



DEPARTMENT OF THE ARMY
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
600 ARMY PENTAGON
WASHINGTON DC 20310-0600

DAIM-ED

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MEMORANDUM FOR DISTRIBUTION

SUBJECT: Guidance for Implementation of the Sikes Act Improvement Act

1. References.

a. Memorandum, DUSD(I&E), 10 Oct 02, Subj: Updated Guidance for Implementation of the Sikes Act Improvement Act.

b. Memorandum, DUSD(I&E), 1 Nov 04, Subj: Updated Guidance for Implementation of the Sikes Act Improvement Act – Supplemental Guidance Concerning INRMP Reviews.

c. Memorandum, DUSD(I&E), 17 May 05, Subj: Updated Guidance for Implementation of the Sikes Act Improvement Act – Supplemental Guidance Concerning Leased Lands.

2. The attached document implements Office of Secretary of Defense (OSD) Sikes Act Improvement Act guidance (references 1a-c). The references are located on DENIX at https://www.denix.osd.mil/denix/Public/Library/NCR/updated_sikes.html. The guidance does not include OSD guidance for (1) Integrated Natural Resources Management Plans (INRMPs) as substitutes for critical habitat designation, (2) projects for species and habitats of concern to prevent listing of species that could affect military readiness and (3) projects to prevent resource loss or degradation that may affect military readiness. Army guidance for these topics has been or will be published in separate documents.

3. Please distribute this memorandum to all installations within your respective organizations.

4. The Army staff point of contact can be reached at (703) 601-1959.

FOR THE ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT:

Encl

/s/
AARON W. BUSH
Colonel, GS
Director, Environmental Programs

ARMY GUIDANCE FOR IMPLEMENTATION OF THE SIKES ACT IMPROVEMENT ACT

1. Purpose

The purpose of this document is to establish Headquarters, Department of Army (HQDA) guidance that implements existing Department of Defense Sikes Act Improvement Act (SAIA) guidance and Army secretariat policy relating to Integrated Natural Resources Management Plans (INRMPs) found in the following documents:

- a. Memorandum, DUSD(I&E), 10 Oct 02, Subj: Updated Guidance for implementation of the Sikes Act Improvement Act.
- b. Memorandum, DUSD(I&E), 1 Nov 04, Subj: Updated Guidance for Implementation of the Sikes Act Improvement Act – Supplemental Guidance Concerning INRMP Reviews
- c. Memorandum, DUSD(I&E), 17 May 05, Subj: Updated Guidance for Implementation of the Sikes Act Improvement Act – Supplemental Guidance Concerning Leased Lands.
- d. Memorandum, DASA(ESOH), 29 Oct 03, Subj: Revised Army Criteria for Determining Whether an Installation Requires a Sikes Act Integrated Natural Resources Management Plan.

2. General.

- a. INRMPs, comprehensive plans for the management of all installation natural resources, are mandatory where the Secretary of the Army determines significant natural resources exist (See Section 4).
- b. INRMPs shall be prepared to assist installation commanders in their efforts to conserve and rehabilitate natural resources consistent with the use of military installations to ensure the preparedness of the Armed Forces. INRMPs are intended principally to help installation commanders manage natural resources more effectively so as to ensure that installation lands remain available and in good condition to support the installation's military mission (i.e., ensure no net loss in the capability of military installation lands to support the military mission of the installation).
- c. The installation commander, garrison commander or other individual responsible for management of the installation as authorized by the Army will approve an installation's INRMP after receiving written concurrence from the next higher command.
- d. INRMPs are to be prepared in cooperation with the US Fish and Wildlife Service (FWS) and appropriate State fish and wildlife agencies. The INRMP will be developed

in cooperation with these agencies beginning at the development stage of the INRMP and extending through preparation and coordination to completion.

