Department of Defense

INSTRUCTION

USD(AT&L)

SUBJECT: Joint Land Use Study (JLUS) Program

References: (a) Section 2391(b)(1) of title 10, United States Code, "Adjustment and
                   Diversification Assistance"
              (b) Executive Order 12788, "Defense Economic Adjustment Programs,"
                   January 15, 1992
              (c) DoD Directive 3030.1, "Office of Economic Adjustment (OEA),"
                   November 28, 2000
              (d) DoD Instruction 4165.57, "Air Installations Compatible Use Zones
                   (AICUZ)," November 8, 1977
              (e) through (j), see enclosure 1

1. PURPOSE

This Instruction implements policies, assigns responsibilities, and prescribes procedures
for executing the Joint Land Use Study (JLUS) Program as administered by the
Department of Defense, Office of Economic Adjustment (OEA), under the authority of
references (a), (b), and (c).

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the Military
Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the
Office of Inspector General of the Department of Defense, the Defense Agencies, the
DoD Field Activities, and all other organizational entities in the Department of Defense
(hereafter referred to collectively as the "DoD Components").

3. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

4. <u>POLICY</u>

It is DoD policy to work toward achieving compatibility between military installations and neighboring civilian communities by a joint compatible land use planning and control process conducted by the local community in cooperation with the local military installation.

5. <u>RESPONSIBILITIES</u>

   5.1. The <u>Director, OEA</u>, shall:

      5.1.1. Provide policy guidance in establishing and implementing the JLUS Program.

      5.1.2. Act on behalf of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) and the Deputy Under Secretary of Defense for Installations and Environment (DUSD(I&E)), on all JLUS Program activities.

      5.1.3. Serve as the principal staff advisor to the USD(AT&L) and the DUSD(I&E) on the JLUS Program and land use planning matters related to references (a), (b), and (c).

      5.1.4. Develop a standard nomination protocol to identify military installations eligible for the JLUS Program in consultation with the Military Departments.

      5.1.5. Organize, direct, and manage the JLUS Program and implement procedures aimed at raising State and local government awareness and interest in supporting the long-term sustainability and operability of military installations.

      5.1.6. Encourage State and local jurisdictions to implement measures that prevent the introduction of incompatible civilian development that may negatively impact on the military installations mission, or negatively impact available resources such as air, land, water, and the electromagnetic spectrum in the vicinity of a military installation.

      5.1.7. Establish, support, and chair a Land Use Inter-Service Working Group (IWG) on civilian community encroachment, consisting of representatives from the Office of the Secretary of Defense and the Military Departments. The IWG shall coordinate JLUS activity with the Services Air Installations Compatible Use Zones (AICUZ) Program in accordance with DoD Instruction 4165.57 (reference (d)), the Navy and Marine Corps Range Air Installations Compatible Use Zones (RAICUZ) Program in accordance with OPNAVINST/MCO 3550.1 (reference (e)), the Army Operational Noise Management Plan (ONMP), and the Range Management Plan (RMP); and, promote

consistent, ongoing encroachment prevention and outreach programs across the Military Departments.

5.1.8. Coordinate the JLUS Program with other DoD outreach and community involvement activities, and the Sustainable Ranges Initiative process in accordance with DoD Directive 3200.15 (reference (f)).

5.1.9. Ensure civilian actions taken under agreements to limit encroachment and other constraints on military testing and operations in accordance with Section 2684a of title 10 U.S.C. (reference (g)) are coordinated with JLUS recommendations, where applicable.

5.1.10. Conduct research in land use planning techniques and development practices to establish practical civilian applications that shall result in reduced encroachment, protection of air, land, water, and spectrum resources, and achieve compatible land use in the vicinity of installations.

5.1.11. Monitor, review, and evaluate the effectiveness of the JLUS Program and related procedures in coordination with the DoD Components.

5.2. The Secretaries of the Military Departments shall:

5.2.1. Establish policies and procedures to identify eligible military installations for JLUS projects by conducting annual reviews of installations where incompatible civilian development is likely to impair a military installations operational capability.

5.2.2. Assist, support, and participate with the IWG.

5.2.3. Establish procedures and policies to educate major commands and installation commanders on the utility and effectiveness of the JLUS Program in support of the AICUZ, RAICUZ, ONMP, RMP, military installations, ranges, and operating areas (OPAREAs) sustainability, and Defense missions.

