



# Mission Sustainability- Related Articles

09 July 2010

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Center of Excellence



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# CALIFORNIA



NEWS

## Public Comment Period on Marine Jets to Close

### *Corps intends to base squadrons at Miramar*

By Gretel C. Kovach, Union-Tribune Staff Writer  
Sunday, July 4, 2010

The Marine Corps is accepting public comment through Tuesday on its F-35B Joint Strike Fighter draft environment impact statement for the West Coast, which will help determine how many squadrons of the supersonic jet will be based at Miramar Marine Corps Air Station versus its companion facility in Yuma, Ariz.

Some options could boost the number of jet squadrons at Miramar to as many as 10, or 160 planes, according to the draft proposals. Alternatives could reduce the current squadron total for Miramar, placing more aircraft at the Yuma air station.

Safety and noise concerns in the area surrounding Miramar have been on the community radar for years, particularly after an F/A-18 Hornet crashed in December 2008, killing four people, destroying two homes and damaging three others.

Marine Corps officials have said each F-35B makes a similar amount of noise as a Hornet.

Miramar houses eight squadrons — including one for training — of the Hornet fighter jet, which was introduced into the Corps in 1987, Marine officials said.

Under their preferred plan, the Marines would base six squadrons of F-35Bs at Miramar and six squadrons — including one for training — at Yuma.

The Corps plans to begin its transition to the Lightning II Joint Strike Fighter jet in 2012 and finish in 2023. Its version can take off on short runways and land vertically, like the newly fielded MV-22 Osprey tilt-rotor aircraft.

Other versions are being developed for the Navy and Air Force.

The Marines consider the Joint Strike Fighter the replacement for the Hornet and the AV-8B Harrier. Its development has been marked by cost overruns and delays.

Lockheed Martin, manufacturer of the F-35, announced last month that it was trying to cut the cost of the jets by at least 20 percent from recent Pentagon projections. The Government Accountability Office has noted price bloating of 65 percent since 2002, which boosted the cost for each jet to an average of \$112 million.

The assistant secretary of the Navy will decide on the F-35B basing plan in the winter, Marine officials said. The final environmental impact statement is scheduled for release in the fall.

Copies of the draft are available for download at [usmcJSFwest.com](http://usmcJSFwest.com). They're also available at San Diego County's branch libraries in Fallbrook and Mira Mesa, as well as the Scripps-Miramar Ranch Library.

Written comments can be submitted through a digital form at [usmcjsfwest.com/](http://usmcjsfwest.com/) or through traditional mail at JSF West Coast EIS, Project Manager, NAVFAC SOUTHWEST, 1220 Pacific Highway, San Diego, CA 93132.

# ***FLORIDA***



## **NAS Whiting Field Runway Extension Project Resumes**

July 02, 2010 12:03 PM

Naval Facilities Command (NAVFAC) and Naval Air Station Whiting Field (NASWF) representatives have received the waiver approval from the Office of the Under Secretary of Defense for Installations and Environment. The process to extend runways at Navy outlying fields (NOLF) in Baldwin County can now resume.

NAVFAC and NASWF are in the process of completing the Environmental Assessment and expect to have the final package assembled by late-July. This package will include the desired option for the runway extension project. Information from the package will be made available to local media, sent to local and state representatives, and placed in an advertisement in local papers.

Residents near the NOLFs Silverhill, Summerdale, and Barin, are encouraged to review a publicly accessible website, <http://www.navyolfextensions.com/index.html>. In addition to providing information about the desired option and the reasons for the extension project, the site provides a forum for comments to project planners. Once the draft Environmental Assessment with the desired option is announced, there will be a 30-day public comment period where community members may communicate with base and NAVFAC representatives, through the website forum, to express opinions, voice concerns or relate information about the project.

"We consider each comment carefully and are truly concerned about minimizing the affect this project will have on the local community," Thomas Currin, Environmental Assessment Planner for the project said. "However, this project is necessary to support the current and future flight training mission in Northwest Florida."

Naval Air Station Whiting Field and Training Air Wing FIVE, the base's major tenant command, provide primary flight training to nearly 60 percent of all Navy and Marine Corps aviators as well as to U. S. Coast Guard aviators, select Air Force pilots and flight students from allied foreign countries. The current training aircraft was implemented in 1977 and is aging. The T-34 Turbo Mentor has already begun transitioning to the T-6B Texan. The transition is expected to be complete by 2015.



