

**DEPARTMENT OF NAVY
United States Marine Corps**

Report to Congress

**RESPONSE TO TITLE XXVIII, SUBTITLE F, SECTION 2856 OF
THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013**

**LIMITATION ON AVAILABILITY OF FUNDS PENDING REPORT REGARDING
ACQUISITION OF LAND AND DEVELOPMENT OF A TRAINING RANGE FACILITY
ADJACENT TO THE MARINE CORPS GROUND AIR COMBAT CENTER TWENTYNINE
PALMS, CALIFORNIA**

January 2013

Report to Congress on the Training Requirements for sustained, combined-arms, live-fire and maneuver Marine Expeditionary Brigade Training through the Acquisition of Land, the establishment or modification of Associated Special Use Airspace, and, the Development of Training Ranges Adjacent to the Marine Corps Air Ground Combat Center, Twentynine Palms, California

1. Requirement for the Report:

Title XXVIII, Subtitle F, Section 2856 of the National Defense Authorization Act for Fiscal Year 2013 directs the Secretary of the Navy to provide a report to Congress on (1) the training requirements necessitating the Marine Corps proposal to acquire land, and establish or modify associated Special Use Airspace adjacent to the current ranges at the Marine Corps Air Ground Combat Center, Twentynine Palms, California; and (2) various impacts associated with the proposed action. The section sets out the requirements for this report as follows:

“(2) ELEMENTS OF THE REPORT.—The report required under paragraph (1) shall be submitted not later than 90 days after the date of enactment of this Act and shall include the following:

“(A) A description of the actual training requirements for the proposed range and where those training requirements are currently being met to support combat deployments.

“(B) Identification of the impact on off-road vehicle recreational users of the land, the economic impact on the local economy, the recreation industry, and any other stakeholders.

“(C) Identification of any concerns discussed with the Bureau of Land Management regarding their assessments of the impact on other users.

“(D) Identification of the impact on the State of California’s 1980 Desert Conservation Plan regarding allocation of the Off Highway Vehicle Recreation Areas.

“(E) An evaluation of the potential to use the same land without transfer, but under specific permits for use provided by the Bureau of Land Management (as such permits are used at other locations from the Forest Service and Bureau of Land Management).

“(F) An evaluation of any potential on other Bureau of Land Management lands proximate to the Marine Corps Air Ground Combat Center Twentynine Palms or other locations in the geographic region.”

2. Executive Summary

This Report to Congress provides information about the Marine Corps' efforts to meet its identified requirement for Marine Expeditionary Brigade (MEB)-level sustained, combined-arms, live-fire and maneuver training through land acquisition, airspace establishment, and training range development at the Marine Corps Air Ground Combat Center (MCAGCC) at Twentynine Palms, California. This report is based on information contained in the Final Environmental Impact Statement (EIS) for Land Acquisition and Airspace Establishment to Support Large-Scale Marine Air Ground Task Force (MAGTF) Live Fire and Maneuver Training; a copy of which is included in the CD attached to this report and available on-line at:

<http://www.29palms.marines.mil/Staff/G4InstallationsandLogistics/LandAcquisition.aspx>.

The Notice of Availability for the Final EIS was published in the Federal Register on July 27, 2012.

The Marine Corps' requirement for sufficient range capability for MEB training was first established in *Marine Corps Strategy 21*, published on November 3, 2000, which identified the MEB as the primary contingency response force of the Marine Corps. The expanded and modified role of MEBs occasioned a full review of MEB training, culminating in a series of recommendations by the Center for Naval Analyses (CNA) in 2004. The CNA studies identified MEB training requirements (e.g., three battalions moving simultaneously toward a single objective), determined the necessary training environment to support MEB training, and assessed the capabilities of existing ranges to support such training. The CNA studies of ranges in the Southeast, Gulf Coast and Southwest of the U.S. concluded that there was no training range capable of meeting the MEB training requirements for sustained, combined-arms, live-fire and maneuver training involving all elements of a MEB: the ground combat elements, air combat elements, the combat logistics element and the command element. The CNA studies concluded that only MCAGCC had the potential to accommodate the requisite MEB training and only if additional land and associated airspace were added to the current training ranges at MCAGCC. (MCAGCC can currently only accommodate training for two battalions simultaneously while the MEB requirement is for three battalions).