5.2.4. Assist the Director, OEA, in evaluating the effectiveness of the JLUS Program.

6. PROCEDURES

6.1. The Director, OEA, shall:

6.1.1. Request annual JLUS nominations from the Military Departments.

6.1.2. Evaluate all JLUS nominations in cooperation with the IWG, relevant major command, and installation levels to ensure suitability and usefulness of the JLUS for a nominated military installation.

6.1.3. Work with appropriate State or local governments, major commands, and installations to identify an able and eligible State or local JLUS sponsor and jointly develop a scope of work to conduct and close a JLUS.

6.1.4. Facilitate and support State or local government encroachment-prevention efforts to prepare legislation, local development plans, JLUS, and local regulations and codes that ensure that civilian development is compatible with the training, testing, and operational missions of military installations by providing:

6.1.4.1. Technical assistance, as needed, in the preparing and executing of plans and regulations using the JLUS Program authority; and

6.1.4.2. Community planning assistance, as needed, in the preparation and execution of plans and regulations using the JLUS Program authority.

6.1.5. Support the Military Departments in educating major commands and installation commanders on the impacts of incompatible civilian development on the long-term operational utility of the military installations and the effectiveness of the JLUS Program.

6.1.6. Apprise the Military Departments on the status of the JLUS Program.

6.2. The Military Departments shall:

6.2.1. Nominate to the Director, OEA, military installations adversely affected by or having the potential to be adversely affected by incompatible civilian land use development.

6.2.2. Nominations shall be accompanied by the following supporting information:

6.2.2.1. A description of the nature and extent of the incompatible civilian development, or the potential for such incompatible community development.

6.2.2.2. A statement of the installations leadership commitment to support a JLUS.

6.2.2.3. A current or in-process AICUZ study, RAICUZ study, ONMP study, or RMP, if available, and other documented encroachment caused by incompatible civilian development.

6.2.2.4. Points of contact at the major command and nominated installation(s).

6.2.2.5. A statement of the reasonable expectation that the affected local government will likely participate in a JLUS.

6.2.3. Establish procedures for on-going support of JLUS implementation recommendations.

6.2.4. Identify a staff representative to serve as a member on the IWG representing Headquarters AICUZ, RAICUZ, and ONMP programs, and the OPAREA Sustainment Program.

6.2.5. Consider the JLUS Program in the preparation of installation RMP and Integrated Natural Resources Management Plans in accordance with DoD Directive 4700.4 (reference (h)), as applicable in support of actions taken under reference (g) and Section 2694a of title 10, U.S.C. (reference (i)).

6.2.6. Ensure military actions taken under agreements to limit encroachment and other constraints on military testing and operations (reference (g)) are coordinated with JLUS recommendations, where applicable.

7. <u>EFFECTIVE DATE</u>

This Instruction is effective immediately.

Michael W. Wynne
Acting Under Secretary of Defense
(Acquisition, Technology and Logistics)

Enclosures - 2
  E1. References, continued
  E2. Definitions

E1. <u>ENCLOSURE 1</u>

<u>REFERENCES</u>, continued

(e) OPNAVINST/MCO 3550.1, "Range Air Installations Compatible Use Zones
    Program (RAICUZ)," August 7, 1998
(f) DoD Directive 3200.15, "Sustainment of Ranges and Operating Areas (OPAREAs),"
    January 10, 2003
(g) Section 2684a of title 10, United States Code, "Agreements to Limit Encroachment
    and Other Constraints on Military Testing and Operations"
(h) DoD Directive 4700.4, "Natural Resources Management Program,"
     January 24, 1989
(i) Section 2694a of title 10, United States Code, "Conveyance of Surplus Real Property
     for Natural Resource Conservation"
(j) Section 2687(e)(1) of title 10, United States Code, "Base Closures and
     Realignments"

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Incompatible Civilian Development. Land use activity and civilian development activity that adversely affects the utility or training and readiness missions of a military installation. These effects include air, land, water, electromagnetic spectrum intrusion, and intrusive urban lighting.

E2.1.2. Joint Land Use Study (JLUS). Analytical planning study of civilian development patterns and land use activities in the vicinity of a military installation that result in recommendations for instituting compatible civilian land use activities and development patterns that protect and preserve the utility and the operational effectiveness of military installations.

E2.1.3. Military Installation. See Section 2687(e)(1) of title 10, U.S.C. (reference (j)).