July 6, 2010

## **Santa Rosa commission to discuss grant applications**

*From staff reports*

The Santa Rosa County Commission is set to discuss three defense infrastructure grant applications for up to \$500,000 each at its workshop meeting this morning.

- Continued purchase of property around Whiting Field Naval Air Station to prevent encroachment.
- Final design and permitting of taxi-way and tarmac at Whiting Aviation Park.
- Final design and permitting of the portion of taxi-way for Whiting Aviation Park that is inside of Whiting Field.

The commission meets at 9 a.m. at the Santa Rosa County Administrative Office Complex, located at 6495 U.S. 90, Milton (behind McDonald's).

The meeting is streamed live and then archived at [www.santarosa.fl.gov](http://www.santarosa.fl.gov).

# GEORGIA

macon.com

## **Bibb, Houston form pact to buy land encroaching on Robins Air Force Base**

By MIKE STUCKA  
Wednesday, Jul. 07, 2010

An effort to fix a Robins Air Force Base problem officially went regional Tuesday.

Bibb County commissioners agreed Tuesday to work with Houston County, the state and the federal government to buy property “encroaching” on the base by being in a noise zone. The agreement also sets the stage for other governments to consider joining the pact, Bibb County Commission Chairman Sam Hart said.

The agreement sets up a plan for counties to share in any taxes or profits from properties bought to reduce the encroachment. Hart said counties such as Peach, Monroe, Twiggs and Pulaski could agree “to participate proportionate to their number of employees” at the base.

Under the pact, the Central Georgia Joint Development Authority would buy houses — many of which have been there for decades — that encroach on the base and potentially threaten its future. After enough properties are purchased during the coming years, the land could be sold for agriculture or some restricted industrial uses. Then the land becomes taxable and money from the sale would be returned to the counties based on how much they’d invested.

While helping to secure the base’s future, the pact also gives Houston County another reason to invest in south Bibb, or Bibb to invest in north Houston, or other counties to invest in Bibb or Houston.

Bibb and Houston counties have each committed \$100,000 a year over five years toward reducing encroachment, or \$1 million total. Hart said that amount could be renegotiated if the economy picks up.

Such regional approaches will be critical. The base already has received \$500,000 for encroachment, and an application is being prepared for another \$3 million. Officials said regional applications are necessary to get state and federal money, which will be the majority of the invested money.

Owners of 45 properties appraised at \$3.5 million are interested in selling, and another 37 properties have been identified as being in the encroachment zones.

The base itself is a regional employer. In fiscal year 2008, Robins employed 13,253 people from Houston County and 2,740 from Bibb County, according to a report. But 1,811 civilian and military employees came from Peach County alone. More than 500 employees came from Bleckley and Dodge counties, and more than 100 from Pulaski, Laurens, Jones, Twiggs, Monroe, Wilcox, Crawford and Macon counties.

Separately, Bibb commissioners also agreed to let Houston County join the Central Georgia Joint Development Authority; authorized the Macon-Bibb County Industrial Authority to use an undisclosed amount of money to buy property on Avondale Mill Road; and agreed to waive about \$369,000 in permit fees and required letters of credit for "Project Q," a proposed Industrial Authority project on Avondale Mill Road.

# NEVADA



## Community honors military

Sunday, July 4, 2010

By Stephanie Carroll

The Downtown Merchants Association, city of Fallon and Churchill County are expressing the community's appreciation for the military this Fourth of July and beyond.

“I think this Fourth of July we're honoring our country, and we're honoring the people who serve our country,” said Wendy Nelsen, DMA president. “It's a patriotic holiday, and we think we can be a little more patriotic.”

Nelsen said with the help of the city and county, the Downtown Association delivered 150 posters (11x14) that express Fallon's love for the military and Naval Air Station Fallon to local businesses Friday.

Although the posters were put out for the Fourth of July, Nelsen said the DMA wants to remind local military members they are always appreciated.

“It's more than the Fourth of July,” Nelsen said. “Our military and what they do for us — we support Naval Air Station Fallon, and we want our service members to know that. We do think it's important to build those community ties.”

In a separate decision, the Churchill County Commissioners approved a policy Thursday supporting military operations in Churchill County and allowing for the establishment of a local Defense Industry Council, which will seek to develop and grow the defense industry in Churchill County.

“I think this is great that we would put this out as a public document,” Commissioner Chairwoman Gwen Washburn said. “We have always supported the U.S. Navy.”