The Marine Requirements Oversight Council (MROC) – the Marine Corps' General Officer leadership decision-making body – validated and accepted the CNA recommendations for MEB sustained, combined-arms, live-fire and maneuver training requirements, and has twice authorized acquiring lands and establishing associated airspace at MCAGCC to meet those MEB-level training requirements. The Office of the Secretary of Defense (Under Secretary of Defense for Acquisition, Technology and Logistics) concurred and a Notice of Proposed Withdrawal of lands and a Notice of Intent to prepare an EIS were published in the Federal Register on September 14 and October 30, 2008, respectively.

The Federal Aviation Administration (FAA) and Bureau of Land Management (BLM) are cooperating agencies in the development of the EIS. Both agencies participated in team meetings; BLM co-hosted public comment meetings; both agencies provided information regarding project developments, and their input and objectives have been factored into the development and selection of the Preferred Alternative that balances the MEB training requirement against competing uses of the land and airspace under study.

The Final EIS describes the potential direct, indirect, and cumulative impacts of the proposed action on off-highway vehicle (OHV) recreational use; applicable land use plans and policies; the economic impact on local and regional economies; and, the impact on an array of other environmental resources. Throughout preparation of the EIS, the Department of the Navy engaged in multiple rounds of public comment. Alternative 6, the selected alternative, was derived in direct response to public comments and is specifically designed to reduce the potential impacts to OHV recreation and the economic activities in

the region that flow from OHV activities, while preserving sufficient capability to meet the MEB training requirement. As identified in the Draft EIS, Alternative 6 is the preferred alternative – the one that most appropriately balances the requirements for training while reducing impacts to recreation and other resources. Alternative 6, with slight modifications, remains the preferred alternative.

In summary, the Marine Corps has worked with the BLM, the FAA, and other interested stakeholders in selecting the alternative that allows for increased range capability at MCAGCC necessary to support required sustained, combined-arms, live-fire and maneuver MEB training while minimizing impacts to OHV recreation and other resources. Throughout development of the EIS, the Marine Corps has worked to accommodate all parties' requirements to the fullest extent possible while ensuring the minimum range capability to meet the MEB training requirement. The Preferred Alternative is the option that provides the best balance between environmental, aviation, recreation and economic resources while meeting the MEB training requirements.

3. Responses to Specific Questions Posed in Section 2856

The following information responds to the specific questions set out in Section 2856 of the National Defense Authorization Act for Fiscal Year 2013. The responses are based on the Final EIS prepared on the MCAGCC Land Acquisition and Airspace Establishment project.

(A) Provide a description of the actual training requirements for the proposed range and where those training requirements are currently being met to support combat deployments.”

RESPONSE: *Marine Corps strategy requires a sustained, combined-arms, live-fire, and maneuver field training for Marine Expeditionary Brigade (MEB)-sized Marine Air Ground Task Forces (MAGTFs), that consists of three battalion task forces and associated Command, Aviation, and Combat Logistics Elements. This MEB training requirement is based on the Marine Corps Strategy 21, the 2004 CNA studies, and the November 2006 Marine Requirements Oversight Council decision that validated and accepted the recommendations to establish a large-scale MAGTF training area. As recently as the 2012 Sustainable Ranges Report to Congress, the Marine Corps has reported a deficiency in MEB training. MEBs must be able to conduct maneuver-intensive operations over extended distances on nonlinear battlefields, supported by closely coordinated precision fires, aviation-delivered ordnance, and sustained, focused logistical support. A range facility to support MEB training must accommodate the following minimum objective requirements:*

- *Independent, offensive maneuver of three battalion task forces abreast and associated air combat element operations, with the three battalion task forces converging on a single MEB objective;*
- *48-72 hours of continuous offensive operations by the three battalion task forces as they converge on a single MEB objective; and*
- *Integrated air and ground maneuver live-fire with optimized freedom of action to the greatest extent practicable considering operational range capabilities and munitions safety requirements.*

Currently, no such training capability exists. Large-scale MAGTF training currently relies on a combination of classroom instruction, command post exercises, and simulation as part of Command Element training. However, such methods offer only limited practical experience and cannot provide realistic training opportunities to rapidly and effectively integrate all elements of the large-scale MAGTF into a single cohesive force. Sustained, combined-arms, live-fire and maneuver training involving all elements of the MEB is necessary to meet current requirements. This training requirement cannot currently be met at any existing range.

(B) Identify the impact on off-road vehicle recreational users of the land, the economic impact on the local economy, the recreation industry, and any other stakeholders.”

