



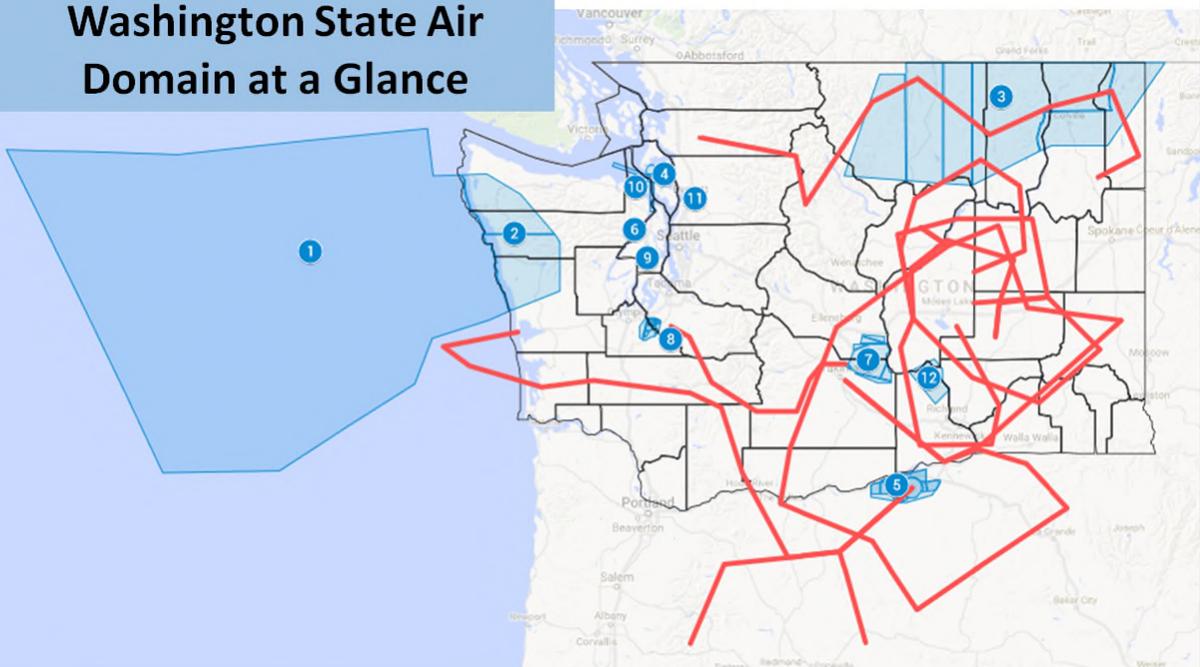
| Maritime Domain |  |
|-----------------|--|
| 1               | Quinalt Underwater Tracking Range QUTR |
| 2               | Ediz Hook Navy Precautionary Area      |
| 3               | R-6713 NOA (Navy 3)                    |
| 4               | Whidbey Island NRAs & Safety Zones     |
| 5               | Admiralty Inlet NRA                    |
| 6               | Admiralty Bay NOA R-6701 (Navy 7)      |
| 7               | Indian Island Magazine NRA             |
| 8               | Everett NRA                            |
| 9               | Dabob Bay Torpedo Testing Range        |
| 10              | Hood Canal Navy Operating Areas        |
| 11              | Keyport Torpedo Testing Range          |
| 12              | Pier 36 Security Zone                  |
| 13              | Bremerton Shipyard Security Zone       |
| 14              | Manchester Fuel Depot NRA              |
| 15              | Carr Inlet NRAs                        |

The Maritime Domain areas of interest are representative and not a complete level of detail

NRA: Naval Restricted Area  
NOA: Naval Operating Area

FIG C-2

## Washington State Air Domain at a Glance



| Air Domain              |   |
|-------------------------|---|
| 1                       | Warning Area W-237                        |
| 2                       | Olympic MOAs                              |
| 3                       | Okanogan & Roosevelt MOAs                 |
| 4                       | Whidbey Island MOAs & Restricted Airspace |
| 5                       | Boardman MOAs & Restricted Airspace       |
| 6                       | Bangor Restricted Airspace P-51           |
| 7                       | Yakima Restricted Airspace                |
| 8                       | JBLM MOAs & Restricted Airspace           |
| National Security Areas |   |
| 9                       | NSA Bremerton                             |
| 10                      | NSA Indian Island                         |
| 11                      | NSA Everett                               |
| 12                      | NSA Hanford                               |

  
MTR: Military Training Route

Air Domain areas of interest are depicted regardless of the service of origin. The Military Operating Areas and Restricted Air Space depicted are representative and not a complete level of detail