While working with local businesses on an economic development strategy for the updated master plan, the Business Plan Task Force identified that local U.S. Department of Defense activities and NAS Fallon are a major core industry that will provide jobs, income and revenue to the community in the future.

The county has already showed its support of military industry through a Transfer of

Development Rights Conservation Easement Program to protect the sustainability of the ranges and Navy's goal toward advanced flight training and ground operations.

Commissioner Vice Chairman Norm Frey pointed out that the military members at NAS Fallon do recognize Churchill County's support.

“We have a very unique positive relationship with our military industry and the U.S. Navy,” Frey said. “At the change of command ceremony it was duly noted several times that we are a unique community in our support and ability to work with the military.”

Nelsen said she thinks it is about time the community show the military members how much they mean to Fallon and Churchill County, and she is not alone.

“Everybody is joining together to make things happen,” Nelsen said. “I'm really excited about that.”



July 9, 2010

## **Pilot ejects before jet crashes at Fallon Navy base**

*By Sean Collins Walsh  
swalsh@rgj.com*

The pilot of a Navy-subcontracted fighter jet ejected before the aircraft crashed Thursday afternoon after taking off from Fallon Naval Air Station.

After realizing his engine failed, the pilot ejected "safely and successfully" about 1:40 p.m. and was treated at Banner Churchill Community Hospital for minor injuries, said Zip Upham, information officer at the base.

Upham did not release the pilot's name.

The crash about a mile north of the runway started a brush fire.

"The aircraft was just launching and, therefore, fairly heavy with fuel," Upham said.

The single-seat A4 Skyhawk can carry up to 1,800 gallons of fuel, according to the Federation of American Scientists.

"I saw the fireball," Fallon resident Tammy Woodard said. "It was huge. It looked like it was no more than a quarter-mile from my house."

Firefighters from several local departments and the air base doused the blaze within a couple hours, Upham said. They continued to monitor hot spots across the scorched fields into the evening.

Officials of the Airborne Tactical Advantage Company, which owns the aircraft, conducted a preliminary investigation.

The National Transportation Safety Board will investigate the reason for the aircraft's "thrust failure," said Matt Bannon, ATAC spokesman.

"The aircraft is a complete loss," he said. "Unfortunately, even the most reliable airplanes can have a problem."

The jet, which Bannon said met all Federal Aviation Administration specifications, was insured. Bannon declined to comment on its current value.

The Navy often uses subcontractors such as ATAC, which purchases and maintains retired military aircraft to play the "adversarial role" in training exercises to reduce costs.

The Naval Strike and Air Warfare Center, headquartered at the Fallon base, scheduled the training exercise.

"They're playing the bad guys," Upham said. "Whether or not they're supposed to be very effective fighters or whether they're supposed to be cannon fodder is dependent upon the scenario."

Immediately after becoming airborne, the pilot "already knew he had a problem with the aircraft and was turning left in order to turn into the downwind to be able to land," Upham said. "He didn't make it there."

Upham said he does not remember a civilian aircraft crash in his 19 years at Fallon.

First flown in 1954, the A4 was retired by the Marine Corps in 1998 and by the Navy in 2003, according to government websites.

# ***OTHER- ALTERNATIVE ENERGY***

## ***Defense Environment Alert***

*an exclusive biweekly report on defense policies for cleanup, compliance and pollution prevention*

### **DOD Official Suggests Wind Energy Industry Could Fund Radar Upgrades**

07/06/2010

A high-level Defense Department official is suggesting DOD may look to wind energy developers to help fund military radar upgrades in order to alleviate an expected number of conflicts over siting new wind energy farms near military bases.

The suggestion comes as House lawmakers are pressing DOD and the Federal Aviation Administration (FAA) to quickly revamp their process for reviewing the siting of wind energy projects, which dates to the 1960s and has not been updated to address existing national security needs.

Wind farm projects involve "a lot of investment," DOD installations and environment chief Dorothy Robyn said June 29 at a hearing on wind farm compatibility with military readiness held by the House Armed Services readiness subcommittee. "Those developers are a potential source of improvements" in the military's radar technology. Upgrades to radar can sometimes alleviate interferences to radar capabilities from wind turbines. She suggested developing a market akin to that used in the electromagnetic spectrum, where those making proposals that will interfere with someone else's use of the spectrum pay to upgrade receivers to prevent the interference.

