



**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF DEFENSE AND
THE STATE OF CALIFORNIA
TO CONSERVE HABITAT VALUES
AND PROTECT MILITARY MISSIONS IN CALIFORNIA**



This Memorandum of Understanding (MOU) between the Department of Defense and the State of California (collectively, the "Parties") is made this 3rd day of November, 2004.

WHEREAS, the Secretary of Defense or the Secretary of a military department has the authority under Section 2684a of Title 10, United States Code to enter into agreements with eligible entities (a State, political subdivisions of a State, or private entity whose principal mission is the conservation, restoration or preservation of land and natural resources) for the acquisition of property interests for the purpose of preserving property that provides habitat in a manner that relieves or eliminates restrictions that inhibit military testing, operations or training or for the purposes of limiting incompatible development in the vicinity of military installations,

WHEREAS, the people of California have passed through ballot initiatives a number of bond measures whose purposes include the protection of property that provides habitat, and which provide funding for purchases of lands and interests in lands accomplished through certain of the constituent agencies within the California Resources Agency;

WHEREAS, military installations in California are often located in areas of high biodiversity so that there may be a high correlation between military lands and airspace and property that provides habitat values in California;

WHEREAS, the protection of habitat values by the State of California and the use of these lands for buffers to military installations and military airspace use are compatible;

WHEREAS, the California Resources Agency has created a California Digital Atlas GIS Information system which brings together a number of mapping resources available at a scale sufficient to identify certain types of issues concerning specific parcels to any Internet user;

WHEREAS the inclusion of information on military installations, military special use airspace and military training routes in the California Digital Atlas will assist the Parties to implement the goals of this MOU by providing access to information useful for the identification of potential land use conflicts as well as allow for the planning of cooperative projects to protect property that provides habitat and to buffer military installations and military airspace;

WHEREAS the military services have identified some high priority projects that they believe would provide for the protection of military readiness and the protection of important California natural resources;

NOW THEREFORE, in recognition of the above, the Parties hereby pledge to work together to develop and implement a process for evaluating and, as appropriate, undertaking projects identified by either Party that have the dual purpose of protecting habitat values in California and providing buffers to California military installations and military airspace from development that could threaten California's rich biodiversity or limit the military's ability to ensure the preparedness of the Nation's Armed Forces. To this end, the Parties intend to work together cooperatively to evaluate and, as appropriate, complete one or more of the high priority projects identified by the military services. The period during which the Parties undertake this preliminary cooperative effort shall be referred to as the "Test Project Phase." If projects completed during the Test Project Phase are deemed to be successful by the Parties, the Parties intend to enter into a Memorandum of Agreement that shall outline a process and address the roles of these and other interested parties to support a State/Department of Defense cooperative program consistent with the above-stated goals and objectives and all applicable federal, state and local law as shall be further specified in the Memorandum of Agreement. The Parties shall use their best efforts to enter into such a Memorandum of Agreement within 180 days after the successful completion of the Test Project Phase or as soon as reasonably feasible.

Alex A. Beehler

DEPARTMENT OF DEFENSE
Alex A. Beehler
Assistant Deputy Under Secretary of Defense
(Environment, Safety and Occupational Health)

Mike Chrisman

STATE OF CALIFORNIA
Mike Chrisman
Secretary of Resources