FIG C-3

## [Appendix D: Digital Mapping Information Provided to Commerce](#)

|  |
|--|
| <b>Army &amp; Joint Sites</b>                |
| Joint Base Lewis McChord                     |
| Fort Lewis Installation                      |
| Fort Lewis Training Areas North              |
| Fort Lewis Training Areas South              |
| Fort Lewis Training Areas East               |
| Camp Murray (WNG)                            |
| Yakima Training Center                       |
|  |
| <b>Navy Sites</b>                            |
| NAS Whidbey Island                           |
| Whidbey Island Adjunct Facility              |
| NOLF Coupeville                              |
| Naval Radio Station Jim Creek                |
| Indian Island Navy Magazine                  |
| Naval Station Everett                        |
| US Navy Zelatched Point                      |
| Naval Base Kitsap-Bangor                     |
| US Navy Toandos Peninsula                    |
| NUWC Division Keyport                        |
| Camp Wesley Harris Naval Reserve             |
| Puget Sound Naval Complex                    |
| Naval Rec Center Camp McKean                 |
| Naval Base Kitsap-Bremerton                  |
| Naval Fuel Depot Manchester                  |
| Boardman Bombing Range                       |
|  |
| <b>Air Force Sites</b>                       |
| McChord                                      |
| Fairchild Air Force Base                     |
| <b>Coast Guard Sites</b>                     |
| Coast Guard District 13                      |
| USCG Base Seattle                            |
| USCG Station Cape Disappointment             |
| USCG Station Bellingham                      |
| USCG Grays Harbor                            |
| USCG Station Neah Bay                        |
| USCG Station Port Angeles                    |
| USCG Station Quillayute River                |
| USCG Aids to Navigation Team (ANT) Kennewick |

|   |
|---|
| <b>USCG Marine Force Protection Unit Bangor</b> |
|   |
| <b>DOE Sites</b>                                |
| DOE Hanford Site w/ Ecology Reserve             |
| DOE Hanford Site                                |
| DOE HAMMER Training and Education Center        |
| PNNL Campus                                     |
| Battelle Campus                                 |
|   |
| <b>Maritime Domain</b>                          |
| Quinalt Underwater Tracking Range (QUTR)        |
| QUTR Range Area                                 |
| QUTR Anchoring Restriction                      |
| Ediz Hook Navy Precautionary Area               |
| R-6713 NOA (Navy 3)                             |
| Air to Surface Weapon Range                     |
| Whidbey Island NRAs & Safety Zones              |
| Whidbey NRA #1                                  |
| Whidbey NRA #2                                  |
| NAS Whidbey Small Arms Safety Zone              |
| Admiralty Inlet NRA                             |
| Admiralty Bay NOA R-6701 (Navy 7)               |
| Indian Island Magazine NRA                      |
| Everett NRA                                     |
| Dabob Bay Torpedo Testing Range                 |
| Whitney Point Naval Restricted Area             |
| Hood Canal Navy Operating Areas                 |
| Hood Canal Naval Exercise Area                  |
| Hood Canal Security Zone Anchorage              |
| Hood Canal NRA                                  |
| Hood Canal Naval Operating Area                 |
| Keyport Torpedo Testing Range                   |
| Pier 36 Security Zone                           |
| Bremerton Shipyard Security Zone                |
| Manchester Fuel Depot NRA                       |
| Carr Inlet NRAs                                 |
| Carr Inlet NRA                                  |
| Carr Inlet Test Buoy Area                       |
|   |
| <b>Air Domain</b>                               |
| Warning Area W-237                              |
| Olympic MOAs                                    |
| Olympic A MOA                                   |

|  |
|--|
| Olympic B MOA  |
| <b>Okanogan &amp; Roosevelt MOAs</b>                 |
| Okanogan A MOA                                       |
| Okanogan B MOA                                       |
| Okanogan C MOA                                       |
| <b>Roosevelt MOAs</b>                                |
| Roosevelt A&B MOA                                    |
| Roosevelt B MOA                                      |
| <b>Whidbey Island MOAs &amp; Restricted Airspace</b> |
| Chinook A MOA  |
| Chinook B MOA  |
| Coupeville NOLF (NRA)                                |
| R-6701   |
| <b>Boardman MOAs &amp; Restricted Airspace</b>       |
| Boardman MOA   |
| R-5701   |
| R-5706   |
| <b>Bangor Restricted Airspace P-51</b>               |
| <b>Yakima Restricted Airspace</b>                    |
| R-6714 A   |
| R-6714 B   |
| R-6714 C   |
| R-6714 D   |
| R-6714 F   |
| R-6714 G   |
| R-6714 H   |
| <b>JBLM MOAs &amp; Restricted Airspace</b>           |
| Rainier 1 MOA  |
| Rainier 2 MOA  |
| Rainier 3 MOA  |
| R-6703 A   |
| R-6703 B   |
| R-6703 C   |
| R-6703 D   |
| R-6703 E   |
| R-6703 F   |
| R-6703 G   |
| R-6703 H   |
| R-6703 I   |
| R-6703 J   |
| <b>National Security Areas</b>                       |
| NSA Bremerton  |
| NSA Indian Island                                    |