In a follow-up interview, she clarified that she is not suggesting a blanket rule requiring developers to pay for everything, but rather a negotiation with each developer. How much the developer is willing to pay would depend on the future project, she said. She noted that for instance with a \$2 billion wind project, a lot of improvement to radar could be made for millions of dollars. "There is a deal to be had. That's my major point," she said in the interview. "There are win-wins here," she said, noting that it would be in a developer's interest to accelerate upgrades to radar to make them compatible with wind projects. "It won't work everywhere, but certainly there are places where that could work," she said.

The Defense Department has previously cited the conflicts that can arise with wind farms and military needs, with the department in a recent high-profile case backing off from its opposition to a major farm proposed in Oregon after determining radar upgrades could alleviate the concerns (Defense Environment Alert, May 11).

The impacts to DOD from wind turbines are two-fold. The first relates to the decades-old analog long-range radars the military still uses in many places to maintain airspace

surveillance and air defense. The analog radar is less effective than advanced digital signal processors on newer radar systems at screening out wind turbine interference.

Second, wind turbines can impact the military's test and training work, Robyn noted. "Interference from nearby wind farms can compromise the telemetry, tracking radar and other electronic systems used to conduct" military testing of weapons, she said in written testimony. "Likewise, the Department's training mission can suffer when air traffic control radars used to train pilots are degraded by wind turbine clutter and shadowing."

But Robyn noted that while serious, the problems are "solvable." She noted three "concrete" steps DOD and other federal agencies are taking to address these issues. First, she said the federal government should improve the process used to review renewable energy project proposals in order to identify possible interference early and mitigate more easily. DOD, however, has dismissed the idea suggested by some federal officials to institute its own regulatory process rather than rely on FAA. As it stands, FAA's process currently requires just 30 days notice by a wind developer before the project begins construction, a short window of time in which DOD or other agencies could effectively object to the plan.

Second, key federal agencies, including DOD, should "realign their research and development [R&D] priorities to give greater attention to this issue." In the follow-up interview, Robyn said DOD is currently putting so little money into the area of R&D that even tripling it would not be that large an amount. "It is not a significant R&D focus now, and it needs to be," she said in the interview.

Third, she said, "federal agencies should look at the current plan for upgrading the older surveillance radar."

She also noted that DOD is working to establish a central clearinghouse for DOD to evaluate proposed wind energy projects.

Readiness Subcommittee Chairman Solomon Ortiz (D-TX) pressed Robyn and the other witnesses at the hearing, including a representative from FAA, to report back in 30 days on suggestions for changing the review process and to report on progress in making changes to that process. "What can we do as a committee to help improve the application review process on the length of time afforded so that you can review, or do you have the necessary authority to get more time to thoroughly review applications to protect military readiness?" he asked the panel.

FAA official Nancy Kalinowski testified that FAA would consider an earlier filing process, noting that a formal rulemaking takes much time, but for the time-being, FAA would suggest that wind energy developers voluntarily make their proposals known as early as possible.

And Robyn noted that a statutory change may be warranted, giving FAA explicit authority to take into account military test and training missions when considering these proposals. "It's not certain that their current authority includes that," she said, noting that an interagency group led by the National Security Council is focused on such a measure.

## State Holds Hearings On Offshore Energy

*Posted: Jul 08, 2010 4:40 PM EDT*

*Updated: Jul 08, 2010 4:40 PM EDT*

Say 'offshore energy' to most people and they will think the worst about oil and gas drilling due to the continuing environmental catastrophe in the Gulf of Mexico. But there is more to it than that one now stained option, even just off Virginia's coastline.

For Virginia, offshore energy can help power homes and the economy. Although the debate about oil drilling off the coast of Virginia still dominates the conversation in Richmond, there is growing talk of a new option: wind energy.

"Development of our offshore energy resources, wind, oil and natural gas, has to be a priority for the Commonwealth to secure our energy future and to secure our economic future," said Maureen Matsen, energy advisor to Governor Bob McDonnell.

Thursday, legislators held hearings about Virginia's efforts to harness offshore resources to help meet a growing demand.

"We must meet that demand with reliable and reasonably priced power," stated Matsen.

Nearly everyone agrees that some form of offshore energy will help bring much needed jobs to Virginia. The big debate is what type of energy. The governor is pushing what the administration calls an "all of the above" approach: using oil, coal, nuclear and renewable sources.

There is particular interest in energy off the coast of Virginia but environmentalists, and the U.S. Navy, have some concerns.

"This is an issue that's at the highest levels of the defense department," said the Navy's Tom Hicks.