e. Mutual agreement with the FWS and appropriate State fish and wildlife agencies should be the goal with respect to the entire plan. Mutual agreement is required only with respect to those elements of the plan that are subject to the otherwise applicable legal authority of the FWS and State fish and wildlife agencies to conserve, protect, and manage fish and wildlife resources. In regards to Department of Army lands these laws include but may not be limited to the Endangered Species Act and the Migratory Bird Treaty Act. Nothing in the SAIA is intended to either enlarge or diminish the existing responsibility and authority of the FWS or State fish and wildlife agencies concerning natural resources management on military lands. Where the FWS or a State fish and wildlife agency withholds its agreement with an INRMP based on objections to elements of the INRMP clearly not within the scope of the particular agency's authority, an installation may, notwithstanding the objections, finalize the INRMP and proceed to manage its natural resources in accordance with the terms of the plan.

f. The INRMP, although written by or under the guidance of the natural resources managers, shall be developed in concert with and with significant input from the Directorate of Plans Training and Mobilization, Public Works, installation Staff Judge Advocate Office, Public Affairs Office, Fire Department, Law Enforcement Activity or any other installation stakeholder that would carry out work that would execute, affect or be effected by the INRMP. On installations with training and testing missions it is essential to work closely with activities responsible for managing training and testing ranges.

g. INRMPs will identify specific metrics that enable reviewers to determine if the INRMPs are performing their intended functions and are providing the desired results. Metrics are imperative in order to carry out INRMP reviews as discussed in section 9.

3. Application to Army Lands Occupied or Used by Others

a. INRMPs shall address natural resource management on all lands for which the installation has real property accountability, including lands occupied by tenants or lessees or being used by others pursuant to a permit, license, right of way, or any other form of permission.

b. Installation commanders may require tenants, lessees, permittees, and other parties that request permission to occupy or use installation property to accept responsibility, as a condition of their occupancy or use, for performing appropriate natural resource management actions. However, this does not obviate the need to address natural resources management on any such lands in the INRMP.

4. Determining which Installations Require INRMPs and Changes to Existing Determinations

a. Determining which installations require INRMPs

(1) In accordance with the Sikes Act, the Secretary of the Army shall:

(A) Determine which installations have and do not have significant natural resources.

(B) Prepare INRMPs for all installations with significant natural resources.

(2) An installation has significant natural resources and shall develop and implement an INRMP if any of the following criteria apply:

(A) Federally listed, proposed, or candidate species are onsite or critical habitat has been designated or proposed on the installation, and on-installation conservation measures are necessary to conserve the federally listed species.

(B) Reimbursable forestry or agricultural out-leasing activities consist of 100 acres or more.

(C) Hunting and fishing are allowed for which special State hunting and fishing permits are issued by the installation in accordance with the Sikes Act (16 USC 670a(b)(3)).

(D) Unique biological resources, wetlands, species at risk, or ecological issues require a level of planned management that can only be addressed by an INRMP.

(E) The installation conducts intensive, on-the-ground military missions that require conservation measures to minimize impacts (e.g. soil erosion control, prescribed fire) and sustain natural resources. The installations designated by G3 for management under the Integrated Training Area Management Program meet this criterion.

b. Changes to an installation's status concerning INRMPs.

(1) If an installation management organization believes that an installation that currently requires an INRMP should no longer be required to have one or that an installation that currently does not require an INRMP should require one, they shall make a request in writing to the HQDA, Environmental Programs Directorate (ODEP), explaining the requested change. Changes of status should be considered if:

(A) Any of the conditions in paragraphs 4a(2)(A)-(E) above change for an installation.

(B) A condition in paragraphs 4a(2)(A)-(E) exists for an installation that currently has an INRMP but the level of management required to manage the natural resources does not require an INRMP.

(2) The ODEP will staff the request with the Army Secretariat and inform the installation management organization of the decision.

5. Coordination Requirements of the Sikes Act

a. Soliciting public review and comments.

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

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

(3) There is no legal obligation to invite the public either to review or to comment upon the parties' mutually agreed upon decision to continue implementation of an existing INRMP without revision.