|                                 |
|---------------------------------|
| <b>NSA Everett</b>              |
| <b>NSA Hanford</b>              |
| <b>Military Training Routes</b> |
| <b>IR 324</b>                   |
| <b>IR 325</b>                   |
| <b>IR 326</b>                   |
| <b>IR 327</b>                   |
| <b>IR 328</b>                   |
| <b>IR 329</b>                   |
| <b>IR 330</b>                   |
| <b>IR 341</b>                   |
| <b>IR 342</b>                   |
| <b>IR 343</b>                   |
| <b>IR 344</b>                   |
| <b>IR 346</b>                   |
| <b>IR 348</b>                   |
| <b>IR 460</b>                   |
| <b>IR 461</b>                   |

## Appendix E: Process map

### Processes for Proposals to Change and Update Comprehensive Plans and Land Use Codes

Planning Commission reviews applications for completeness

Timeframe: 2 months

Assessment for sufficiency review with planning proposal guidelines is completed. If application to amend receives affirmative determination, the proposal advances for further analysis.

Staff and planning commission review each application, analyzing such factors as its consistency with existing plans.

Timeframe: 7 months

Process includes planning & legal consistency reviews and assessment of potential compatibility impacts and benefits.

*In jurisdictions with a Joint Land Use Study, proposals are reviewed for consistency with regulations adopted to address compatibility.*

Public Outreach Phase: Staff conducts outreach efforts to solicit comments, feedback and suggestions from stakeholders, interested entities and the community.

Timeframe: 12 months

Public Outreach Phase includes community workshops, meetings with neighborhood councils and stakeholders, and correspondence and online communications.

*During this phase stakeholders engaged in military compatibility issues are encouraged to provide input through public participation efforts.*

Planning Committees review the proposed amendments for the following planning elements and *in jurisdictions with an installation, proposals are flagged for additional review and shared with base commander:*

Timeframe: 11 months

Landuse Elements to include: Population growth, Urban Growth Areas, Public Use Lands, Open Space, Measures to protect, enhance or impact Critical Areas, Critical Aquifer Recharge Areas, Natural Resource Lands, *and determining if no incompatible uses near DoD bases.*

Other Elements include: Housing, Capital Facilities Plans, Utilities, Transportation, Economic Development, Parks and Recreation plans, Shoreline Master Prgram goals and Essential Public Facilities Plan.

Planning Commission provides public hearings, advances recommendations

Timeframe: 4 months

- Planning Commission conducts public hearing.
- City Council conducts study sessions and a public hearing.
- Infrastructure, Planning and Sustainability Committee forwards "Recommendations for Adoption" to the City Council.

City Council adopts and enacts amendments.

Advance to Implementation Phase

- Changes take effect and are codified in zoning and assessors maps are updated to reflect proposed changes.
- Implementation includes policy analysis, regional coordination with other jurisdictions, investments in public infrastructure & programs, neighborhood planning and new regulations.

## Appendix F: Agency Roles

| Environmental and Cultural Resources Agencies & Commissions and their roles and partnerships with the military |  |  |  |  |   |
|--|--|--|--|--|---|
|  | Compatibility Issues   |  |  | Partnerships with Military   |   |
|  | LAND   | WATER  | AIR  | ENCROACHMENT PARTNERSHIPS  | MISSION SUPPORT PARTNERSHIPS  |
| Agency responsibilities and collaborations:  | land management, public lands, wildlife, cultural and historic preservation, funding land conservation | public waterways, shorelines, water quality, fisheries, marine mammals | air space use, spectrum use, flight noise, flight traffic, wildlife-air strikes, air quality | formal arrangements allowing the agency to support compatible uses and address encroachment threats. | formal arrangements where the military's actions supports the agency's mission. |
| State Agencies & Commissions:  |  |  |  |  |   |
| DAHP Archaeology & Historic Preservation*  | •  |  |  |  |   |
| DFW Dept. of Fish and Wildlife   | •  | •  | •  | •  | •   |
| DNR Department of Natural Resources*   | •  | •  | •  | •  | •   |
| DoH Department of Health   |  | •  |  |  |   |
| DVA Department of Veterans Affairs (Veterans Conservation Corps)   | •  |  |  | •  |   |
| ECY Department of Ecology  |  | •  | •  |  | •   |
| PARKS Parks and Recreation Commission  | •  | •  | •  | •  |   |
| PSP Puget Sound Partnership  | •  | •  |  | •  | •   |
| RCO Recreation and Conservation Office   | •  | •  |  | •  |   |
| SCC Conservation Commission, State   | •  |  |  | •  |   |

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