The Navy is worried wind towers and oil rigs could interfere with radar facilities as well as training exercises, including live fire drills, off the coast.

"We are looking very much forward to resolving and mitigating those challenges so that we can find and support the development of alternative and renewable energy resources," said Hicks.

There are also concerns about the cost. A wind farm could cost upwards of \$2 billion to build, but supporters say wind could supply 10 percent of Virginia's energy needs each year. - Reported by Adam Rhew.

The Obama administration scrapped plans to allow oil drilling off the coast of Virginia in the wake of what happened in the gulf. Governor McDonnell, however, is pushing to get the okay from Washington once more.



American Planning Association

## Community Planning Strategies for Successful Wind Energy Implementation

APA has partnered with the National Renewable Energy Laboratory, Clarion Associates, and the American Wind Energy Association to produce a guidebook, *Community Planning Strategies for Successful Wind Energy Implementation*, with funding from the Department of Energy.

Wind energy was among the top three planning issues on which APA's Planning Advisory Service subscribers requested information in 2008. Planners and communities need information, analyses, and tools to help integrate wind energy development into the community planning process at the municipal, county, and regional scales.

APA will bring together technical experts to develop the scope of the guidebook, which is anticipated to include outreach strategies and best practices for engaging wind energy developers, elected officials, and stakeholders; siting guidelines and procedures; and examples of how to address wind energy development in local plans and ordinances.



Copies of the guidebook will be automatically distributed to all planning agencies and organizations that subscribe to APA's Planning Advisory Service. The guidebook will also be available through APA's bookstore. The effort is intended to help Wind Powering America, a Department of Energy initiative, increase wind energy use throughout the United States.

### We'd Like to Hear From You

As part of the first phase of this project, APA has launched a nationwide survey of its members to document the current status of wind energy planning in communities across the country and discover what challenges and what successes planners are having in planning for, regulating, and implementing wind energy facilities. The results of the survey will be used to help shape the content of the guidebook.

[Take the survey now](#)

### Questions or comments?

Contact [greencommunities@planning.org](mailto:greencommunities@planning.org).



## **Fossil, Ore., Radar Eyed as Testbed**

Daily Report eNewsletter

Tuesday July 06, 2010

The Pentagon is interested in using the FAA's air route surveillance radar 3 (ARSR-3) in Fossil, Ore., as a testbed for validating software and hardware improvements that could help make such radar less vulnerable to disruption from wind turbines. Such radars are crucial for surveiling domestic airspace for air traffic safety and detecting air threats. Yet with more and more large-scale wind farms popping across the nation, some of these radars are experiencing interference from the turbines. Dorothy Robyn, deputy under secretary of defense for installations, told House lawmakers June 29 that "ideally" the Defense Department would like to accelerate the upgrades already planned for the Fossil radar from the current 2014 schedule in order to use it as a testbed. The nation's largest wind farm is currently being built in nearby Shepherds Flat. DOD in May finally dropped its opposition to that wind farm project.



## The Blow-Hard Problem

Daily Report eNewsletter

Wednesday July 07, 2010

Today there are 214 FAA radars watching US airspace for air threats, Maj. Gen. Lawrence Stutzriem, director of plans, policy, and strategy for NORAD and US Northern Command, recently told House lawmakers. Of these, 13 have coverage that is degraded in some form due to wind turbine-induced interference, he said. Such degradation "jeopardizes our ability to defend the United States and Canada," said Stutzriem during the June 29 oversight hearing on how wind farms affect military readiness. Pentagon officials have said they believe that, in many cases, software and hardware upgrades to the FAA radars would overcome the interference. That's why they would like to see the FAA's radar in Fossil, Ore., used as a testbed to validate such upgrades, as we reported in Tuesday's column. Wind turbines can also affect DOD's ability to test new weapons systems without electromagnetic interference.

# ***ENHANCED USE LEASE***



## **Concerns about Navy office plans aired**

### **Businesses say plans to build at Pax River could muddy building climate outside base gate**

Friday, July 9, 2010

By JAY FRIESS

Staff writer

A handful of business leaders raised concerns Wednesday night about a proposal to build new office buildings at Patuxent River Naval Air Station, saying the project will not benefit the local development community.

The concerns came out of a listening session held by Del. John Bohanan (D-St. Mary's) at the Bay District Volunteer Fire Department to gather opinions from the St. Mary's County development and contractor communities to relay to Rep. Steny H. Hoyer (D-Md., 5th) about the Navy's Enhanced Use Lease proposal.