(4) If, upon review, the three parties to an INRMP determine that revisions to an INRMP are necessary, public comment shall be invited in conjunction with any required NEPA analysis:

(A) If only limited revisions to an existing INRMP are required, and these revisions are not expected to result in biophysical consequences materially different from those anticipated in the existing INRMP and materially different from those analyzed in an existing NEPA document, then neither additional NEPA analysis nor an opportunity for public comment should be necessary.

(B) If more substantial revisions to an existing INRMP are required, and these revisions are expected to result in biophysical consequences materially different from those anticipated in the existing INRMP and materially different from those analyzed in an existing NEPA document, then a new or supplemental NEPA analysis must be prepared and the public provided a reasonable opportunity to comment on the revised INRMP. Absent extraordinary circumstances, the public shall be afforded a minimum of 30 days to review and comment on these INRMP revisions.

b. Agency coordination requirements. (See Table 1)

(1) Each installation shall establish and maintain communications with the appropriate FWS and State fish and wildlife agency offices to address INRMP issues.

At a minimum, this communication shall include annual coordination with all cooperating offices.

(2) Each Army installation shall invite the FWS and State fish and wildlife agency(ies) to participate cooperatively in the scoping, design, preparation and/or review of the INRMP. This will serve to inform these offices about the Army's mission; invite them to consider solutions to difficult resource management problems; and expedite final INRMP coordination.

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

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

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

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

(A) Each installation shall provide the initial draft INRMP to the FWS field office and appropriate State fish and wildlife agency office for review and comment. Draft INRMPs should be provided in electronic format whenever possible.

(B) Regardless of the format used for providing draft INRMPs, each installation shall request, in writing, that the FWS and State agency acknowledge, in writing within 15 days, receipt of a draft INRMP. To document the review process for the administrative record it is recommended that installations use US Certified Mail, "Return Receipt Requested". In addition, a copy of the forwarding letter shall be sent to the Sikes Act Coordinator at the FWS regional office to inform them that the review process has begun.

(C) The installation shall request the FWS field office provide written comments to the installation, and furnish copies to the Sikes Act Coordinator at the FWS regional office, and to the State fish and wildlife agency director's office.

(D) The installation will request the State fish and wildlife office to provide written comments to the installation, and furnish copies to the Sikes Act Coordinator at the FWS regional office.

(E) The installation shall consider all comments received and, after appropriate public comment, send a final draft of the INRMP to the FWS regional office and the State director's office with a letter documenting the actions taken on the draft comments. Final draft INRMPs should be provided in electronic format whenever possible. Installation shall request in writing a review of the final draft INRMP and shall furnish a copy to the FWS field office and local state office as appropriate. It is recommended that installations use US Certified Mail, "Return Receipt Requested" for the purpose of maintaining an administrative record.

(F) Each installation should request that the FWS and the State director(s) provide consolidated written comments from all appropriate offices and divisions within 60 days of receipt of the final draft INRMP, unless the participants mutually agree upon a longer review period because an installation has a particularly large or complex INRMP.

(7) Per Department of Defense (DoD) policy, the following special situations are exceptions to this timeline since the FWS may choose to comment separately from an INRMP review response on these issues. In these cases, the Army installation shall request the FWS regional office and field office to notify the installation of the appropriate review timeline within 15 days of receipt of the draft INRMP:

(A) When formal Section 7 consultation is required, the time frames set forth in 50 CFR Part 402 will apply.

(B) When an INRMP is used to exclude an installation from critical habitat designation per 16 USC 1533(a)(3)(B)(i), the installation will request the FWS Regional Office and field office to notify the installation of the expected timeframe needed for their review within 15 days of their receipt of the draft INRMP.

(8) Except for the special situations described in paragraph 2(b)(7), if after a period of 120 days no final comments are received from the appropriate State and FWS offices, an installation may request expedited review of its INRMP. The installation should submit a written request to their next higher command seeking assistance. Within 30 days the higher headquarters will communicate with the FWS Region and/or State fish and game agency(ies) representatives or arrange for yet another higher headquarters to establish a meeting.