RESPONSE: *Section 4.3, Section 5.4.3, and Appendix K of the Final EIS (Socioeconomics) describe the anticipated direct, indirect and cumulative effects on the local and regional economy associated with the proposed action. The primary economic impacts are expected to result from the partial displacement of recreational and film industry activities that currently take place on public lands within the affected project area. To define the magnitude of localized and regional economic contributions specific to recreation in Johnson Valley, the EIS analysis estimated a baseline level of recreational spending based on estimates from the BLM of total annual visitor-days of use and a range of detailed assumptions about average visitor behavior (e.g., proportion of single day vs. multi-day visits, average duration of multi-day visits, geographic distribution of trip origins relative to Johnson Valley, average number of people per group, average daily per capita spending patterns based on visitor origin). These estimates were then used by the DoN to determine the economic effects of the preferred alternative.*

About 46 percent of the existing Johnson Valley OHV Area would remain accessible for public recreation and film industry use at least 10 months per year, which includes several of the more popular OHV destinations. BLM provided assumptions that local Johnson Valley OHV Area users (within 50 miles) spend 100 percent of their trip costs locally; more distant San Bernardino County visitors to the Johnson Valley OHV Area are assumed to spend 60 percent of their trip costs locally and 40 percent at their point of origin; and visitors from outside San Bernardino County to the Johnson Valley OHV Area are assumed to spend 30 percent of their trip costs locally, 10 percent in the rest of the county and 60 percent at their point of origin. Additional estimates reflect that almost 14 percent of all visitor days to Johnson Valley occur in conjunction with one organized race, the annual King of the Hammers race.

The assumptions above were used to predict the economic impacts of the preferred alternative in the Final EIS. These impacts are summarized below:

- *Direct regional (countywide) impact from lost sales and tax revenue related to reduced recreational and film industry spending reflects a reduction of \$216,000 compared to estimated baseline spending of \$8.5 million.*
- *Direct local impact (within 50 miles of Johnson Valley) from lost sales and tax revenue related to reduced recreational and film industry spending reflects a reduction of \$1.5 million compared to estimated baseline spending of \$6 million. The reduction in local spending is higher than the estimated reduction in countywide spending because much of the displaced recreational (dispersed use only) and film industry activity from the local area is expected to shift to locations elsewhere within the County.*
- *Small indirect impact to OHV industry sales from a reduction in recreation visitors to Johnson Valley; BLM estimates that 90 percent of dispersed use OHV visitors to Johnson Valley would shift to other recreational areas in San Bernardino County, and most visitors not returning to the county would likely continue to enjoy OHV recreation elsewhere. In general, OHV enthusiasts are not expected to give up the activity entirely because of reduced opportunities at Johnson Valley.*
- *Beneficial impacts (direct and indirect) from a net gain in regional sales (\$7.5 million), income (\$4 million), and employment (110 jobs) from the MCAGCC personnel increase would offset the loss in recreational and film industry spending. Sufficient capacity exists to absorb the added demand for housing and community services.*
- *Indirect adverse impacts may occur on individual small businesses that are primarily dependent on recreational visitor spending.*
- *Direct impact from acquisition of 105 parcels of private property, including one residence, abandoned mines and vacant parcels (no operating businesses are in the acquisition area). This*

impact is manifested in part by the reduction (\$28,456 or 0.005 percent of county total) in property tax revenues to local jurisdiction from the acquisition of private land. In addition, acquisition of the Morris Lode Mine (and possibly other similar mines) would preclude future development of a local source of iron ore from these mines.

- *Property values are not anticipated to decrease directly or indirectly as a result of increased noise from Marine Corps training.*
- *Indirect impact (higher fuel costs) related to civil aviation impacts are expected to occur.*
- *Impact to livestock ranching and farming industries due to the marginal loss of land for grazing.*
- *The Shared Use Area that will be open to OHV use 10 months per year includes the unique and popular rock crawling trails known as the "Hammers."*
- *Congressional designation of the Johnson Valley OHV Recreation Area would create a permanent location for OHV recreational activities, something that currently does not exist.*

(C) Identify any concerns discussed with the Bureau of Land Management regarding their assessments of the impact on other users."

RESPONSE: *The BLM agreed to act as a Cooperating Agency for the preparation of the EIS. The Barstow Field Office of BLM participated in internal document reviews, responses to public comments, and confirmation of analytical assumptions and conclusions. The impact analyses for Recreation and Socioeconomics relied on BLM-provided visitor use data estimates and on BLM-approved assumptions on anticipated reductions in visitor use and other related impacts.*

BLM's comments during preparation of the EIS related primarily to the dispersal of OHV recreational use and management of the withdrawn lands. Specifically, they were concerned that Johnson Valley OHV users would migrate into other OHV areas that are already heavily used; and Johnson Valley OHV users would trespass on areas not set aside for OHV use. These concerns were considered in the analyses of potential project-related impacts in the EIS, including expanding the Shared Use Area by about 5,000 acres. A "Displaced Off-Highway Vehicle Recreation Study" was prepared to evaluate OHV impacts on other areas. With regard to management of the withdrawn lands for recreational purposes, BLM proposed, and the Marine Corps concurred, that BLM should retain management of the Shared Use Area for recreation 10 months per year. The Marine Corps would manage the Shared Use Area for the two 30-day MEB exercises annually.