The Navy is offering nearly 42 acres at seven sites under its Enhanced Use Lease program for private developers to build office buildings on the base and help the Navy to consolidate contractor and civil service activity closer together as well as relieve overcrowding and retire dilapidated buildings.

Bohanan warned that the consequences of not building new office capacity on the base could expose the facility to losing programs in a future round of base closures.

But Tom Daugherty, president of Maryland Bank and Trust, said the project throws a lot of uncertainty into the local commercial real estate market.

"You may run into a situation where your local lenders ... will not be so quick to lend to our local developers, because we don't know what the rules of the game are" on base, Daugherty said.

Several contractors and developers who attended the Navy's developer forum on the base last month privately expressed concern that Navy programs might require contractors to locate their operations in the new buildings, leaving commercial landlords outside the gate in the cold.

Guy Curley, president of Liberty Homes, noted that his company had proposed to build a similar project to the one envisioned by the EUL near the base, only to be denied by the St. Mary's County Planning Commission after the Navy objected.

"We planned what we thought was a world-class office park," Curley said. "The Navy came out against our project on encroachment grounds."

The planning commission denied Curley's Glazed Pine planned unit development for Lexington Park in 2007 after Capt. Glen Ives, then commander of the base, wrote that the development was too large and too close to the base.

Contractor Adelle Pierce said she has followed the EUL process the Army is conducting at Fort Meade in Odenton and claimed that local developers are being shut out of the deal as large national developer Trammel Crow plans to bring in its own union employees to do the job.

"This can't be pitched as something that's good for local developers," Pierce said.

Todd B. Morgan, president of the Southern Maryland Navy Alliance and Republican candidate for the 4th District St. Mary's County commissioner seat, questioned the impact that the new buildings will have on current program budgets. He noted that the money contractors might have to pay to rent new space on base and be close to their clients would come out of program budgets.

"The goal of the Navy is to save dollars," Morgan said. "The concern is how this is going to impact [program performance and scheduling] if we're robbing Peter to pay Paul."

Bohanan warned the audience that simply opposing the Navy's plans could endanger future programs coming to the base and expose the base to program reductions in a future round of Base Realignment and Closure.

"It's not a simple matter, after they roll it out, to say we oppose it," Bohanan said, noting that the Navy is scheduled to issue a request for qualifications for the project July 16.

In a future BRAC round, Bohanan said, "You don't want to be a base with a lot of leased space in town. ... What I do recognize is that if they have a problem inside the gate, we have a problem outside the gate. ... There are business opportunities that we are missing, because we are chockablock full."

Bohanan said that Hoyer's office has a hold on the EUL proposal in Congress' defense appropriations committee, and the Navy would like to see it lifted by the middle of the month.

"I don't know of any reason to keep it from moving ahead," Bohanan said.



## **Wings still flapping on giant Falcon Hill project at HAFB**

by Tom Busselberg  
Jul 03, 2010

HILL AFB — What once was hailed as a mega-project for the future of Davis County has instead met with delay after delay.

Ever since a ceremonial groundbreaking took place for the mammoth Falcon Hill project in October 2008, several announced construction starts have been cancelled.

But the good news is that the mega-job creating, economy boosting project is still coming — and possibly as soon as next month.

That's the word from two officials closely involved with the project, that is due to transform the west side of Hill AFB while adding new private sector facilities near I-15 just west of the base.

"I would say our optimistic outlook is that by sometime in August we ought to be building the first building," said Rick Mayfield, director of MIDA, the Military Installation Development Authority, here.

That first structure should be five-story, 150,000-square-feet and house a major private aerospace contractor. The tenant has not been officially named.

A second building to house Hill AFB Security Forces is also planned, with construction also expected to start late this summer.

Officials connected with the project speculated in May of 2009 that construction on the mammoth project would be starting nearly a year ago on that first building. The project is expected to create millions of square feet of new building space.

"It looks like things are going to move along pretty well now," Mayfield said. "The Air Force has worked through their issues. I'm encouraged things can start moving forward."

"We're pretty close," agreed Darrin J. Wray, Enhanced Use Lease program manager at Hill AFB. "There are a couple of legal issues still in the resolution phase. We're hoping that all of that will be done by the end of July," he said, confirming the hoped-for August

construction start.

What was the reason for the holdup?

“The program is very new to the Air Force,” Wray said. Falcon Hill is the largest such project, by far, in the nation.