Table 1: INRMP Coordination

Who	What	Coordination Action	When
Installation	Initiate INRMP preparation or revision 5b(3)	Advise internal and external stakeholders of intent to prepare or revise INRMP	30 days prior
Installation	Initiate INRMP preparation or revision 5b(2)	Invite FWS & State fish and wildlife agency participate cooperatively in the scoping, design, and preparation	
Installation	Review and coordination of draft INRMP 5b(4)	Advise FWS & State fish and wildlife agency that draft INRMP will be sent for review/coordination	60 days prior
Installation	Receive written notification that draft INRMP for review & coordination was received by FWS and State 5b(6)(B)	FWS and State provide written acknowledgement of request within 15 days of receipt to installation	15 days after expected date of receipt by FWS and State
Installation	Receive comments from FWS and State	FWS and State provide comments on draft INRMP	120 days after receipt of draft INRMP
Installation	Request assistance for expedited review by FWS and State of draft INRMP if comments not received with-in 120 days 5b(8)	Written request to next higher command	120 days after receipt by FWS and State of draft INRMP for review and comment (exceptions are ESA Section 7 consultations and INRMPs in lieu of critical habitat designation)
Next higher command	Seek expedited review of draft INRMP on installation's behalf 5b(8)	Communicate with the FWS Region and/or State fish and game agency(ies) representatives	30 days after receipt of request from installation for assistance
Installation	If consolidated comments are not received with-in 60 days, installations should follow-up with all appropriate FWS or State offices and divisions 5b(6)(F)	Communicate with FWS and/or State (recommend documenting communication)	After 60 days receipt of the final draft INRMP by FWS and/or State (unless a longer review timeframe was agreed to)

c. "Mutual agreement" with respect to those elements of the INRMP concerning the conservation, protection, and management of fish and wildlife resources shall be presumed only upon:

(1) Signed approval by the commander of the Army installation's garrison activities or the person designated by the installation management organization responsible for the installation to approve the installation's INRMP.

(2) Receipt of written concurrence (e.g., letter or signature page in the INRMP) on those elements of the INRMP from the FWS, Regional Director (or as otherwise dictated by FWS policy), and

(3) Receipt of written concurrence (e.g., letter or signature page in the INRMP) on those elements of the INRMP from the Director(s), State fish and wildlife agency(ies).

d. Integrating other plans, programs, and policies. INRMPs shall be prepared in coordination with the installation's master plan, range plan, training plan, Integrated Cultural Resources Management Plan, pest management plan, installation restoration plan that address contaminants covered by Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and related provisions, Integrated Wildland Fire Management Plans, timber management plans, agriculture conservation plans, fish and wildlife management plans and other appropriate plans, programs and policies. It is not intended that INRMPs will function as a comprehensive compilation of detailed information on all these related topics. Rather, the INRMP should briefly summarize the key interrelationships with these plans, reference where the plans may be obtained, include goals and objectives in the INRMP from these plans that are relevant to natural resources conservation and rehabilitation and describe where detailed information can be found.

e. Availability of INRMPs

(1) INRMPs shall be available electronically on the installation's web site or other website that may be used to support the installation, CD-ROM, or other electronic means. Draft INRMPs may also be made available electronically to expedite review and comments. Classified information and sensitive information regarding cultural and natural resources should not be included in INRMPs unless absolutely necessary. In cases where classified or sensitive information is included only unclassified and non-sensitive portions of the INRMP will be made available. All INRMPs should undergo appropriate security review prior to being made available.

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

6. Definition of a Completed INRMP.

a. An INRMP is considered completed if the following three criteria apply:

(1) The installation commander, garrison commander or other individual responsible for management of the installation as authorized by the Army has approved the plan (see paragraph 2c).