(D) Identify the impact on the State of California's 1980 Desert Conservation Plan regarding allocation of the Off Highway Vehicle Recreation Areas."

RESPONSE: *The 1980 California Desert Conservation Area (CDCA) Plan and other resource management plans potentially affected by the proposed action are described in Section 3.1 of the Final EIS (Land Use). Three resource management plans are in effect in the California Desert in the vicinity of the project, each addressing a different portion of BLM's CDCA planning area. These plans constitute amendments to the 1980 CDCA Plan.*

- *West Mojave Plan – Amendment to the CDCA Plan (2006)*
- *Northern and Eastern Colorado Desert Coordinated Management Plan – Amendment to the CDCA Plan (2002)*
- *Northern and Eastern Mojave Desert Management Plan – Amendment to the CDCA Plan (2002)*

The potential impacts to existing resource management plans and policies, including the CDCA Plan and its amendments are discussed in Section 4.1 of the Final EIS. The EIS focuses primarily on impacts to the Johnson Valley OHV Area Management Plan regarding allocation of OHV areas. The Preferred Alternative would result in inconsistencies with plans and designations including the Ord Mountain Grazing Allotment, Johnson Valley Area of Critical Environmental Concern (ACEC), and San Bernardino County residential and open space land use designations that would be less than significant.

Inconsistencies with the Johnson Valley OHV Area Management Plan are unavoidable due to the fact that greater access is currently allowed by the Management Plan than would be allowed in the proposed Shared Use Area. As noted above, the Preferred Alternative was crafted to minimize these impacts to the degree consistent with MEB training requirements and public safety.

(E) Provide an evaluation of the potential to use the same land without transfer, but under specific permits for use provided by the Bureau of Land Management (as such permits are used at other locations from the Forest Service and Bureau of Land Management)."

RESPONSE: *We examined the potential to use public domain land without transfer of management, such as a pursuant to a Use Permit. We concluded that a permit would not allow the Marine Corps to conduct MEB-level training. The Federal Land Policy and Management Act (FLPMA) only accommodates military use of public domain lands via rights-of-way, land withdrawals, or one-time use via a Memorandum of Understanding (MOU). As described earlier, the scope and intensity of MEB-level training, which will use dud-producing ordnance, is not conducive to a one-time MOU, permit, or other non-possessory real estate interest. If custody of the proposed land area was not transferred to DoD, the Marine Corps would not have sufficient institutional authority and control to conduct the required training operations, nor could the Marine Corps be assured that the area would be available into the future to meet the requisite training – the very purpose and need for the project. Additionally, such a "temporary" use would not give the FAA sufficient justification to assign the Special Use Airspace to the Department of the Navy required to support live fire training, including aerial delivered ordnance.*

The Marine Corps and BLM will formally establish a Resource Management Group to develop best practices for recreational management consistent with military training needs in the Shared Use Area. This partnership will provide continual coordination between the Marine Corps and BLM.

(F) Provide an evaluation of any potential on other Bureau of Land Management lands proximate to the Marine Corps Ground Air Combat Center Twentynine Palms or other locations in the geographic region."

RESPONSE: *As explained in the EIS, the Marine Corps considered several other geographical alternatives to the proposed action alternatives but did not carry them forward for analysis in the Final EIS because they could not meet the project's purpose and need. None of the "considered but eliminated alternatives" were feasible for reasons discussed in the Final EIS (pages 2-96 through 2-100). The following alternatives were considered but eliminated from further analysis:*

- *Conduct MEB-sized MAGTF Training at Other Marine Corps Bases in the U.S.*
- *Train Using Simulated Environment*
- *De-Designate Existing Congressionally-Designated Wilderness Areas in the East Study Area*
- *Acquire Land to the North of the Combat Center*
- *Acquire Land to the Southeast of the Combat Center*

- *Establish the MEB Objective in the East Study Area*
- *Expand to the Colorado River*
- *Expand to Marine Corps Logistics Base, Barstow*
- *Link with Other Bases in the Southwest*
- *Conduct Training at U.S. Army's National Training Center, Fort Irwin*
- *Non-Withdrawal of the Shared Use Area*