“As they (Air Force) looked at the details, a lot of legal issues were unclear, decisions had to be made. With any new program, as you work through the actual process, there is a lot more work up front.”

“It’s a question of the Enhanced Use Lease concept is a new concept to the military,” agreed Steve Peterson, senior policy adviser and counsel to Rep. Rob Bishop, R-Utah. “They’re still experiencing some growing pains. Military lawyers and bureaucrats are not known for their inventiveness and their entrepreneurship. They’re known for doing things by the book.”

“The highest levels of the Air Force, Air Force chief and secretary, have both committed to the (Utah congressional) delegation that they strongly support Falcon Hill,” Peterson continued. “We’re finally to the point the Air Force has officially gone on record, through publishing an RFP (request for proposal) that is under way. That hopefully will result in Phase 1 moving forward.”

But he added that “A lease has not yet been signed, and the proposal has not formally been accepted.”

# ***EXPLOSIVES SAFETY ARCS***



Daily news, connections for Port Townsend & Jefferson County, Washington

July 7, 2010

## **U.S. Supreme Court to Hear Case about Navy and Indian Island**

By Patrick J. Sullivan

The U.S. Supreme Court has agreed to hear a case from Glen S. Milner of Kitsap County asking the U.S. Navy to reveal more about the “explosive arcs” of the ordnance storage magazines and vessels at Naval Magazine Indian Island.

Less than 5 percent of the 8,000 cases appealed annually are actually heard by the high court.

The Supreme Court will hear, and set national precedent for, an exemption to the federal Freedom of Information Act (FOIA) known as High 2, which some agencies use to withhold information from the public. The High 2 exemption says internal personnel rules and practices can be exempt from disclosure.

“This appeal highlights the tension between the public’s right of access to government files under the Freedom of Information Act and the countervailing need to preserve sensitive information for efficient and effective government operations,” wrote Ninth Circuit Judge Richard C. Tallman.

The case is not specifically about Indian Island and the safety of its operations, although the original suit sought information about whether an explosion at the island depot might have an impact on nearby towns. In the last decade, the base across the bay from Port Townsend and Port Hadlock has become the military’s most used ordnance storage and handling facility on the West Coast, dealing with bombs, bullets, shells, cruise missiles and other ammunition.

Milner vs. Navy

Milner v. Department of the Navy is based on FOIA requests in 2003 and 2004. Milner lives in Kitsap County and has been associated with the Ground Zero Center for Nonviolent Action, dedicated to raising awareness about the dangers of the Navy’s activities, mostly focused on the Trident nuclear submarines at Bangor on Hood Canal.

Milner inquired about Indian Island and obtained nearly 1,000 Navy documents via FOIA requests. The Navy withheld about 81 documents relating to explosive arcs, including maps. Through FOIA, Milner obtained the same explosive arc map information for

Bangor. Non-nuclear ordnance is shipped by railroad to Bangor, then trucked about 40 miles north to Indian Island. The island does not have storage facilities for nuclear weapons, but does handle uranium-tipped munitions, such as specialized tank shells, Milner has noted in documents.

### Supreme Court

Represented by attorney David S. Mann of Gendler & Mann, LLP, of Seattle, Milner filed a lawsuit in 2006 challenging the exemption and seeking the withheld documents. His suit was rejected in 2009 by the U.S. District Court for the Western District of Washington. He appealed, and again lost before the U.S. Court of Appeals, Ninth Circuit, with one judge dissenting.

“What happened is courts have created this High 2 exemption, which the District Court doesn’t have any authority to overturn,” Mann said. “The Ninth Circuit didn’t believe they had the authority to overturn it. Only one court can overturn the High 2 exemption and that’s the Supreme Court.”

Mann filed the petition to the Supreme Court in March. On June 28, it was one of five cases out of 180 that the high court accepted.

Opening briefs are due on Aug. 12. Mann expects the oral arguments to come in early December and a decision to be made in 2011.

The court agreed to hear the case to clarify “one solid rule across the country,” Mann said, for all federal agencies to follow in terms of FOIA requests.

“The Navy has been working under a High 2 exemption from providing documents on FOIA, and it is used by a lot of agencies for different things across the country,” Mann said. “We are asking the court to determine the High 2 exemption does not exist. It is a judicial exemption doctrine that is not part of FOIA.”