(2) The Regional Director, FWS (or Director, California/Nevada Operations Office (CNO)) and Director of the State Fish and Wildlife Agency(ies) have mutually agreed to the plan (see paragraph 5c(2)&(3)). (Note: The only exception to this criteria is if the INRMP was not mutually agreed to by the USFWS Regional Director(s) or Director, CNO, but agreement with another FWS office was reached prior to DoD policy issued on 10 Oct 2002 (see paragraph 1a for reference to DoD policy memorandum).

(3) The public was given the opportunity to review the INRMP. This criterion is applicable to first time INRMPs and INRMPs with major revisions.

b. In cases where an INRMP includes property in more than one Fish and Wildlife Service region and/or more than one state, a plan is complete only when it has mutual agreement by all applicable FWS regions and/or state fish and wildlife agencies and all appropriate public reviews are completed.

7. Reporting Deadlines and Formats for Army Reports to DoD for Installations that Require INRMPs.

DoD metrics for Sikes Act INRMPs, which are used to prepare annual reports to Congress, shall be reported in the Army Environmental Data Base - Environmental Quality (AEDB-EQ). The commander responsible for the INRMP shall complete the AEDB-EQ annually for every INRMP. In cases where an INRMP includes property in more than one FWS region and/or more than one state, failure to achieve mutual agreement or to accomplish an annual review with any of the applicable FWS regions and/or state fish and wildlife agencies will reflect upon the status of the entire INRMP. In addition any measure of merit not achieved at one location will reflect upon the status of the entire INRMP.

8. Implementation Requirements Associated with the Sikes Act

a. Identifying and Budgeting for INRMP projects

(1) Natural resource requirements defined by the Office of the Secretary of Defense (OSD) as environmental “must fund” are those projects and activities required to meet recurring natural resources conservation management requirements or current natural resources compliance needs.

(2) The environmental program is not responsible for funding all projects required to implement the INRMP. Implementation and execution of the INRMP are shared responsibilities among those activities that use or have a management responsibility on the land (e.g., trainers, facility managers, provost marshal) as well as those who ensure compliance and provide overall program oversight. Regardless of funding source, all installation natural resources management projects must be included in an INRMP.

(3) Projects shall be contained in an appendix to the INRMP that will be reviewed and updated annually.

b. Implementation:

- “Implementation” relates to the anticipated execution of all projects and activities required to meet recurring natural resources conservation management requirements or current natural resources compliance needs in accordance with specific timeframes identified in the INRMP.
- An INRMP, is considered to be implemented, if an installation:
 - Actively requests, receives, and uses funds for projects and activities required to meet recurring natural resources conservation management requirements or current natural resources compliance needs;
 - Ensures that sufficient numbers of professionally trained natural resources management personnel are available to perform the tasks required by the INRMP;
 - Coordinates annually with all internal and external cooperating offices; and
 - Documents specific INRMP action accomplishments undertaken each year.

c. As part of the annual review with the FWS and State (see paragraph 9b below):

(1) The installation shall invite annual feedback from the appropriate FWS and State fish and wildlife agency(ies) offices on the effectiveness of the INRMP.

(2) The installations shall inform the FWS and State fish and wildlife agency(ies) which INRMP projects and activities are required to meet current natural resources compliance needs. This information need not be contained in the INRMP at the time of annual review, but may be provided after review and validation of estimated costs of the requirements are completed by the installation.

9. INRMP Reviews

a. Review for Operation and Effect

(1) The requirement to “review” the INRMPs “on a regular basis, but not less often than every five years” does not mean that every INRMP necessarily needs to be

revised. The Sikes Act specifically directs that INRMPs be reviewed “as to operation and effect,” emphasizing that the review is intended to determine whether existing INRMPs are being implemented to meet the requirements of the Sikes Act and contribute to the conservation and rehabilitation of natural resources on military installations.