### Explosive arcs

For Milner and Mann, the exemption is overly broad. It exempts internal personnel rules and practices from disclosure. “How is a map showing the possible explosion distance at Indian Island an internal personnel rule or practice? It’s not,” Mann said. “What’s happened is the agencies and some courts have created this new exemption they call High 2 for things they basically want to keep secret.”

Ordnance magazine management operations are covered by a manual called the OP-5. The Navy considers the OP-5 restricted information, but Milner bought one section on the Internet. The OP-5 contains data that measure the effects of an explosion at a particular location, called explosive safety quantity distance (ESQD) data. ESQD data can take the form of an arc map, where the center of the arc is the source of an explosion and the arc’s periphery is the maximum area affected by an explosion. The design of storage magazines is to ensure an explosion in one won’t set off a chain reaction in others.

Milner’s FOIA request sought documents, maps and diagrams regarding explosive arcs and explosive handling zones at Indian Island, along with safety instructions and operating procedures.

## Navy position

The Navy asserted it has rightfully exempted those documents from disclosure. A government attorney argued that not all buildings contain explosives, that there are different levels of explosives, and that some arc maps overlap. One judge, in support of the Navy, mentioned the aspect of terrorism. He wrote, “The ESQD arcs sought here point out the best targets for those bent on wreaking havoc. The arcs indicate specific blast range for individual magazines within [Indian Island]. A terrorist who wished to hit the most damaging target or a protestor who wished to disrupt the Navy’s monitoring and transportation protocols would be greatly aided by such information.”

Cmdr. George Whitbred, then commanding officer at Indian Island, testified on the importance of protecting ESQD information.

“I believe strongly that release of the sensitive ESQD information involved in this case would jeopardize the safety and security of the storage, transportation, and loading of ammunition and explosives,” Cmdr. Whitbred said in court records.

Milner contends that since the Navy did not classify the material, it should be released. Some of the info has been shown to Jefferson County and Port Townsend emergency response personnel. The Navy suggests that classified material would be more difficult to share with public agencies, when needed.

Court documents have Milner suggesting that documents are being withheld because of the danger to the public, including how a ship that caught fire at the pier would be scuttled. The submarine base at Bangor is four to five miles from a city. Indian Island is within two miles of Port Townsend, Irondale and Port Hadlock, across open water.

# ***UNEXPLODED ORDNANCE***



## **Bomb or Buoy? Possible Military Ordnance Washes Up on Perdido Key**

July 07, 2010

Ryan Dezember, Press-Register

ORANGE BEACH, ALA. -- What is believed to be some sort of military ordnance washed up on Perdido Key on Tuesday morning.

Encrusted in barnacles and about three feet in diameter, the object was beached just east of Perdido Pass. Local police and fire officials said they got calls in the morning about the object and they initially couldn't tell if it was an old bomb or, perhaps, a buoy.

"It resembles an old World War II mine," Mayor Tony Kennon said.

The Department of Defense was alerted to the beaching, and sent someone from Panama City, Fla., on Tuesday afternoon to check it out.

"He thinks it's a practice round, a dud," Fire Chief Forney Howard said late Tuesday.

"We're attempting to get it off the beach.

Howard said the ordnance phosphorous was detected inside of the object, and efforts were under way Tuesday evening to move it.

"We'll have it off the beach pretty soon," he said.

It's not been uncommon in the past to find unexploded or dummy ordnance along Perdido Key and in Old River, which were used as military testing grounds before the area was populated. Seldom, however, have the finds been so large, Orange Beach officials said.

# ***OVERSEAS - AUSTRALIA***



## **Safe Ears call to arms over protest to JSF noise**

BY NICK HANSEN

07 Jul, 2010

ORGANISERS are calling for bums on seats at the second meeting of Raymond Terrace residents group Safe Ears, to be held on July 14 at the Raymond Terrace Bowling Club.

The group is lobbying the Department of Defence to extend the runway at RAAF Base Williamtown by 2.5 kilometres towards the sea.

This is expected to minimise the predicted noise impact of the Joint Strike Fighter (JSF) aircraft on Port residents and alleviate development restrictions on land owners. Around 500 people turned out to the first Safe Ears meeting last month and chairman Paul Le Mottee told residents to again show their dissatisfaction by attending.

"Nothing sends a louder message than the sheer number of bums on seats," Mr Le Mottee said. Member for Paterson Bob Baldwin and Labor's Paterson candidate Jim Arneman will be given a chance to speak at the meeting and the use of a new landing system at the base will be discussed.

The meeting will begin at 7pm.