(2) Reviews for operation and effect must be performed no less frequently than every five years by all three parties to the INRMP, which include the commander responsible for the INRMP, the Regional Director of the FWS, and the Director(s) of the state fish and wildlife agency(ies). Although not expressly required by the Sikes Act, installations will document the outcome of the joint review for operation and effect in a memorandum or letter summarizing the rationale for the conclusion the parties have reached. The document should be jointly executed or in some other way reflect the parties’ mutual agreement. There are three ways to reflect mutual agreement

- A jointly executed signed letter
- Receive signed letters back from Regional Director of the FWS and Director of the State Fish and Wildlife Agency(ies) that they agree with INRMP
- Signed new signature page to the INRMP

(3) If the review process determines that an INRMP needs revising, there is no set time limit to complete the INRMP revision. Until the FWS Regional Director and the appropriate State fish and wildlife agency director mutually agree upon the INRMP revision, the current INRMP remains in affect. However, a timeline should be coordinated by the installation with the FWS and state to ensure that the installation is addressing the revision in a timely matter.

b. Annual Reviews

(1) INRMPs shall be reviewed annually by installations in cooperation with other parties to the INRMP.

(A) Annual reviews will be documented by the commander responsible for the INRMP by a letter to the FWS office participating in the review, the FWS Regional Director, the state fish and wildlife agency office(s) participating in the review, the Director(s) of the state fish and wildlife agency(ies), and by a memorandum to the commander’s next higher command.

(B) Annual reviews may be used, as appropriate, to determine if INRMP revisions are necessary.

(C) The annual reviews may be used to expedite the more formal review for operation and effect, or, if comprehensive and supported with documentation that

ensures mutual agreement of the three parties, may accomplish the more formal review for operation and effect.

(2) Annual reviews shall verify that:

(A) Current information on INRMP conservation metrics as described in the AEDB-EQ is available.

(B) All “must fund” projects and activities have been budgeted for and implementation is on schedule.

(C) All required trained natural resources positions are filled or are in the process of being filled.

(D) Projects and activities for the upcoming year have been identified and included in the INRMP. An updated project list does not necessitate INRMP revision.

(E) All required coordination has occurred.

(F) All significant changes to the installation’s mission requirements or its natural resources have been identified.

(G) The INRMP goals and objectives are still valid.

(H) No net loss of training capability has occurred due to implementation of the INRMP in accordance with the Sikes Act.

10. Endangered Species Act Consultation

a. INRMPs should incorporate by reference the results of an installation’s Endangered Species Act (ESA) consultations. As a consequence, neither a separate biological assessment/evaluation nor a separate formal consultation should be necessary concerning most INRMPs or INRMP revisions/updates. However, because INRMPs may include management strategies or other actions designed to balance the potentially competing needs of multiple species, listed or not, it may be prudent to engage in informal consultation with the FWS during the INRMP revision process to confirm that the management strategies or proposed actions will not affect listed species or designated critical habitat. Furthermore, new information about the species and/or the impacts of the existing or proposed management actions on these species may warrant consultation with the FWS.

b. If the INRMP includes management strategies or other actions that may affect listed species or critical habitat and these actions have not been the subject of previous consultations, then Section 7 consultation will be necessary before the actions may be implemented.

11. Accommodating Public Access

a. The principal purpose of Army land and water is to support mission activities.

b. Those lands and waters shall be made available to the public for educational or recreational use of natural resources when such access is compatible with military mission activities, ecosystem sustainability, and with other considerations such as security, safety, and fiscal soundness. Opportunities for such access shall be equitably and impartially allocated. INRMPs shall describe areas appropriate for public access.

12. No Net Loss of Capability of Military Lands to Support Mission Requirements.

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

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

13. INRMPs for Closed or Closing Bases. INRMPs as defined by the SAIA are not required for closed and closing bases under the Defense Base Closure and Realignment Act of 1990, as amended (Public Law 101-510). However, closing installations should retain existing plans to cover appropriate natural resource management issues that will require ongoing active management during the closure process. These plans are not required to be revised during the closure process.